

Final Official Plan

Township of Chapple



Ministerial Approval September 17, 2013



Final Official Plan

Township of Chapple



Cover and report photos
courtesy of The Township of
Chapple, www.chapple.on.ca



Prepared for:

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October 16, 2013

By Email and Mail

Township of Chapple
P.O. Box 4
Barwick, Ontario
P0W 1A0

Attention: Peggy Johnson, CMO

Subject: Approval of the Township of Chapple Official Plan
MMAH File No.: 59-OP-0070

This letter is further to the Notice of Decision given on September 17, 2013 pursuant to subsection 17(35) of the *Planning Act* with respect to the Official Plan of the Town of Chapple.

It is intended to provide you with the status of the decision on the Official Plan pursuant to subsections 17(36) and (38) of the *Planning Act* which pertain to appeals, when decisions become final and when approvals come into effect.

Please be advised that no appeals were received by October 7, 2013. We also advise that all of the Official Plan of the Township of Chapple adopted by By-law No. 1454 and modified by this Ministry in the Decision dated September 17, 2013, is approved as modified and came into force on October 8, 2013. A sworn declaration confirming this is attached.

Enclosed for your records is a duplicate original copy of the Official Plan, as modified. We have retained an original "Minister's Copy" for our files. Should you have any questions or require additional information, please do not hesitate to contact Luke Fraser at (807) 473-3025 or at luke.fraser@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Barnycz".

Michael Barnycz
(A) Team Lead, Community Planning & Development
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encl.

c. Nadia De Santi, MCIP RPP, Senior Planner, FOTENN Planning and Urban Design

DECISION

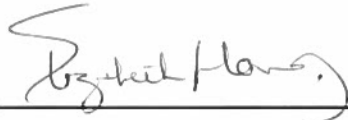
With respect to the Township of Chapple Official Plan
Subsection 17(34) of the Planning Act
And Section 26 of the Planning Act

I hereby approve the repeal of the Township of Chapple Official Plan and all subsequent amendments thereto, pursuant to By-law No. 1212, in so far as this Official Plan is approved;

I hereby modify and approve all of the Township of Chapple Official Plan, adopted by the Township by By-law No. 1454, as follows:

1. **Section 2.16 – Energy and Water, page 2-8**, by adding a new section 2.16 (4) as follows:
“ 4. Wind turbines should be set back a minimum distance measured from the limit of the highway property, equal to the distance of the height of the wind turbine structure plus the length of one blade”.
2. **Section 3.3 (7) – Agricultural Area, page 3-3**, by replacing “established in the Zoning By-law.” with “40.0 hectares.” at the end of the second sentence.
3. **Section 4.8 – Archaeological Resources, page 4-5**, by adding, at the end of the first paragraph, “Areas of Archaeological Potential mean areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*”.
4. **Section 6.2 (4) – Provincial Highways, page 6-1**, by replacing “will” with “may” in the first line of Section 6.2 (4).

Dated at Toronto this 13th day of September, 2013



Elizabeth Harding
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

The Corporation of the Township of Chapple

By-Law Number 1454

A By-Law to Adopt An Official Plan
for the Corporation of the Township of Chapple
and to Repeal By-Law Number 1212

The Council of the Corporation of the Township of Chapple, in accordance with the provisions of Section 17 of the Planning Act, RSO 1990, as amended, hereby enacts as follows:

- 1) That the Township of Chapple Official Plan, consisting of the attached text and schedules (maps) is hereby adopted with the following amendments:

- 2) That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for the approval of the Township of Chapple Official Plan;
- 3) That the Official Plan of the Township of Chapple hereby supersedes the Township of Chapple Official Plan, passed on December 30, 1996;
- 4) That Township of Chapple By-law Number 1212, as amended, is hereby repealed.
- 5) That this By-law shall take effect and come into force upon third and final reading thereof, and upon final approval of the Minister of Municipal Affairs and Housing.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 12TH DAY
OF MARCH, 2013.**

The Corporation of the Township of Chapple



Peter Van Heyst, Reeve



Peggy Johnson, CAO/ Clerk Treasurer

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SECTION 1 INTRODUCTION

1.1 PURPOSE OF THE OFFICIAL PLAN

The Ontario *Planning Act* requires municipalities to prepare and adopt an Official Plan to provide guidance for the physical development of communities. The purpose of the Township of Chapple Official Plan is to establish a vision, guiding principles, objectives, and policies to manage and direct physical development and the effect of change on the social, cultural, economic, and environment for the twenty (20) year planning horizon (i.e. until the year 2031).

This Official Plan is consistent with the Provincial Policy Statement, and in particular to the new policies adopted in 2005 relating to matters such as intensification, brownfields, and employment lands. Furthermore, this Official Plan also reflects matters of provincial interest identified in the *Planning Act* and reflects changes enacted through Bill 51.

The Township of Chapple, in fulfilling its responsibilities under the Ontario *Planning Act*, R.S.O. 1990, ch. 13, shall ensure that its policies are consistent with, among other matters, matters of provincial interest such as the:

- a. protection of ecological systems, including natural areas, features and functions;
- b. protection of the agricultural resources of the Province;
- c. conservation and management of natural resources and the mineral resource base;
- d. conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- e. supply, efficient use and conservation of energy and water;
- f. adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g. minimization of waste;
- h. orderly development of safe and healthy communities;
- i. accessibility for persons with disabilities to all facilities, services and matters to which the Act applies;
- j. adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- k. adequate provision of a full range of housing;
- l. adequate provision of employment opportunities;
- m. protection of the financial and economic well-being of the Province and its municipalities;
- n. coordination of Planning Activities of public bodies;
- o. resolution of planning conflicts involving public and private interests;
- p. protection of public health and safety;
- q. appropriate location of growth and development; and
- r. promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

The Province of Ontario issues Provincial Policy Statements periodically to provide direction on matters of provincial interest. This Official Plan was prepared under the 2005 Provincial Policy Statement. The decisions of the Township shall be consistent with this Plan and the Provincial Policy Statement that is in effect on the date of Council's decisions.

In accordance with the requirements of the *Planning Act*, the Official Plan will be reviewed every five (5) years and may be amended by the Township to reflect changing circumstances or new priorities. The main implementation tool, the Zoning By-law, will be updated within three years of each Official Plan update.

The policies contained herein, together with any amendment(s), which are adopted and finalized pursuant to the *Planning Act*, constitute the Official Plan of the Township of Chapple.

The Township of Chapple Official Plan provides guidance to the Township, residents and development proponents to create a healthy, sustainable community for future generations to enjoy. The policies and Schedules A, A-1, B and C contained herein are established primarily to guide the physical development of the Township while having regard to the relevant social, cultural, economic and natural environmental matters.

1.2 BASIS OF THE OFFICIAL PLAN

The Township of Chapple, located in Northwestern Ontario, is a picturesque community located in the District of Rainy River, approximately 45 km west of the Town of Fort Frances. Chapple occupies a total land area of approximately 542 km², consisting of a vast rural area. The Village of Barwick is the Township's unique urban area and is located directly on Provincial Highway 11 and north of the Rainy River. The Rainy River is a picturesque river that runs east-west through the southern portion of the Township.

The Township of Chapple includes eight (8) geographical townships:

- Barwick
- Dobie
- Mather
- Tait
- Roseberry
- Shenston
- Potts
- Richardson

Population

According to the Census (Statistics Canada), the population of Chapple was 856 as of 2006, representing a slight decrease since 2001 (910). The median age of the population is 35.7, slightly younger than the Ontario average of 39.

Chapple has a significant Aboriginal population. Based on the 2006 Census, close to 10% reported identifying with at least one Aboriginal group. The Rainy River First Nations Reserve is located along Rainy River, directly east of the Village of Barwick and west of the southeast most portion of the Township.

Economy

Chapple's economy is generally resource based. The development of the Oriented Strand Board (OSB) Plant just east of Barwick has provided employment in the forestry sector to residents of Chapple and the neighboring townships. Mining exploration has taken place in the Geographic Township of Richardson which is located in the northern portion of the Township of Chapple. There are three active exploration companies in the area. Rainy River Resources has conducted a preliminary economic assessment and is anticipating opening a gold mine in the Township, subject to completion and approval of an Environmental Assessment and other required permits and approvals. The underground pre-production is anticipated to start as early as 2015 subject to completion and approval of the Environmental Assessment. Depending on the findings of the final feasibility report, the project would provide 400 to 675 jobs during construction of the open pit operations. Depending on the findings of the final feasibility report, once the mine is open, it is anticipated that between 400 and 600 long-term jobs will be associated with the mine.

Land Use

The rural area comprises a range of uses including residential, agricultural, forestry, mining and other rural uses. Rural lots are on private water and septic systems. The rural area is connected to Highway 11 via Highway 71, Highway 600 and Highway 615 and a network of local roads.

Agriculture has historically and continues to play a significant role in the Township's economy. In 2006, approximately one third of Chapple's land mass (42,865 acres or 173 km²) was dedicated to farming. Chapple has the highest number of farms and on-farm jobs in the District. Many local traditions and events celebrate the role of agriculture. With the increased interest in access to local foods, it is anticipated that agriculture will continue to play an important role in the Township's economy.

Forestry and mining have played an important role in the Township's economy in recent years with mineral exploration taking place and the opening of an Oriented Strand Board Plant.

Based on the 2006 Census, there were a total of 345 private dwellings. Ninety percent (90%) of the occupied private dwellings are single-detached. The second most common form of development is duplexes (3.3%). The remaining 6.7% of dwelling units include uses such as mobile homes. Eighty-five (85) dwelling units were constructed between 1986 and 2006. About 90% of dwellings are owned rather than rented.

Heritage

In 2003, the Chapple lighthouse was inaugurated in Barwick. The lighthouse fronts on Rainy River and celebrates the history of the early settlers of Chapple who migrated to the community downriver from Rainy Lake and upriver from Lake of the Woods prior to the construction of the CN railway.

The Kay-Na-Ci-Wa-Nung (Long Sault / Manitou Mounds) is a designated National Historic Site within the Township of Chapple. The site is located on the banks of the Rainy River and is administered by the Rainy River First Nations.

1.2.1 SETTLEMENT AREA

Settlement areas are defined in the 2005 Provincial Policy Statement built up areas where development is concentrated and which have a mix of land uses, and lands that have been designated in an Official Plan for development over the long term planning horizon.

The Township of Chapple has one (1) settlement area: the Village of Barwick Settlement Area. This settlement Area shall be the focus of growth and development. The village is serviced by municipal water and sewage. Land uses in Barwick include residential, commercial, institutional, industrial and recreational uses.

The Village of Barwick is a distinct serviced settlement area comprised of residential, commercial, institutional, industrial and recreational uses. The Village of Barwick will continue to be the residential and administrative centre for the Township. While the majority of the residents live in the Rural Area and Agricultural Area, it is expected that Barwick will remain the focus and centre for new residential development, especially serviced residential development. Other uses such as community facilities are considered for development in the Village of Barwick.

1.2.2 HOUSING REQUIREMENTS

The potential demand for residential land is based on projecting the number of dwelling units that will be required into the future. In 2006, the Township had 345 dwelling units. As discussed earlier, Rainy River Resources anticipates that the future mine will provide 400 to 600 long-term jobs. It is anticipated that the population growth in the next 20 years will be mainly driven by the Rainy River Resources Mine.

It is assumed that ninety percent of Rainy River Resources Mine jobs will be occupied by current Chapple residents, First Nations and by new and future residents in neighbouring townships. Ten percent of jobs would be occupied by new Chapple residents. A ratio of one dwelling unit is assumed per job. Accordingly, approximately 60 new dwelling units will be required in the lifespan of this Plan.

As a result of the Township's predominantly rural character, it is anticipated that up to 25 percent of new residential development, representing approximately 15 housing units, will be directed to the Village of Barwick Settlement Area. It is anticipated that the majority of new housing will be single-detached dwellings; however the plan allows for other housing types such as semi-detached and row dwellings. There is sufficient land within the Village of Barwick Settlement Area to accommodate this growth.

1.3 GOALS OF THE PLAN

The goals and objectives of this Plan form the foundation of planning principles and provide direction to guide future development and provide direction for the preparation of detailed policies and programs. The goals reflect the present and future needs and values of the Township and the residents of the Township.

1. The goals of this Official Plan are to:
 - a. maintain and enhance the quality of life in the Township;
 - b. provide opportunities for growth and appropriate development;
 - c. establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the Township, over the next twenty (20) years;
 - d. secure the health, safety, convenience and welfare of its residents;
 - e. ensure the Township's resources are rationally used and both the natural and cultural heritage resources are protected;
 - f. provide policies which will encourage the expansion and diversification of the local economic base;
 - g. provide policies that guide development that is environmentally compatible and supports sustainable development;
 - h. inform the residents of the Township of Chapple of the policies that affect the development of land;
 - i. to ensure the preservation of agricultural activities and agricultural land where they presently exist;
 - j. provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees and other authorities; and
 - k. provide policies that are consistent with the Provincial Policy Statement based on local conditions and circumstances.

1.4 OBJECTIVES

The Township is committed to actively seeking and encouraging new development that maintains and improves the quality of life, the health of existing businesses and diversifies the economy. This Official Plan represents a step in this process.

1. The Township shall:
 - a. promote compact development;
 - b. encourage patterns of development which facilitate the provision of local services;
 - c. direct residential development to the Village of Barwick Settlement Area;
 - d. permit limited residential growth in the Rural Area, where lot size and configuration can support private water supply and sanitary sewage systems, and where the development would be compatible with the character of the land use in the surrounding area;
 - e. preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity and functions of ecosystems;
 - f. ensure the preservation of agricultural activities and agricultural land where they presently exist;
 - g. protect and set aside lands that contain natural environmental hazards, Natural Heritage Features and Cultural Heritage Resources, surface water and groundwater features, where possible;
 - h. encourage recreational opportunities that are compatible with the natural environment and are economically feasible;
 - i. have regard for the importance of natural resources including forest and mineral resources within the Township with respect to their contribution to the economic and social well being of its residents;
 - j. minimize negative impacts to air quality and climate change by encouraging energy efficient buildings and development;
 - k. promote reduction, reuse and recycling of waste, where feasible;

- l. ensure that buildings, streetscapes, landscapes contribute to everyday living in a positive manner;
- m. facilitate new business development and the expansion of existing businesses; and
- n. encourage the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Township and ensure that an adequate supply of land is available to meet the housing needs of its residents.

1.5 GROWTH PLAN FOR NORTHERN ONTARIO

The final Growth Plan for Northern Ontario was released in 2011. This Growth Plan was prepared under Ontario's *Places to Grow Act* (2005), which authorizes the Province to identify and designate growth plan areas, and to develop strategic growth plans for these areas. The Growth Plan for Northern Ontario is an economic development plan, an infrastructure investment plan, a labour market plan, and a land-use plan. It is intended to be used as a strategic framework that will guide decision-making in Northern Ontario for the next 25 years.

The Growth Plan is structured around six (6) theme areas: economy, people, communities, infrastructure, environment and Aboriginal peoples, with a number of policies are established for each theme. The Chapple Official Plan responds to these themes in the following manner:

- Designating areas within the Village of Barwick Settlement Area and the Rural Area for local economic opportunities and housing;
- Supporting small businesses through provisions for home based businesses and Home Industries;
- Providing for roads and community infrastructure to help the community function effectively;
- Protecting key environmental resources from alteration and development;
- Accommodating the diverse needs of all residents, now and in the future by encouraging different housing types, including secondary dwelling units and garden suites;
- Fostering partnerships with other levels of government;
- Seeking the participation of Aboriginal communities in the preparation of the Official Plan and its implementation;
- Providing a local framework to assist in the implementation of regional economic plans; and
- Identifying key natural resources (e.g. aggregate resources) for long term use.

1.6 EFFECT OF THE OFFICIAL PLAN

This Plan applies to all lands under the jurisdiction of the Township of Chapple. After this Official Plan is adopted and finalized pursuant to the *Planning Act*, no public or private work shall be undertaken and, except as provided for under the *Planning Act*, no By-law shall be passed for any purpose that does not conform to the policies of this Plan. With this Plan, the Township has achieved the goal of establishing a policy framework for the future that addresses the unique circumstances facing the Township of Chapple which also has regard for the Provincial Policy Statement in consideration of local conditions and circumstances.

1.7 STRUCTURE OF THIS OFFICIAL PLAN

This Official Plan contains written policy and schedules. The policies in this Plan are structured into nine (9) sections and begin with broad policy directions and objectives through to specific land use designations and policies, and implementation measures as follows:

Section 1 – Introduction explains the role and structure of the Official Plan and the political and administrative framework within which land use planning is carried out in Ontario.

Section 2 – General Policies contains development policies that apply to all land use designations.

Section 3 – Land Use Designations is the core of the Official Plan as it establishes land use designations and associated policies which will guide decisions for the use of land for the next 20 years.

Section 4 – Natural Heritage Features, Cultural Heritage Resources and Development Constraints

contains policies that need to be considered in areas having a Natural Heritage Features, Cultural Heritage Resources and/or a Development Constraint as illustrated on Schedule C to this Plan.

Natural Heritage Features, Cultural Heritage Resources and Development Constraints include but are not limited to provincially significant wetland, mine hazards and cultural heritage sites.

Section 5 – Servicing consists of policies related to the sanitary, water and sewer infrastructure.

Section 6 – Transportation contains policies for a multi-modal transportation network and policies for encouraging different modes of travel.

Section 7 – Implementation contains policies and planning tools related to the implementation of the Official Plan, as well as requirements for development applications.

Section 8 – Interpretation contains policies related to the interpretation of the Official Plan.

Schedule 9 – Schedules contains the following schedules:

- **Schedule A** – Land Use Designations
- **Schedule A-1** – Village of Barwick Settlement Area Land Use Designations
- **Schedule B** – Wellhead Sensitivity Protection Area
- **Schedule C** – Natural / Cultural Heritage and Development Constraints

1.8 HOW TO READ THIS OFFICIAL PLAN

The introductory paragraphs of each Section are meant to provide context for the subsequent policies. The policies provide specific direction and are to be implemented through a variety of mechanisms, including the Zoning By-law. Italicized terms throughout the text refer to statutory provincial Acts. The Official Plan must be read as a whole since more than one section or schedule may apply to a particular area or matter. Areas having a Natural Heritage Features, Cultural Heritage Resources and Development Constraints are also subject to the underlying policies in the Land Use Designations Section of this Plan.

SECTION 2 GENERAL POLICIES

2.1 GENERAL

The following land use policies apply to all lands and development in the Township of Chapple unless specifically mentioned for exclusion. When considering proposals for development, Official Plan Amendments, Zoning By-law Amendments, Consents, Subdivision or any other form of development requiring approval from the Township, the following policies shall be considered, along with other policies in this Plan.

The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

For specific developments, whenever it is deemed appropriate, the Township shall refer to other agencies for the purposes of technical assistance related to these general land use policies.

2.2 VILLAGE OF BARWICK SETTLEMENT AREA

There is one (1) settlement area within the Township of Chapple:

- Village of Barwick Settlement Area

The Village of Barwick Settlement Area is fully serviced with municipal water and sewer systems.

1. Growth and development shall generally be directed to the Village of Barwick Settlement Area and the vitality and regeneration of this area shall be encouraged.
2. Changes to the settlement area boundary may be allowed only at the time of a comprehensive review of this Official Plan.
3. However, if Council is satisfied that the proposed use requires a location beyond the settlement area and can be designed to be compatible with the natural environment and adjacent uses, then the use shall be permitted.
4. There is a need to provide greater detail in planning policies for this area. Therefore, within this area there are separate land use designations that identify future land uses within the urban area. These designations are shown on Schedule A-1 to this Plan with additional policy direction provided in the Land Use Designations section of this Plan.
5. Institutional uses such as schools and places of worship should generally be located in the settlement area. However, if Council is satisfied that the proposed use requires a location beyond the settlement area and can be designed to be compatible with the natural environment and adjacent uses, then the use shall be permitted.
6. Within the Village of Barwick Settlement Area, development through infill and intensification is strongly encouraged.
7. Growth shall be developed with municipal water and sewer as long as development occurs within the Village of Barwick Settlement Area and provided that sufficient reserve sewage and water system capacity, which has not yet been committed to existing or approved developments, is available to service the proposed growth.
8. The Township shall set a target of 25% of all new residential development to take the form of infilling and intensification within the current serviced area.

9. In order to encourage a compact urban form and to promote the creation of affordable housing, including rental accommodation, Council shall encourage development to meet the following housing targets for the Village of Barwick Settlement Area:

Dwelling Type	Percent	Density units/net ha
Low Density	85%	14 unit / net hectare
Medium Density	15%	30 unit / net hectare

2.3 LAND USE COMPATIBILITY

Compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. Compatibility can be achieved in a variety of ways, including the provision of appropriate separation distances, setbacks, buffering features, and transition in building height and massing.

As much as possible, land use conflicts should be avoided. The encroachment of residential or other sensitive land uses (such as educational and health facilities and day care centres) and major facilities (such as industries, resource extraction activities, waste management systems, sewage treatment facilities, oil and gas pipelines and transportation/rail infrastructure and corridors) on one another is discouraged. Whenever a change in land use is proposed, consideration will be given to the effect of the proposed land use on existing and committed future land uses.

1. The Township will evaluate the compatibility of development applications on the basis of the following compatibility criteria and shall be measured depending on the proposed use and the planning context. In any situation, individual criteria may not apply and/or may not be evaluated on the basis of site circumstances:
 - a. **Traffic:** Roads should adequately serve the proposed development, with sufficient capacity to accommodate the anticipated traffic generated. Generally, uses that have the potential to generate large volumes of traffic should be located on arterial or collector roads to minimize the potential for traffic infiltration on local roads.
 - b. **Vehicular Access:** The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and privacy loss on adjacent development or development on the opposite side. Uses that have the potential to generate a large amount of vehicular traffic should be located on arterial or collector roads.
 - c. **Parking Requirements:** The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. Opportunities to reduce parking requirement and promote increased usage of walking and cycling should be pursued.
 - d. **Outdoor Amenity Areas:** The development should respect the privacy of outdoor amenity areas of adjacent residential units and minimize any undesirable impacts through the arrangement and design of buildings and the use of screening, lighting, buffering or other design measures designed to mitigate impacts.
 - e. **Loading Areas, Service Areas, and Outdoor Storage:** The operational functions and visual appearance of loading facilities, service areas, including waste disposal areas, parking and areas for outdoor storage of goods and/or materials should be mitigated using a variety of methods (e.g. location, containment, berms, landscaping, and/or screening). These uses should be located away from residential areas.
 - f. **Lighting:** The potential for light spill over glare from a lighting source onto adjacent light-sensitive areas should be avoided or mitigated.
 - g. **Noise and Air Quality:** The development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions.

- h. **Sunlight:** The development should minimize shadowing on adjacent properties, to the extent practicable, particularly on outdoor amenity areas, through the siting of buildings or other design measures.
 - i. **Microclimate:** The development should be designed to minimize adverse impacts related to wind, snow drifting, and temperature on adjacent properties.
 - j. **Supporting Neighbourhood Services:** The development should contribute to or be adequately served by existing or proposed services and amenities such as health facilities, school, parks, and leisure areas. Where a development contributes to such services and amenities, the development should be at a scale that is in keeping with the character of the area.
2. **Compatibility Between Waste Disposal Sites and Sensitive Land Use**
Compatibility between Waste Disposal Sites and sensitive land uses will be assessed in accordance with the Waste Disposal Site policies of this Plan.

3. **Compatibility Between Industrial Facilities and Sensitive Land Use**
Proponents may be required to provide supporting technical studies, prepared in accordance with Ministry of Environment guidelines, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Consideration may also be given to the extent to which increased site plan requirements can reduce the potential impacts.

Separation distances between potentially conflicting land uses shall be measured in accordance with MOE Guidelines. The following minimum separation distances shall apply between industrial uses and residential or other sensitive land uses:

▪ Class I Industries	20 m
▪ Class II Industries	70 m
▪ Class III Industries	300 m

In the absence of technical studies, prepared according to MOE Guidelines, which identify an actual influence area, separation distances required between industrial uses and residential or other sensitive land uses shall reflect the following potential influence areas:

▪ Class I Industries	70 m
▪ Class II Industries	300 m
▪ Class III Industries	1,000 m

Proponents may be required to provide buffering measures such as landscaping, plantings and fencing in order to minimize the impact of the industrial activity including visual appearance.

4. **Development in Proximity to a Provincial Highway or a Railway Corridor**
Development next to a provincial highway or a railway corridor shall be subject to the applicable Transportation policies of this Plan.
5. **Agricultural Uses – Minimum Distance Separation (MS)**
New development and new and/or expansions to existing livestock facilities will comply with the Minimum Distance Separation criteria as amended from time to time,

2.4 DRAINAGE

The management and removal of stormwater is the responsibility of the property owner and must be managed to the satisfaction of the Ministry of Natural Resources, the Ministry of Environment, the Federal Department of Fisheries and Oceans and the Township in accordance with the *Drainage Act*, if applicable.

1. New development shall consider the impacts of stormwater quantity and quality on the lands and waters downstream. Stormwater Management Plans, consistent with the intent and objectives of the Ministry of the Environment's "Stormwater Management Planning and Design Manual", shall be

required as a condition of development approval for any Plan of Subdivision, industrial development proposal, or any other large scale development within the Township. Proposed developments may be required to incorporate stormwater management practices directed to minimizing stormwater volumes and contaminants, and increasing or maintaining the extent of vegetative and pervious surfaces.

2. A drainage/stormwater management report/plan shall be prepared by the proponent with the assistance of a qualified engineer licensed in the Province of Ontario, reviewed and approved by the Ministry of Transportation for proposed development, located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.
3. No development shall be permitted which would interfere with or reduce the drainage capacity of any natural watercourse or where the watercourse represents a hazard to the proposed development.
4. Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the Ministry of Natural Resources in accordance with the provisions of the *Lakes and Rivers Improvement Act* and/or the *Public Lands Act* and the Ministry of the Environment in accordance with the *Ontario Water Resources Act*.

2.5 CROWN LANDS

The Ministry of Natural Resources has the lead role for the care and management of Ontario's Crown land and water. The Township recognizes that resource management activities on Crown Lands are desirable for environmental, social and economic reasons.

1. The Ministry of Natural Resources is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township of Chapple with respect to the use and disposition of Crown Lands. Authorization for occupation or use of Crown Lands is required from the Ministry of Natural Resources.
2. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Ministry of Natural Resources and the Ministry of Northern Development and Mines as appropriate.
3. Development proposals on lands adjacent to Crown Lands shall be reviewed in consultation with the Ministry of Natural Resources.

2.6 HOME INDUSTRIES AND HOME OCCUPATIONS

The following policies apply to home industries and home occupations:

1. The Zoning By-law shall contain regulations with respect to home industries and home occupations. These regulations shall indicate, among other matters, the zones in which home industries and home occupations are permitted and the types of activities which shall be considered as home industries and home occupations.
2. Generally, home occupations shall include occupations or professions which are conducted entirely within a dwelling unit, while home industries are conducted primarily within an accessory building.
3. The home industry or home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area. The implementing Zoning By-law shall contain regulations to ensure that Home industries are adequately separated from residential properties or other sensitive land uses, both on and off the property in accordance with the Land Use Compatibility section of this Plan.
4. A Zoning By-law Amendment will be required to permit the establishment of new home industrial uses within the Village of Barwick Settlement Area.

5. Consent to sever a dwelling unit from a Home Industry may be considered appropriate if adequate buffering is available between the dwelling and the Home Industry to provide protection to the residential use and shall be in accordance with the consent policies contained in Section 7 - Implementation of this Plan and the Land Use Compatibility Section of this Plan,
6. Entrances serving home occupations or home industries located adjacent to provincial highways require the approval of the Ministry of Transportation and are subject to the Provincial Highway section of this Plan.
7. Where required by the *Environmental Protection Act* or the *Ontario Water Resources Act*, an Environmental Compliance Approval (ECA) and/or Permit to Take Water (PTTW) must be obtained prior to the commencement of the Home Industrial use.
8. Where ground contamination is suspected, the reuse of former Home Industry sites for alternative land uses shall be considered in accordance with the provisions of the Contaminated Sites / Brownfield section of this Plan.

2.7 GROUP HOMES

A group home is defined as a housekeeping unit in a residential dwelling in which a maximum of ten (10) residents, excluding staff, live under responsible supervision.

1. Group homes are permitted in the Residential and Rural designations
2. A group home must be contained within a single detached, semi-detached or duplex dwelling and occupy the whole of the building.
3. All group homes shall be licensed or approved under provincial statute and be in compliance with the Zoning By-law.

2.8 BED AND BREAKFAST

1. A bed and breakfast establishment may be permitted in a single-detached dwelling in the settlement area provided that:
 - a. the establishment is located on an open road maintained year round by the Township of Chapple or the Ministry of Transportation.
 - b. there is adequate water and sewer servicing capacity.
 - c. the establishment is in keeping with the residential character of the surrounding residential area.

2.9 MOBILE HOME PARKS

1. Mobile home parks shall be permitted in the Residential Area land use designation.
2. The development of mobile home parks and any future expansion of a mobile home park shall be subject to Site Plan Control pursuant to the requirements of Section 41 of the *Planning Act*, and will include, but not be limited to, the following considerations:
 - a. entrances and exits and road widenings;
 - b. on-site parking for residents and visitors;
 - c. on-site open space and recreational activity areas;
 - d. landscaping, fencing and buffering;
 - e. size, orientation and spatial separation of the mobile home sites;
 - f. emergency access;
 - g. municipal water and sewage capacity;
 - h. grading and stormwater management; and
 - i. outside storage.

2.10 SECONDARY DWELLING UNITS

1. Secondary dwelling units are permitted in single-detached, semi-detached and townhouse dwellings provided that:
 - a. the principal dwelling unit is located in a designation that permits the residential use;
 - b. the secondary dwelling unit is located within the main building or a detached ancillary structure (e.g. a detached garage);
 - c. there is adequate water and sewer capacity to accommodate the secondary dwelling; and
 - d. the secondary dwelling unit would not otherwise qualify as a garden suite.
2. Only one secondary dwelling unit is permitted on a lot.
3. Standards shall be established in the Zoning By-law to govern compatibility with the main dwelling and surrounding land uses, as well as the size of secondary dwelling units and other performance standards.

2.11 GARDEN SUITES

Garden suites shall be permitted in the Rural Area and Residential Area. A garden suite means a self contained temporary dwelling that is accessory to the main dwelling unit with its own kitchen, bathroom and living area which is designed to be portable and is sometimes referred to as a "granny flat". Garden suites may include a mobile home. The following policies apply:

1. A garden suite may only be permitted as a temporary use subject to a Temporary Use By-law. The time period shall not exceed twenty (20) years from the day of the passing of the By-law. As per the *Planning Act* regulations for garden suites, Council shall require the owner of the suite or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
 - a. the garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
 - b. how the design, mass and location of the garden suite complements the main residential dwelling and streetscape;
 - c. when the garden suite will be installed and removed; and
 - d. the monetary or other form of security that the council may require for actual or potential costs to the Township related to the garden suite.
2. The garden suite should connect to the services used by the main dwelling. In the areas not serviced by the municipal sewage treatment system, clearance from the Northwestern Health Unit is required to permit the garden suite to connect to the septic system servicing the main dwelling.
3. The Zoning By-law shall include regulations for unit size and other performance standards.

2.12 COMMUNITY GARDENS

The Township recognizes the reality of rising food costs, and a growing desire for locally grown produce. The Township shall encourage community gardens/roof top gardens as important resources to the community and as an attractive alternative source of food for residents. The Township shall support community gardens by:

1. Permitting community gardens and roof top gardens in the following designations: Rural Area, Residential Area and Recreational – Open Space Area.
2. Promoting community gardens in all development/redevelopment initiatives; and
3. Identifying sites, including Township parks, for the establishment of community gardens.

2.13 DRIVE-THROUGH FACILITIES

A drive-through facility is an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, restaurant or gas station.

1. Drive-through facility may be permitted in the General Commercial Area and in the Highway Commercial Area designations subject to the policies set out under the Land Use Compatibility section and the Transportation section of this Plan.
2. In the General Commercial Area, drive-through facilities should not be located between a main building and the public street.
3. Drive-through facilities will be subject to Site Plan Control. Site plans shall conform to the provisions of this section of the Official Plan, and shall ensure that pedestrian movements and vehicular movements are provided in a safe manner.

2.14 PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS

A portable asphalt plant means a small portable facility with equipment designed to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

A portable concrete plant means a small portable facility with equipment designed to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

Portable asphalt plants and portable concrete plants are not of permanent construction, but are designed to be dismantled and moved to another location as required.

1. Portable asphalt plants and portable concrete plants used by a public road authority or their agents, shall be permitted throughout the Township, subject to the approval of the Ministry of the Environment, except for the following locations:
 - in the Village of Barwick Settlement Area;
 - in Wellhead Protection Areas;
 - in Conservation – Environmental Protection Areas and Watercourse Hazards; and
 - where severe environmental disruption will occur.
2. Portable asphalt plants and portable concrete plants shall be permitted without an amendment to this Plan or the Zoning By-law. The Township of Chapple requests to be given adequate notice and an opportunity to provide comments regarding the opening of the plant.
3. Portable asphalt plants and portable concrete plants shall be removed from the site upon completion of the road project. Sites used for portable asphalt plants within Class 1 through 3 Agricultural lands, as per the Canada Land Inventory shall be rehabilitated to their former agricultural capability.
4. Portable asphalt plants and portable concrete plants shall be permitted on Mine Sites as an associated use to the mineral mining operation.

2.15 PUBLIC WORKS

Any public works undertaken in the Township of Chapple shall conform to the policies of this Plan, in accordance with Section 24 of the *Planning Act* and shall be planned and implemented in accordance to the applicable Class Environmental Assessment under the *Environmental Assessment Act*, as amended.

2.16 ENERGY AND WATER

1. The Township will encourage the application of energy conservation measures in the infrastructure and utility servicing of new buildings and in the rehabilitation and upgrading or existing neighbourhoods, buildings and structures.
2. Water conservation methods (such as efficient landscape irrigation and low water consumption fixtures) will be encouraged in new developments and in the rehabilitation and upgrading of existing sites and buildings.
3. The Township will support alternative and renewable-source energy generation facilities which are developed in accordance with this Plan and Provincial and Federal legislation, policies, and regulations. Proposed developments will be encouraged to locate in areas where their adverse impacts on adjacent lands and natural heritage features are minimized and mitigated to the greatest extent possible.
4. Wind turbines should be set back a minimum distance measured from the limit of the highway property, equal to the distance of the height of the wind turbine structure plus the length of one blade.

2.17 UTILITY CORRIDORS

Notwithstanding any policy in this Official Plan, public utilities, including hydro facilities, shall be permitted in all land use designations without an Official Plan Amendment.

2.18 COMMUNICATION TOWERS

The Township of Chapple recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. It is recognized that the Zoning By-law cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the *Radio Communications Act*. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surroundings and the community.

1. Communication towers of 16.5 m in height or greater are designated as a structure under the Ontario Building Code and will be subject to building permits.
2. A proponent seeking to establish a communications tower shall work with the Township, seek input from the community, and meet the requirements as set out in the *Radio Communications Act*.

2.19 UNION GAS

Union Gas is a major utility that is regulated by the *Ontario Energy Board Act*. Union Gas facilities are permitted in all land use designations and zones. The location of all permanent buildings, structures and excavations on lands adjacent to transmission and distribution facilities shall be determined in consultation with Union Gas.

2.20 WATERCOURSE HAZARDS

1. Development and site alteration shall not be permitted in areas subject to flooding or physical hazards except for facilities which by their nature must locate within floodplains, such as bridges, flood and/or erosion control structures. The Ministry of Natural Resources must be consulted in relation to any development or site alteration proposed within these areas.
2. Due to potential flooding and erosion hazards, the following minimum setbacks are required along the Rainy River, the Pinewood River and Sturgeon River relative to the top of the bank.
 - a. Along the Rainy River, a 30 metre setback from the top of the bank is required.

- b. Along the Pinewood River, the Sturgeon River and their tributaries, a 15 metre setback from the top of the bank is required.
3. Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansions to such uses will not be permitted unless they are in conformity with the following:
 - a. reconstruction and/or minor alterations to existing buildings or structures, storage sheds, in-ground swimming pools which do not affect flooding; and
 - b. additions or extensions, including new structures to existing agricultural operations which are not likely to incur significant flood damage or will not result in impediments to flow or floodwater storage, which are approved by the authority having jurisdiction.
4. No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Ministry of Natural Resources.
5. There is no public obligation to purchase any lands adjacent to a watercourse.
6. Where new development is proposed on a site, part of which has physical or environmental hazards, then such hazard lands shall not be acceptable as part of the 5% parkland dedication under the *Planning Act*. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township.

SECTION 3 LAND USE DESIGNATIONS

3.1 GENERAL

This part of the Plan establishes policies for the land use designations shown on Schedules A and A-1. These policies identify where different types of land use should locate in the Township, the extent of land that will be developed for that use and the development standards that will be applied when new development occurs.

3.2 RURAL AREA

It is the intent of this Plan to protect the character and environment on land designated as Rural Area of the Township of Chapple. The Township is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general Rural Area land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan and through the implementation of the Zoning By-law and Zoning By-law Amendments, would allow flexibility in determining the appropriate uses of land.

The Rural Area is characterized as a low density, multi-purpose area in which a variety of land uses can be accommodated in a compatible manner consistent with the rural character of the Township. Lands designated as Rural Area are shown on Schedule A.

It is the intent of the Rural Area land use designation to:

- maintain the low density rural character of the Township;
 - provide flexibility by permitted a variety of land uses;
 - to allow development of natural resources and economic activities in a manner compatible with the rural character; and
 - to protect existing uses from incompatible land uses.
1. Permitted uses in the Rural Area include:
 - rural residential uses;
 - small scale commercial and industrial uses;
 - institutional uses;
 - public or private recreational uses;
 - agricultural uses which include the growing of crops, including nursery and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish, aquaculture, apiaries, agro-forestry, maple syrup production, and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment;
 - extraction of peat for horticulture or fuel purposes;
 - conservation;
 - forestry uses;
 - resource management; and
 - mineral exploration.
 2. While land in the Rural Area designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given. Development within the Rural Area must be developed in accordance with the Land Use Compatibility policies of this Plan.
 3. Development within the Rural Area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time. In addition, new and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation II criteria as amended from time to time.

4. Rural residential uses on existing lots of record and on lots created through Consent or Plan of Subdivision may be permitted in accordance with Policy 2 above and the policies of this Plan. and provided that:
 - a. new rural residential uses meet the Land Use Compatibility and the Railway Corridors policies of this Plan;
 - b. new rural residential uses shall not conflict with existing agricultural operations and comply with the Minimum Distance Separation I criteria, as amended from time to time;
 - c. new residential lots shall be a minimum size of 1.2 hectares;
 - d. new residential lots shall have the capacity to provide private water and sewer services as per the Private Water Supply section and the Private Sewage Disposal section of this Plan.
 - e. new rural residential uses adjacent to areas of high or moderate aggregate potential within 1000 metres of aggregate extraction, or lands zoned to permit aggregate extraction shall be subject to the policies contained in Aggregate and Mineral Resources Section of this Plan.

5. Commercial and industrial uses providing personal, professional or retail services, or relating to agriculture or a natural resource, and recreational commercial uses may be permitted on the following basis:
 - a. generally, only dry uses are permitted on lots serviced by private individual sewage and water services. For the purpose of this section, dry uses are considered to be uses which use water for domestic purposes only and which result in the production of domestic sewage. Domestic sewage shall not include plant or chemical effluent of any type used in a manufacturing process;
 - b. other uses may be permitted provided that they comply with the Servicing policies of this plan and obtain any Environmental Compliance Approvals and/or register with the Environmental Activity and Sector Registry;
 - c. the use is developed in accordance with the Land Use Compatibility policies of this Plan;
 - d. the use is located on a provincial highway, or on an open road maintained by the Township;
 - e. the applicant shall enter into a Site Plan Agreement pursuant to Section 41 of the *Planning Act*, as required.

6. Lands used for forestry purposes as defined by the *Forestry Act* include the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation and protection and production of water supplies. Forestry uses may be permitted without a Zoning By-law Amendment. A Site Plan Agreement pursuant to Section 41 of the *Planning Act* may be required.

7. Lands used for public or private recreational purposes may be permitted in accordance with the policies of this Plan and the following:
 - a. A Site Plan Agreement pursuant to Section 41 of the *Planning Act* may be required.

8. Farm help houses shall be constructed in close proximity to the principal farm buildings so that the farm help house is considered to be an integral part of the farming operation. The farm help house may share services with the principal residence provided clearance is obtained from the Northwestern Health Unit that the septic system serving the principal residence has adequate capacity to accommodate the farm help house. A farm help house shall not be constructed with the intention of severing it from the farming operation in the future.

9. Guest cabins may be permitted as an accessory use.

3.3 AGRICULTURAL AREA

It is the objective of the Agricultural Area:

- to encourage the preservation of agricultural lands for agricultural purposes;
- to direct non-farm uses to other areas in the Township;
- to minimize the impact of non-farm uses on agricultural operations;
- to protect and enhance the natural amenities, character and lifestyle of the Agricultural Area;

- and
- to encourage growth of the agricultural-related businesses that support current farm operations in appropriate locations.

Lands designated Agricultural Area are shown on Schedule A and are defined as lands having soils that are predominately comprised of Class 1 through 3 of the Canada Land Inventory.

1. Permitted uses in the Agricultural Area include:
 - a. agriculture uses which include the growing of crops, including nursery and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish, aquaculture, apiaries, agro-forestry, maple syrup production, and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment;
 - b. agricultural uses secondary to a farming operation such as home occupations, home industries, and uses that produce value added agricultural products from the farm operation; and
 - c. farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and located in close proximity to the farm operation.
2. Other compatible uses such as forestry, conservation, wildlife management and mineral exploration are permitted in the Agricultural Area.
3. Non-agricultural uses which are not compatible with agriculture are not permitted in the Agricultural Area and are encouraged to locate elsewhere in the Township.
4. Notwithstanding Policy 3, extraction of mineral aggregates is permitted as an interim use without the need for an Official Plan Amendment provided that the site is rehabilitated to a standard whereby substantially in the same areas and same average soil quality for agriculture is restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:
 - a. there is a substantial quantity of mineral aggregates below the water table warranting extraction or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
 - b. other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
 - c. agricultural rehabilitation in remaining areas is maximized.
5. Permanent or portable farm help houses may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where these additional dwellings do not have significant negative effect on the tillable area of the farm or its viability. Farm help houses shall be constructed in close proximity to the principal farm buildings so that the farm help house is considered to be an integral part of the farming operation. The farm help house may share services with the principle residence provided clearance is obtained from the Northwestern Health Unit that the septic system serving the principle residence has adequate capacity to accommodate the farm help house. A farm help house shall not be constructed with the intention of severing it from the farming operation in the future.
6. Garden suites may be permitted in the Agricultural Area in accordance with the policies of the Garden Suite section of this Plan.
7. Agricultural parcels are to be of a size appropriate for the type of agricultural uses common in the area and be sufficiently large to maintain flexibility for future changes. The minimum lot area for new and retained agricultural parcels shall be 40.0 hectares.

8. Guest cabins may be permitted as an accessory use.

3.4 RESIDENTIAL AREA

The Residential Area is the residential area serviced by municipal water and sewage treatment systems within the Village of Barwick Settlement Area. The Residential Area is shown on Schedule A-1.

It is the objective of this Plan to:

- ensure that an adequate supply of land and range of housing types and densities is available to accommodate residential growth and the demands for residential development for at least ten (10) years within the Village of Barwick Settlement Area;
 - ensure that new residential development or redevelopment is physically compatible with the surrounding area and land use conflicts are minimized;
 - ensure the provision of adequate services including water, sanitary sewers, storm drainage;
 - ensure, wherever possible, in the design of residential developments, the protection and enhancement of the natural environment and amenities;
 - to promote a cost and energy efficient residential development pattern; and
 - to encourage residential development to locate in the designated Residential Area.
1. The Residential Area designation will be used primarily for residential purposes offering a full range of housing types and densities. Rooming houses, group homes, secondary dwelling units, garden suites, bed and breakfast, home occupations and home industries shall be permitted in accordance with the Zoning By-law provisions.
 2. Supporting uses such as parks, community recreational facilities, places of worship, nursery schools and day care centres, hospitals, medical centres, elementary and secondary schools, other public and private institutional uses may be permitted in the Residential Area, subject to the Land Use Compatibility section of this Plan.
 3. Local convenience commercial uses may also be permitted within the Residential Area. The local convenience commercial uses shall be limited to, and cater to the day-to-day convenience and shopping needs of the immediate neighbourhood. The local convenience commercial uses shall be of a size and scale that is compatible with the surrounding residential uses and shall be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*.
 4. In existing built-up residential areas which are relatively stable and where the potential for new development and redevelopment exist (i.e. residential intensification and infilling) the building designs and densities shall be compatible with the physical character and identity of the surrounding residential lands.
 5. The following standards of residential amenity shall be provided for with any residential development or redevelopment:
 - a. the provision and maintenance of adequate off-street parking for the development;
 - b. the provision and improvement and/or maintenance of on-site landscaping;
 - c. the provision and maintenance of adequate separation distances and the placement of buffer features between residential uses of differing densities and between different types of land uses; and
 - d. the development is to be adequately served by community facilities such as parks, commercial uses, places of worship and school sites.
 6. Low density residential uses shall generally include single-detached, semi-detached and duplex dwellings. The target net density for low density residential uses shall be 14 units per hectare (6 units per acre).

7. Medium density residential uses shall generally include townhouses, apartments, nursing/seniors homes and mobile home parks. The target net residential density shall be 30 units per hectare (12 units per acre).
8. In accordance with the Land Use Compatibility and the Transportation policies of this Plan, the Township will require appropriate measures to reduce the effects of noise, dust, visual intrusion, vibration and other undesirable impacts of new residential development or redevelopment adjacent to Highway 11, the CNR line and other environmentally incompatible land uses in consultation with the Ministry of the Environment.

3.5 RECREATIONAL - OPEN SPACE AREA

The objective of the Recreational - Open Space Area is to preserve and conserve those lands that have scenic qualities and that offer community and cultural facilities within the Village of Barwick.

1. The primary land uses for areas designated Recreational - Open Space Area shall be for active and passive recreational uses, public and private parks, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, marinas, cemeteries and wildlife management areas.
2. This Plan recognizes the following hierarchy of parks:
 - a. Local Neighbourhood Park - a neighbourhood park approximately 0.4 to 2.0 hectares in size and serves the surrounding residential neighbourhood area. Typical facilities would include a softball diamond, soccer field, playground, wading pool and passive recreational areas; and
 - b. Community Park - is a park approximately 2.5 to 10 hectares in size and is often located in conjunction with a school facility and serves a larger population base than compared with a neighbourhood park. Typical facilities such as a community park would include sports fields, tennis courts, community playgrounds, washrooms, community centre, meeting room/areas and passive recreational areas.
3. The Township, in the design and development of parks, open space areas and recreational facilities shall encourage accessibility for the physically challenged.
4. Open space linkages which access recreational and open space uses in the Township, particularly those in the Village of Barwick, shall be encouraged.
5. In order to improve pedestrian accessibility to existing and future open space and recreational facilities, the Township may require, as a condition of development or redevelopment, the dedication of land and construction of pedestrian walkways. This dedication of land and construction of pedestrian walkways shall not compromise or constitute part of the required parkland dedication or cash payment in lieu of parkland dedication.
6. Development within areas designated Recreational - Open Space Area will complement the natural environment.
7. In areas intended for Recreational - Open Space Area in the vicinity of the Rainy River shoreline, the Township shall cooperate with the Ministry of Natural Resources or other relevant agencies to minimize flood risk and other hazards.
8. Notwithstanding Policy 1, small scale commercial uses which are ancillary to and support the permitted recreational and open space uses may also be permitted by amendment to the Zoning By-law.

3.6 COMMERCIAL USES

It is the intent of this Plan to promote business and commerce primarily within those areas designated General Commercial Area and Highway Commercial Area on Schedules A and A-1.

It is the objective of the Official Plan that Commercial Uses:

- provide sufficient level and variety of retail activity within the Township to satisfy the consumer demands of the residents;
 - promote planned development of business and commercial uses consistent with the needs of the Township's residents;
 - recognize the business district in the Village of Barwick and to enhance business and commercial activities within the Township;
 - ensure that commercial development is compatible with adjacent land uses, particularly residential uses; and
 - recognize and provide for emerging tourist commercial opportunities.
1. Commercial uses shall be regulated in the Zoning By-law. The Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and residential or institutional uses.
 2. When considering an application to establish a commercial use or uses, the Township shall have regard for the following:
 - a. the compatibility of the proposed use with the surrounding area as per the Land Use Designation policies of this Plan;
 - b. the physical suitability of the site for the proposed use;
 - c. the adequacy of the existing street system to accommodate access and on-street parking;
 - d. the convenience and accessibility of the site for both pedestrian and vehicular traffic; and
 - e. the adequacy of utilities and water and sewer services.
 3. The commercial areas of the Township are a Site Plan Control area and commercial uses will be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*.
 4. The provision of landscaped areas and all landscaping shall form an integral part of all commercial developments. Landscaping and tree planting shall be provided to improve the streetscape, to function as screening and buffering between adjacent uses and for aesthetic and resting purposes.
 5. Open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law.
 6. Loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible.
 7. Existing residential uses in the General Commercial Area and in the Highway Commercial Area shall be permitted.

3.6.1 GENERAL COMMERCIAL AREA

It is the intent of this Plan to maintain and promote the General Commercial area. New commercial development shall not jeopardize the commercial viability of the commercial uses in the downtown Village area.

1. Permitted uses in the General Commercial Area designation are those uses that serve the residents of Chapple and include:
 - commercial uses;
 - offices;
 - restaurants;
 - hotels;
 - institutions, public and government uses; and
 - single-detached dwellings.

2. New development or redevelopment in the General Commercial area shall be sensitive to the character and scale of existing commercial uses, shall provide adequate off-street parking and shall not generate traffic that will result in negative impacts on adjacent residential neighbourhoods.
3. The Township may consider accepting cash-in-lieu for parking spaces from new commercial developments or commercial redevelopments if adequate parking exists in the vicinity of the proposed development.
4. Apartment units may be permitted above or behind commercial uses in the General Commercial area subject to the following criteria:
 - a. the residential use shall not detract from the prime function of the commercial designation;
 - b. amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
 - c. parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

3.6.2 HIGHWAY COMMERCIAL AREA

Business and commercial uses permitted within the Highway Commercial Area are those uses located along Highway 11 and which require a substantial land area and rely to a greater extent on motor vehicle traffic for their economic viability.

1. Permitted uses include:
 - retail uses;
 - offices;
 - personal service establishments;
 - restaurants;
 - hotels/motels;
 - automotive related retail uses;
 - automotive sales and service uses; and
 - institutional uses and public and government uses.
2. Automobile traffic and adequate parking shall be a major design consideration for Highway Commercial uses. Effort shall be made to minimize the number of entrances and exists to and from roads and to segregate service and customer traffic. Where appropriate, access or service roads, and joint entrances between commercial uses shall be encouraged to minimize traffic conflicts subject to the requirements of the Ministry of Transportation.
3. Accessory dwellings may be permitted in the Highway Commercial Area for a caretaker, employee or proprietor of the commercial use, subject to the following criteria:
 - a. the residential use shall not detract from the prime function of the commercial designation;
 - b. amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
 - c. parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

3.7 INDUSTRIAL AREA

The Industrial Area designation is intended to promote development through the expansion of the existing industrial base and stimulation of new industrial growth. Appropriate areas that accommodate the needs of existing industries through expansion or relocation and the establishment of new industries are shown on Schedule A-1.

It is the intent of the Industrial Area to:

- a. expand the Township's existing industrial base by providing lands for continued industrial growth;

- b. minimize the impact of the Industrial Area on surrounding areas, particularly on residential uses and on the natural environment; and
 - c. guide the location of new industrial uses and industrial redevelopment within the Township.
1. Permitted uses in the Industrial Area include:
 - manufacturing, processing, assembling, fabricating, servicing, storage of goods and raw materials;
 - warehousing;
 - wholesaling and service sector industries including transportation, communication;
 - government services; and
 - medical and other health laboratories.
 2. Uses that are incidental or ancillary to industrial operations, such as retailing or wholesaling, may also be permitted in the Industrial Area. Retailing will not be permitted to become the predominant use and will be limited in size so as not to interfere with or detract from the primary function of the Industrial Area.
 3. The Industrial Area is a Site Plan Control area in the Township and industrial uses will be subject to Site Plan Control pursuant to Section 41 of the *Planning Act*.
 4. Industrial uses which are exposed to Highway 11 shall be developed in an attractive manner to provide a positive statement to the Township. To achieve this, building and site design shall have consideration of the following design standards:
 - a. open storage shall be prohibited unless it can be demonstrated that appropriate landscaping and screening to shield the open storage areas will not detract from the intended character of the area;
 - b. parking and loading areas will generally be restricted to side and rear yards;
 - c. all industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the highway; and
 - d. development or redevelopment of industrial uses shall comply with the applicable standards of the Ministry of the Environment regarding emissions and noise.

3.8 CONSERVATION - ENVIRONMENTAL PROTECTION AREA

The objective of the Conservation - Environmental Protection Area is to set aside those lands that contain features worthy of conservation.

1. The Kay-Nah-Ci-Wah-Nung (Long Sault / Manitou Mounds) site and the municipal well-field shall be considered Conservation – Environmental Protection Area.
2. The municipal well-field includes some existing uses that are incompatible with the long-term protection of the municipal drinking water system. Consequently, the municipal well-field is *designated Conservation-Environmental Protection* to ensure that no new incompatible uses are established or expanded on these lands. The Township will work with relevant partners to relocate the existing RV park, and the storage of any potentially dangerous chemicals (e.g. fuels, road salt, fertilizers and pesticides) that are currently stored on the well-field.

3.9 WASTE DISPOSAL SITE

Waste Disposal Sites are landfills, dumps, incinerators and any other facilities providing for the long-term storage or destruction of municipal solid waste. Composting, recycling and transfer facilities are industrial uses.

Human health and safety may be affected within the area of influence of an operating or non-operating waste disposal site. The most significant contaminant discharges and visual problems normally occur within 500 metres of the perimeter of the fill area. The actual area of influence will vary

for every waste disposal site.

1. Waste Disposal Sites are designated on Schedule A in order to recognize their function and their potential impact on surrounding land uses.
2. The Township will require an Official Plan Amendment for the establishment of any new Waste Disposal Site. The Township will evaluate applications based on a completed Environmental Assessment or an Environmental Screening Report under the *Environmental Assessment Act* considering such items as the:
 - a. rationale for the undertaking,
 - b. potential impact on the Township's commitment to waste reduction, reuse and recycling,
 - c. potential community, public health, transportation, environmental, visual, financial and land use impact of the facility,
 - d. use of mitigation measures, such as buffers and setbacks, to address potential land-use conflicts,
 - e. potential impacts and mitigation measures related to roads and haul routes to the facility;
 - f. environmental monitoring of the facility; and
 - g. the end use of the facility.
3. The Zoning By-law will restrict the location of Solid Waste Disposal facilities to specific sites.
4. Expansion of waste disposal sites will require a Zoning By-law Amendment. The Township will consider the amendment based on the criteria listed in Policy 2 above.
5. Land within 500 m of an operating or non-operating waste disposal site boundary is considered to be the influence area of the site. However, where the Township or the owner of the site, has determined through an Environmental Assessment, or similar study that significant ground, surface or airborne impacts occur at a distance greater than 500 m the greater distance will establish the influence area.
6. Proponents for any development that requires planning approval on land within the influence area of a waste disposal site will undertake a study, in consultation with the owner/operator of the disposal site, to demonstrate that the solid waste disposal site will not have any adverse effects on the proposed development and will not pose any risks to human health and safety. Particular attention will be required for those proposals that will accommodate people or include animal husbandry or food production. Where an operating solid waste disposal site is involved, the Township must be satisfied that the development will not impact the continuing operation of a solid waste disposal site.
7. The study must be undertaken by a qualified professional and must also conform to the Contaminated Sites / Brownfield policies of this Plan. The study will be consistent with provincial regulations and address the presence and impact of the following: contamination by leachates, surface runoff, ground settlement, visual impact, dust, noise, soil contamination and hazardous waste, and landfill-generated gases. Particular attention shall be given to odour and the production and migration of methane gas.
8. Notwithstanding the requirement for a study in policy 6 above the following compatible uses do not require a study: utilities, waste-processing facilities, transportation routes, forestry activities, and gravel pits, quarries and other mining activities.
9. Notwithstanding policies 6, 7 and 8 above no new land use will be permitted within 30 metres of:
 - a. the licensed perimeter of an operating site; or
 - b. the 'fill area' of a non-operating waste disposal site. For the purpose of this policy the 'fill area' means the area of a waste disposal site that was set aside for land filling or dumping.
10. No reuse of a non-operating solid waste disposal site may occur within 25 years of closure, unless approved by the Minister of the Environment under the *Environmental Protection Act*.

3.10 AGGREGATE EXTRACTION AREA

Land designated as Aggregate Extraction Area on Schedule A to this Plan are existing pits and quarries. It is the goal of this Plan to manage and protect aggregate resources responsibly for long-term use through regulations on current surface operations, minimizing adverse impacts on the social and natural environments, and protecting them from incompatible uses. Areas with potential aggregate resources are designated on Schedule C and are subject to the policies in the Natural Heritage Features, Cultural Heritage Resources and Development Constraints Section of this Plan.

1. The primary use of land designated as Aggregate Extraction Area shall be pit and quarry operations. Other uses that do not preclude the possibility of future expansion and extraction may also be permitted. New lot creation for rural residential development shall not be permitted on land designated Aggregate Extraction Areas.
2. Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Township and with the Ministry of the Environment through the issuance of an Environmental Compliance Approval (ECA).
3. Aggregate Extraction Areas shall be protected from uses that may hinder the future expansion and extraction of aggregates. The protection of known aggregate resources shall take precedence, over any land use that would prevent the future expansion and extraction operations.
4. Existing Aggregate Extraction Areas shall be permitted to continue without an Official Plan Amendment, Zoning By-law Amendment or development permit under the *Planning Act*.
5. Requests for mineral aggregate extraction or the expansion of an existing operation within the Township shall consider the following:
 - a. the effect of the operation of the pit or quarry on the environment;
 - b. compatibility with surrounding land use as outlined in the Land Use Compatibility section of this Plan;
 - c. the suitability of the progressive rehabilitation and final rehabilitation plans for the site;
 - d. the any possible effects on ground and surface water resources;
 - e. any possible effects of the operation of the pit or quarry on agricultural resources;
 - f. the main haulage routes and proposed truck traffic to and from the site;
 - g. the quality and quantity of the aggregate on the site; and
 - h. associated works that affect fish and or fish habitat may require authorization under the *Fisheries Act*.
6. A Site Plan Agreement, pursuant to Section 41 of the *Planning Act*, is required. The agreement shall address the following matters, but not be limited to:
 - a. hours of operation;
 - b. location of proposed buildings, machinery and equipment;
 - c. setbacks, landscaping and buffering;
 - d. stormwater management;
 - e. existing and anticipated final grades of excavation;
 - f. access/egress;
 - g. haulage routes;
 - h. improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
 - i. site rehabilitation.
7. Rehabilitation of exhausted pits and quarries shall be required and implemented through a site rehabilitation plan. Site rehabilitation plans shall be prepared to the satisfaction of the Ministry of Natural Resources and the Township.

8. Notwithstanding Policy 1, in Aggregate Extraction Areas that are depleted or not suitable for exploitation, the property may be used for rural uses as described in the policies for the Rural Area. In all cases, a Zoning By-law Amendment to an appropriate zone will be required, provided that:
 - a. any license applying to the land has been surrendered or modified so as not to apply to the land and it can be demonstrated that the land has been suitably rehabilitated to permit the development;
 - b. the proposed use will not limit the possibility of mineral aggregate extraction from other lands designated Aggregate Extraction Area; and
 - c. issues of public health, public safety and environmental impact are addressed to the satisfaction of the Township. This may necessitate the submission of other supporting information such as geotechnical and groundwater studies.

3.11 MINE SITES

Mine sites are regulated by the *Mining Act* and administered by the Ministry of Northern Development and Mines. Other federal and provincial legislation applies. The intent of Official Plan is to ensure these uses are protected from incompatible uses and to minimize adverse impacts of mineral mining operations on the surrounding natural and social environments.

1. Mine sites consist of active and proposed mineral mining operations (as defined by the Provincial Policy Statement) and may be used for a variety of mining and mining-related uses. Mine Sites are represented on Schedule A by a symbol generally identifying the location.
2. The specific location and extent of a Mine Site shall be identified in the Zoning By-law. Until a Zoning By-law Amendment is adopted on lands represented by a Mine Site symbol and the mine receives approval to operate, the underlying land use designation shall apply.
3. There is one planned mine site in the Township which is shown on Schedule A as a Mine Site. Following the completion of an Environmental Assessment, the Zoning By-law shall be amended to show the boundaries of the mine.
4. An Official Plan Amendment and a Zoning By-law Amendment shall be required to permit any new mine sites. In approving any new mine sites, Council shall consider:
 - a. the impact on surrounding uses;
 - b. impact on the social and natural environments;
 - c. aesthetic appearance of the proposed development; and
 - d. the benefit of the mining or mining-related use to the Township.
5. Mine Sites will be protected from activities that would preclude or hinder their expansion, continued use or which would be incompatible for reasons of public health, safety and environmental impact. Mine Sites are considered as Class III Industrial Uses. Mine Sites and sensitive land uses are subject to the separation distance outlined in the Land Use Compatibility Section of this Plan.
6. Mine Sites are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure. After extraction and other related activities have ceased, mine sites shall be rehabilitated to the satisfaction of the Ministry of Northern Development and Mines.
7. Proponents of new mines are encouraged to conduct Environmental Assessments, and to consult with the Township and the public throughout these processes.

SECTION 4 NATURAL HERITAGE FEATURES, CULTURAL HERITAGE RESOURCES and DEVELOPMENT CONSTRAINTS

The Township's Natural Heritage Features, Cultural Heritage Resources and Development Constraints are shown on Schedule C to this Plan and shall be reviewed in conjunction with updated provincial mapping. Areas having Environmental Features and Development Constraints are also subject to the underlying policies in the Land Use Policies section of this Plan.

4.1 NATURAL HERITAGE

Natural heritage is a system composed of natural heritage features and areas, which are linked by natural corridors. Natural heritage features, areas and corridors are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.

The diversity and connectivity of natural features and the long-term ecological function and biodiversity of the Township's natural heritage systems shall be maintained, restored, or improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features.

When potential development may have an impact on, or be impacted by, one of the natural heritage features and areas described in this section, the Township may refer to the appropriate agency for comment. For example, proposals near known nesting sites will be referred to the appropriate provincial ministry through the Ministry of Municipal Affairs and Housing Municipal Plan Review process.

Council recognizes that all of the undeveloped land of the Township is suitable habitat for a variety of wildlife species.

Schedule C illustrates certain wildlife habitat that has been identified by the Ministry of Natural Resources as having special significance. Consultation with the Township and the appropriate Ministry shall be conducted prior to any development and/or site alteration in these areas.

4.2 AREAS OF NATURAL AND SCIENTIFIC INTEREST

Areas of Natural and Scientific Interest (ANSI) mean areas of land and water containing natural features which have been identified as having value related to natural heritage protection, scientific study or education. The identification of candidate ANSIs shall be determined in consultation with the Ministry of Natural Resources.

1. The Ministry of Natural Resources is responsible for identifying candidate ANSIs.
2. Development may be permitted in areas of natural and scientific interest provided it does not negatively impact on the natural features or ecological functions for which the area has been identified.
3. Where development or site alteration is proposed within 120 m of the boundary of the ANSI, the proponent shall provide the Township with an Environmental Impact Statement (EIS) that demonstrates that there will be no negative impacts on the ANSI or on its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 m from significant portions of the ANSI may also require an Environmental Impact Statement.

If impacting a candidate ANSI cannot be avoided, a permit or agreement shall be obtained by the proponent under the terms of the *Endangered Species Act* before the activity proceeds. Municipal staff should work directly with Ministry of Natural Resources district staff to develop agreements or permits when required.

4.3 ENDANGERED AND THREATENED SPECIES

The *Endangered Species Act* (ESA) prohibits the killing, harming, harassment, capture, or taking of a species at risk, and the damaging or destroying of their habitat. The presence of Species at Risk (extirpated, endangered, threatened or special concern species) shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with Ministry of Natural Resources staff.

1. Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the *Endangered Species Act*. Development or site alterations must be planned and considered in accordance with the provisions of the Act.
2. Each development or site alteration will require an appropriate level of assessment for habitat of threatened or endangered species. The assessment begins with an NHIC Species at Risk Screening and discussion with MNR.
3. MNR is the lead agency responsible for approving the delineation of Significant Habitat for Threatened and Endangered species and administering the provisions of the *Endangered Species Act*.
4. Where development or site alteration is proposed within 120 m of a Significant Habitat, the application cannot proceed unless it can be redesigned to avoid the Significant Habitat or it can be demonstrated through an Environmental Impact Statement (EIS) that the development or site alteration will have no negative impacts on the habitat or on its ecological function.

4.4 FISH HABITAT

The Township of Chapple supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that the Ministry of Natural Resources (MNR) has a lead role in supporting planning authorities in carrying out their responsibilities and that Fisheries and Oceans Canada (DFO) is the delegated authority to authorize alteration, disruption and destruction of fish habitat. Under that *Federal Fisheries Act*, fish habitat is defined as spawning grounds and nurseries, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. According to this definition, many waterways may serve as fish habitat.

1. The minimum natural vegetated cover adjacent to fish habitat is 30 m.
2. Development and site alteration shall not be permitted on or within 120 m of fish habitat unless it can be demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impact on fish habitat. The EIS shall be completed by a qualified professional. This report shall identify the features of the Fish Habitat, the nature of the proposed development, the potential impacts that the development may have on the Fish Habitat and the mitigation measures required to prevent adverse impacts on the Fish Habitat.
3. MNR is the lead agency for identifying known fish habitat and approving the delineation of fish habitat.
4. Where development will result in the harmful alteration, disruption, or destruction of fish habitat, prior authorization from the federal Department of Fisheries and Oceans is required under the federal *Fisheries Act*.
5. Any proposed development within areas identified as fish habitat and on adjacent lands (120 m) to fish habitat shall be subject to the policies in the Pre-Application Consultation and Prescribed Information for Planning Applications of this Plan.

4.5 WETLANDS

Wetlands are essential components of ecosystems that contribute to the high quality of the environment. Wetlands control and store surface water to assist in flood control, function as sediment traps to improve water quality, provide habitat for a variety of plant and animal species, and function as recharge areas for groundwater resources. Wetlands mean lands that are seasonally or permanently covered by water as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favored the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

1. The Ministry of Natural Resources is responsible for classifying wetlands, which are shown on Schedule C.
2. Any wetlands that are identified as provincially significant may be added to this Plan without an amendment. Minor changes to the boundaries of any identified provincially significant wetlands shall not require an amendment to the Official Plan.
3. Development and site alteration not permitted on or within 30 m of a wetland unless it is demonstrated through an Environmental Impact Statement (EIS) that the development or site alteration will not result in a negative impact on the wetland feature or its functions.
4. Where development and/or site alteration is proposed within 120 m of the boundary of a provincially significant wetland, the proponent shall provide the Township with an Environmental Impact Statement (EIS), prepared by a qualified professional and in accordance with the Environmental Impact Statements section of this Plan, which demonstrates that there will be no negative impacts on the wetland or its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 m from portions of a wetland may also require an Environmental Impact Statement. MNR is responsible for reviewing and accepting EISs relating to development and/or site alteration next to provincially significant wetlands.
5. Any change or interference within or adjacent to the provincially significant wetland will require a permit from the Ministry of Natural Resources.
6. Where the provincially significant wetland areas are in private ownership, public use and access to these lands for any purpose is not permitted without the consent of the owner.
7. New utilities/facilities shall be located outside of wetlands, where possible.

4.6 ECOLOGICALLY SENSITIVE AREAS

Ecologically Sensitive Areas denote key natural heritage areas in the Township, including habitat areas, feeding and nesting areas and areas that provide protection, cover and food for wildlife. Ecologically Sensitive Areas may include Significant Wildlife Habitat as defined by the Ministry of Natural Resources.

1. The type of Ecologically Sensitive Area is kept confidential by the Ministry of Natural Resources. Consequently, Ecologically Sensitive Areas are shown generically on Schedule C to this Plan.
2. When development or site alteration is proposed in or within 120 m of an Ecologically Sensitive Area, the proponent shall consult with the Township and/or the Ministry of Natural Resources to determine the nature of the Ecologically Sensitive Area.
3. The Township, in consultation with the Ministry of Natural Resources, may request an EIS to ensure the development or site alteration will not result in negative impacts to the Ecologically Sensitive Area, particularly if the MNR determines that the Ecologically Sensitive Area is a Significant Wildlife Habitat.

4. Property owners are encouraged to seek the assistance of the Ministry of Natural Resources in the management of wildlife resources.
5. Opportunities to maintain enhance and improve the quality of air, land, water and plant and animal life and maintain the biodiversity of indigenous natural systems and the protection of natural links and corridors used for wildlife migration is encouraged.

4.7 CULTURAL HERITAGE RESOURCES

Cultural Heritage Resources include “built heritage resources” and “cultural heritage landscape” as defined by the 2005 Provincial Policy Statement as follows:

Built heritage resources: means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions.

Cultural heritage landscape: means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual cultural heritage resources such as structures, spaces, archaeological sites and natural elements of cultural heritage value or interest, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

1. Council recognizes the importance of Cultural Heritage Resources. The *Ontario Heritage Act* will be utilized to conserve, protect and enhance the Cultural Heritage Resources in the Township through the designation of individual properties and through the identification of these properties on the Schedule C to this Plan. The Township of Chapple shall encourage the conservation, protection and rehabilitation of Cultural Heritage Resources, as well as encourage and foster public awareness, participation and involvement in the conservation of these resources.
2. Cultural heritage landscapes and built heritage resources should be identified and conserved, where possible when development and infrastructure decisions may affect these resources.
3. Once a Cultural Heritage Resource is identified, Council shall maintain a heritage register, resulting in inventories of cultural heritage sites within the Township of Chapple.
4. Where development or site alteration is proposed on a property containing a designated heritage building (Part IV of the *Ontario Heritage Act*), or on a property fronting on or directly abutting a property containing a designated heritage building (Part IV of the *Ontario Heritage Act*), the Township shall require an applicant to undertake a heritage impact assessment. The heritage impact assessment shall be conducted by a qualified professional with expertise in Cultural Heritage Resources to:
 - identify the positive and adverse impacts on the heritage resource that may be expected to occur as a result of the proposed development;
 - describe mitigation measures that may be required to prevent, minimize or mitigate the adverse impacts; and
 - demonstrate that the proposed development will not adversely impact the defined cultural heritage value of the property, and/or its streetscape/neighbourhood.
5. Where development or site alteration affects Cultural Heritage Resources, the Township may enter into registered agreements under Section 41 of the *Planning Act* with the owners of designated heritage properties when it deems that financial securities are necessary to ensure the retention and conservation of heritage properties as part of a development.

6. A Municipal Heritage Committee (MHC) may be established and maintained by Council, pursuant to the *Ontario Heritage Act*, to advise and assist Council on matters related to Parts IV and V of the Act. The MHC shall also have the ability to identify Cultural Heritage Resources of local interest. Pursuant to the Act, and in consultation with the Municipal Heritage Committee, Council may by by-law:
 - designate properties to be of historic and/or archaeological value or interest.
 - define the Township, or any area or areas within the Township as an area to be examined for designation as a heritage conservation district.
7. Where possible, Council shall make effort to preserve Cultural Heritage Resources in the undertaking of municipal public works, undertakings and/or maintaining properties owned by the Township. When necessary, Council shall require heritage impact assessments and satisfactory measures to mitigate any negative impacts on identified Cultural Heritage Resources.
8. Council may prepare a Cultural Heritage Management Plan (CHMP). The CHMP would include a comprehensive inventory of known archaeological sites, and archaeological potential areas, as well as heritage buildings, heritage districts and cultural heritage landscapes located within the Township.

4.8 ARCHAEOLOGICAL RESOURCES

Archaeological Resources include artifacts, archeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. Archaeological resource areas are determined through the use of provincial screening criteria, or potential mapping developed based on the known archaeological record or features within the Township and is usually developed with a licensed archaeologist. Such criteria include features such as proximity to water, current or ancient shorelines, sandy soils, rolling topography, the remains of any building, structure, place, activity, or cultural feature or object such as unusual landforms, portage routes or other places of past human settlement, which due to the passage of time, are on or below the surface of land or water and are significant to history and understanding of a people or place.

Areas of Archaeological Potential means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

1. The Township of Chapple shall encourage the conservation, protection and rehabilitation of Archeological Resources, as well as encourage and foster public awareness, participation and involvement in the conservation of these resources. The *Ontario Heritage Act* may be utilized to conserve, protect and enhance any identified Cultural Heritage Resources in the Township through the designation of individual properties and/or districts.
2. Significant Native and non-Native cemeteries or unmarked burial sites may be considered as archaeological resources.
3. Significant landscapes, vistas and ridge-lines should be identified and conserved in their natural state, where possible when development and infrastructure decision may affect these resources.
4. Council shall require archaeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the *Ontario Heritage Act*.
5. If an archaeological assessment determines that an archaeological resources is present on a site, the resource shall be documented and conserved to the satisfaction of the Ministry of Tourism, Culture

and Sport through excavation or on-site preservation prior to final approval of the development proposal. The Township shall require further investigations through a Phase II and Phase III Archaeological Assessment. The study will be submitted to the Township and to the Ministry for review and comment. Any features identified may be preserved *in situ* to ensure that the integrity of the resource is maintained. Excavation of any significant archaeological features by a licensed archaeologist may also be considered. If the site is determined to be of value or interest the development of the site may be prohibited.

6. Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*. Council shall require archeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the *Ontario Heritage Act*.
7. Any development proposed at the Kay-Nah-Ci-Wah-Nung (Long Sault / Manitou Mounds) site shall require the approval of the Rainy River First Nations Council in consultation with the Ministry of Tourism, Culture and Sport.
8. The Township may require a marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront developments. The assessment must be consistent with the guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the *Ontario Heritage Act*.
9. Any marine archaeological resource that is identified must be reported to the Ministry of Tourism, Culture and Sport immediately. The Ministry *shall determine whether* the resource shall be left *in situ* or may be removed, through excavation, by licensed marine archaeologists under the direction of the Ministry of Tourism, Culture and Sport. Preservation *in situ* is generally the preferred alternative.
10. Council shall consult appropriate government agencies, when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.
11. The Township may prepare an Archaeological Management Plan (AMP). In the event that an AMP is prepared, a study will be undertaken by a licensed archaeologist retained by the Township to development a comprehensive inventory and mapping of known archaeological sites, and areas of archaeological potential.
12. The Township may require an archaeological assessment for any construction activity associated with aggregate resources if the subject property is located in an area of archaeological potential or near a known archaeological site.

4.9 MINERAL AGGREGATE RESOURCES

The 2005 Provincial Policy Statement states that Mineral Aggregate Resources shall be protected for long-term use. Mineral Aggregate Resources are defined as gravel, sand, clay, rock, or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes. There are currently no lands shown as Mineral Aggregate Resources on Schedule C.

1. The Township of Chapple may undertake an Aggregate Resource Inventory to identify the areas with high and moderate aggregate potential for aggregate use. The study will assess the resources and

recommend, as appropriate, new policy directions on the aggregate resources, including the identification and placing of such areas on Schedule A, in the Aggregate Resource Area.

2. Until such time that the Plan is amended to incorporate the Aggregate Resource Inventory, all applications for development beyond the Village of Barwick may be reviewed to determine the aggregate potential of the lands.
3. As they are identified, it is the intent of this Plan to protect the viability of Mineral Aggregate Resources, where feasible. On lands identified as Mineral Aggregate Resources on Schedule C and adjacent to Mineral Aggregate Resources, development of other land uses shall be permitted, provided that:
 - a. extraction of the resource is not feasible;
 - b. the proposed use serves a greater long-term public interest; and
 - c. issues of public health, safety and environmental impact are addressed.
4. Any Cultural Heritage Resources occurring in an area of mineral aggregate resource potential shall be protected in accordance with the relevant policies of this Plan and applicable legislation.

4.10 MINERAL MINING RESOURCES

The Provincial Policy Statement directs that Mineral Mining Resources shall be protected for long-term use. Mineral Mining Resources are defined as metallic (e.g. gold) and non metallic (e.g. graphite) resources under the Provincial Policy Statement. Mineral Mining Resources are identified on Schedule C.

It is the intent of this Plan to protect those areas with mineral mining potential.

1. On lands identified as Mineral Mining Resources on Schedule C and on lands adjacent to Mineral Mining Resources, development of other land uses shall be permitted, provided that:
 - a. extraction of the resource is not feasible;
 - b. the proposed use serves a greater long-term public interest; and
 - c. issues of public health, safety and environmental impact are addressed.
2. Any Cultural Heritage Resources occurring in an area of mineral mining potential shall be protected in accordance with the relevant policies of this Plan and applicable legislation.

4.11 MINE HAZARD

Mine hazards include areas where the operation of mines or former mines has left the lands in a hazardous state. Mine hazards include any feature of a former mine defined in the *Mining Act* or any related ground disturbance that has not been rehabilitated (e.g. contaminant, mine shaft, pits). Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated.

1. No mine hazards have been identified in the Township of Chapple. Should a mine hazard be identified, the approximate location of abandoned mine hazards which may present a constraint to development in the vicinity will be shown on Schedule C
2. The Township shall require applicants for any proposed development within 1,000 m of a mine hazard symbol to consult with the Ministry of Northern Development and Mines regarding the nature of the hazard, and any remediation measures that may be required under the *Mining Act*.
3. No development will be permitted on mine hazard lands unless it can be demonstrated to the satisfaction of the Township, in consultation with the Province, that the hazard no longer exists or that the development can occur without potential threat to life, property or the environment.
4. Where an mine hazard exists, the Township shall require applicants with proposed development on,

abutting or adjacent to lands affected by mine hazards to be supported by a study that:

- identifies potential safety hazards;
- demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and
- establishes measures to address and mitigate known or suspected hazards.

SECTION 5 SERVICING

5.1 GENERAL

The intent of this Plan is to maintain a level of public service that is appropriate for the urban and rural character and environment of the Township of Chapple. Municipal services and infrastructure, which includes sanitary sewage, water, and stormwater systems, should be provided in a coordinated manner to promote conservation and efficiency, integral to land use planning, and be phased in an appropriate manner.

The objectives of this section of the Plan is to ensure adequate services are provided that recognize the Township's financial capabilities and not place undue strain on the Township's financial resources.

The use of alternative development standards is encouraged for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in urban design and housing, enhances the liveability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.

1. Municipal water and sewer will be provided solely to lands within the Village of Barwick Settlement Area. Lands beyond the settlement area will be serviced by private services or communal systems where deemed appropriate.
2. Extensions and expansions to municipal services to accommodate new development shall, generally, be done at the cost of the developer. Any expansion of the municipal servicing system must be efficient and cost effective and meet municipal standards.
3. The use of existing municipal services should be optimized, wherever feasible, before consideration is given to extending municipal services. The Township shall encourage infill and redevelopment in areas where there is existing capacity.
4. Planning approvals to accommodate development on full municipal services shall be granted only where there is sufficient reserve capacity in the water and sewage treatment plants to serve the proposed development. Sewage and water treatment capacity shall be allocated on draft approval of a Plan of Subdivision or Plan of Condominium.
5. When sewage or water treatment plants are at or near capacity, Council will take appropriate actions to increase plant capacity. Development approval may be frozen until increased capacity is increased.
6. A Servicing Options Study shall be prepared for proposed multi-lot/unit development greater than 5 lots/units to investigate the feasibility of communal services and / or individual on-site services in accordance with Ministry of the Environment Guidelines.
7. Where a Servicing Options Study has concluded that multiple lot/unit development serviced by individual on-site services is appropriate, proposals for development or redevelopment serviced in this manner shall be assessed for the adequacy of groundwater quality and quantity and potential impacts on groundwater in accordance with the requirements of Ministry of the Environment technical guidelines on private wells systems. In considering impacts on groundwater quality and quantity, the Township may require a hydrogeological assessment, according to MOE Guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.
8. In undertaking municipal public works, such as roads and infrastructure projects carried under the Municipal Class Environmental Assessment (EA) process, Council shall provide for the protection of cultural resources in accordance with the provisions in the Natural Heritage Features, Cultural Heritage Resources and Development Constraints section of this Plan.

5.2 WATER SUPPLY

Capacity is available within the water treatment service facility to allow for reasonable expansion of this service within the Village of Barwick. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.

5.2.1 MUNICIPAL WATER SUPPLY

1. All new residential, commercial, institutional and industrial development within the Village of Barwick Settlement Area shall be connected to the municipal water supply system. The Township operates and maintains the water treatment and distribution system in the Village of Barwick.
2. Approval for service connections shall be in accordance with the policies and procedures of the Ministry of the Environment and the Township.
3. Notwithstanding Section 5.1, Policy 1, any water line extensions outside of the Village of Barwick Settlement Area shall require a comprehensive review of this Plan unless the service is required to remedy a health concern or resolve a problem with an existing private water supply system.

5.2.2 PRIVATE WATER SUPPLY

1. The major source of water supply in areas beyond the Village of Barwick Settlement Area is from private individual wells. It is intended that lot sizes in the Rural Area will be large enough to ensure that private wells remain the primary source of water in these areas of the Township.
2. Public water supply to the area outside the Village of Chapple Settlement Area is not considered feasible over the life of this Plan. Therefore it is intended that the responsibility for water supply in these areas will be with each property owner.
3. Private wells must be approved by the Northwestern Health Unit.
4. The Township will not accept ownership or responsibility for the operation or maintenance of communal water and sewage systems. Developments proposed to be serviced by communal water or sewage systems shall be permitted on the basis that the communal servicing system will be owned, operated and managed by another public body other than the Township and will not be privately owned, operated or maintained.
5. Water takings at a combined rate of over 50,000 litres per day may require a Permit to Take Water under the *Ontario Water Resources Act*.
6. Partial services shall only be permitted where necessary to address failed individual on-site water services in existing developments.

5.2.3 WELLHEAD SENSITIVITY PROTECTION AREA

1. The protection of municipal water supplies from contamination associated with certain land uses is an important element in the long-term supply of potable water resources to maintain the quality of life experienced by both existing residents and businesses, and to support future growth. The Township has identified areas within which certain land uses may pose a risk to the quality of municipal water supplies. Wellhead Sensitivity Protection Areas are shown on Schedule B.
2. Land uses which may pose a risk to municipal water supplies are categorized from highest to lowest as follows:

Category 'A'

- lagoons, landfills, disposal of abattoir and rendering wastes
- auto wrecking and salvage yards

Category 'B'

- foundries
- non-ferrous and precious metal smelting and refining
- metal rolling, casting and extruding operations including steel pipes and tubes
- manufacturing of unfinished fabricated metal products and parts
- metal finishing operations (i.e. electroplating, electro coating, galvanizing, painting, application of a baked enamel)
- manufacturing of cable, wire and wire products
- jewelry and silverware manufacturing
- assembly of aircraft and aircraft parts, motor vehicles, truck, bus bodies, trailers, rail cars, and mobile homes, ships and boats
- manufacturing of engines, engine parts, steering and suspension parts, wheels and brakes
- manufacturing agricultural, commercial and industrial machinery
- manufacturing, packaging, crating or bottling of chemicals, resins, paints, varnish, printing inks, adhesives and dyes
- manufacturing of pharmaceutical and medicines
- petroleum products refining and asphalt batching
- manufacturing of electronic components such as semiconductors, printed circuit boards, and cathode ray tubes
- manufacturing of wet electrical industrial equipment and wet batteries
- commercial or industrial dry cleaning of textiles and textile products
- leather tanning and finishing
- wood and wood product preservation and treatment
- transportation terminals for chemicals or hazardous substances
- warehousing, and bulk storage of oil, gasoline or petroleum products, and gasoline stations
- warehousing of cleaning products, pesticides, herbicides, fungicides and chemicals
- bulk road salt storage
- snow storage and disposal facilities

Category 'C'

- rubber products manufacturing
- manufacturing of electrical appliances, equipment, motors, lighting fixtures and lamps, (excluding manufacturing of electrical components, and metal fabrication and finishing which are Category 'B' activities)
- manufacturing of electric light bulbs and tubes
- manufacturing of dry batteries
- manufacturing of soaps and toiletry preparations
- finishing and dyeing of textiles
- manufacturing of plastic and foam parts and products
- furniture, casket, cabinet and other wood products manufacturing and assembly
- manufacturing of glass and glass products
- manufacturing of paper, newsprint and boxes
- automated production of baked goods, dairy, canned goods, frozen foods, processed food and meat
- automated manufacturing of soft drinks, distilleries, breweries and wine making
- photographic developing facilities (other than accessory to other retail uses)
- printing of newspaper, packaging and books
- repair of industrial machinery
- repair of motor vehicles, aircraft, water craft, rail vehicles, trucks, buses and machinery
- golf courses, train and public transit terminals
- medical, health and other laboratories
- contractors establishments and yards

3. Commercial and industrial uses on or within 500 m of the Wellhead Sensitivity Protection Area will be limited to dry uses only.
4. The re-designation of land in the Official Plan to provide for the establishment of Category 'A', 'B', or 'C' uses will not be permitted within any Wellhead Protection Sensitivity Areas.
5. Category 'A', 'B' and 'C' uses as identified in Policy 1 are not permitted within the 2 year travel time particle capture zone shown on Schedule B.
6. Category 'A' and 'B' uses identified in Policy 1 are not permitted within the 2 to 10 year travel time particle capture zone shown on Schedule B.
7. Category 'A' uses identified in Policy 1 are not permitted within the 10 to 25 year travel time particle capture zone shown on Schedule B.
8. Notwithstanding Policies 1 to 5 inclusive, uses legally existing at the time of the coming into force of the Zoning By-law Amendment dated July 13, 2004 which implemented the wellhead protection policies may continue as legal uses. However, it is also recognized that some uses in this area are potentially incompatible with the protection of the Township's water supply. The Township will work with relevant partners to relocate the existing RV park, and the storage of any potentially dangerous chemicals (e.g. fuels, road salt, fertilizers and pesticides) that are currently stored on the well-field. Within the well-field, expansions of non-compatible uses as defined in Policy 1 will no longer be permitted. Existing uses are permitted to convert to similar uses or more compatible uses (as defined by Policy 1).

5.3 SEWAGE DISPOSAL

There is sufficient capacity within the sewage treatment service facility to allow for reasonable expansion of this service within the Village of Barwick. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.

5.3.1 MUNICIPAL SEWAGE DISPOSAL

1. The Township operates and maintains the sanitary sewage treatment and distribution system in the Village of Barwick. All new residential, commercial, institutional and industrial development within the Village of Barwick Settlement Area shall be connected to the municipal sanitary sewage treatment system.
2. Approval for service connections shall be in accordance with the policies and procedures of the Ministry of the Environment and the Township.
3. Any sewage line extensions outside of the Village of Barwick Settlement Area shall require a comprehensive review of this Plan unless the service is required to remedy a health concern or resolve a problem with an existing private septic system.
4. Allocation of sanitary sewage treatment capacity shall occur upon draft approval of a development or Plan of Subdivision. Planning approvals to accommodate development on full municipal services shall be granted only where there is sufficient reserve capacity in the water and sewage treatment plants to serve the proposed development.

5.3.2 PRIVATE SEWAGE DISPOSAL

The need for public sanitary sewage disposal in the area outside the Village of Barwick Settlement Area is not considered feasible over the life of this Plan. It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems. Private sewage disposal systems will remain the primary source of sewage disposal in the Rural Area and Agricultural Area.

1. Private individual septic tanks and tile field systems are the primary means of sewage disposal in the area outside of the Village of Barwick Settlement Area.
2. All new individual private sewage disposal systems require the approval of the Northwestern Health Unit.
3. Large private sewage disposal facilities which have a daily sewage flow exceeding 10,000 litres, or communal systems, must be approved by the Ministry of the Environment.
4. Where multi-lot/unit development greater than 5 lots/units is proposed on the basis of servicing by methods other than full municipal sewage services, the preparation of a Servicing Options Study to investigate the feasibility of servicing by municipal sewage services and, in the case of development proposed on individual on-site services, by communal sewage services, shall be required in accordance with Ministry of the Environment Guidelines before the development is approved.
5. Where a Servicing Options Study has concluded that multiple lot/unit development serviced by individual on-site sewage services is appropriate, proposals for development or redevelopment serviced in this manner shall be assessed for the potential impacts on groundwater in accordance with the requirements of Ministry of the Environment technical guidelines on individual on-site sewage systems. In considering impacts, the Township may require a hydrogeological assessment, according to MOE Guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.
6. Partial services shall only be permitted where necessary to address failed individual on-site sewage services in existing developments.

5.4 REQUISITION AND PETITION DRAINS

Requisition and Petition Drains authorized under the *Drainage Act* are to be designed, constructed and maintained in accordance with the Ontario Ministry of Agriculture, Food and Rural Affairs' Best Management Practices to avoid significant detrimental effects on farmland or water resources, wetlands natural areas or wildlife habitat.

SECTION 6 TRANSPORTATION

6.1 GENERAL

Safe and efficient movement of people and goods within the Township and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Township but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Township. The roads in the Township as shown on all schedules to this Plan include provincial highways and Township roads.

It is the intent of this Plan to restrict development of new roads and restrict new development to the existing road system unless future development proceeds by Plan of Subdivision or an access or service road is required to accommodate new development along the Highway 11 and Highway 71 corridors.

6.2 PROVINCIAL HIGHWAYS

This system of roads applies to all numbered provincial highways under the jurisdiction of the Ministry of Transportation. The primary purpose of provincial highways is to move people and goods safely between major centres and through the Township. Access to provincial highways is restricted to allow for this primary purpose. Entrance permits are required from the Ministry of Transportation for any new entrance/access onto a provincial highway. Provincial highways in the Township include Highways 11, 71, 600 and 615.

1. In addition to all the applicable Township requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within MTO's permit control area under the *Public Transportation and Highway Improvement Act* (PTHIA), will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the Township identified for future development that are located adjacent to, or in the vicinity of, a provincial highway or interchange/intersection within MTO's permit control areas will be subject to MTO's policies, standards and requirements.
2. Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of MTO's access management practices and principles.
3. Development proposals in close proximity to provincial highways shall be subject to the policies in the Land Use Compatibility Section of this Plan. Proponents seeking planning approvals to allow residential or other sensitive land uses within 250 m of provincial highways may be required to submit a noise study, to the satisfaction of Council, to identify appropriate noise mitigation measures. Where required, noise studies shall be prepared by qualified individuals according to the Ministry of Environment Noise Assessment Guidelines.
4. A Transportation Study, prepared by a professional and certified engineer may be required by a proponent to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of any Secondary Plans, development plans or Plans of Subdivisions.
5. The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.
6. Any new proposed access connection (i.e. public road or signalized intersection) onto a provincial highway shall meet the Ministry of Transportation's access management practices and principles.

7. Any proposal for snowmobiles or trail crossing a provincial highway will require the prior approval of the Ministry of Transportation. Trails located along the right-of-way of a provincial highway are not permitted.
8. A Drainage/Stormwater Management Report/Plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.
9. Entrances serving home occupations or home industries located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future, without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupation and home Industry. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.
10. Entrances serving Bed and Breakfasts located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the Bed and Breakfast. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance for a new parcel.
11. Where necessary, the construction of service roads parallel to any of the provincial highways in the Township may be required in order to make more effective use of the local land resource. Such construction will be subject to the prior approval of the Ministry of Transportation.
12. A conceptual drawing of the preferred realignment of Highway 600 is shown on Schedule A. The Plan shall be amended at the time of the next statutory review or through a housekeeping Official Plan amendment at Council's discretion to reflect the actual realignment consistent with any Environmental Assessment process that may apply.

6.3 TOWNSHIP ROADS

This system of roads applies to all roads under the jurisdiction of the Township of Chapple. The Township has a Roads Department that is responsible for the maintenance of all roads within their jurisdiction. The primary purpose of the Township roads is to facilitate local travel and areas for development. Direct access to Township roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.

1. Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to meet approved standards and the road shall be suitable for assumption into the Township road system.
2. The Township of Chapple is not responsible for the costs associated with the design and construction of new roads or the extension of existing roads. These costs are the direct responsibility of the proponent for the new road and/or road extension.
3. Unless it is clearly in the public interest, private roads will not be assumed by the Township into the Township road system.

4. Year-round maintenance will be provided on all roads under the jurisdiction of the Township of Chapple and the Ministry of Transportation.
5. The right-of-way width of Township roads shall generally be a minimum of 20 m (66 feet).

6.4 RAILWAY CORRIDORS

Railway transportation has historically been an important factor in the development of Chapple.

1. Development along the railway corridor should be limited to industrial and commercial uses. Where planning approvals are required to allow for development or redevelopment near a railway corridor, consideration shall be given to the impacts of noise and vibration.
2. Development proposals in close proximity to the railway shall be subject to the Land Use Compatibility Section and to the Pre-application Consultation and Prescribed Information for Planning Applications sections of this Plan.
3. Where development is proposed within 100 m of a railway corridor, submission of a vibration and/or noise study may be required. Proponents should pre-consult with the Township and review the Ministry of Environment's publication, "Noise Assessment Criteria in Land Use Planning: Requirements, Procedures and Implementation" to determine which type of study is required. The type of study is based on the sound levels resulting from surface transportation noise and its impact on a site and the site's location to a railway corridor. Such applications shall for planning approvals to allow for residential or other sensitive land uses be permitted only where Council, in consultation with the CN Rail, is satisfied that appropriate noise mitigation measures will be implemented at the time of development.
4. In lieu of the site specific studies addressed above and required in the Pre-Application Consultation and Prescribed Information for Planning Applications Section of this Plan, the Township, in consultation with CN Rail, may undertake a comprehensive study prepared in accordance with applicable provincial policies and guidelines with respect to noise and land use compatibility to determine appropriate noise mitigation measures to be incorporated into new development proposed in close proximity to rail corridors. Any such study shall be updated on a regular basis to reflect current rail operating conditions.

SECTION 7 IMPLEMENTATION

7.1 GENERAL

The following policies are intended to provide direction for the decisions of Council and the use of By-laws and Development Agreements that shall implement policies outlined in this Plan.

1. This Official Plan shall be implemented by the powers conferred upon the Township of Chapple by the *Planning Act*, as amended and other statutes of the Province of Ontario as applicable. The decisions of Council shall be consistent with the Provincial Policy Statement.
2. Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the Plan shall be reviewed at least once every five (5) years at a meeting of Council. Should economic or social changes necessitate an earlier review, or should the monitoring of the Plan identify areas that need further consideration, Council may direct such a review to be undertaken sooner.
3. Pursuant to Section 24(1) of the *Planning Act*, no public work shall be undertaken and no-by-law shall be passed by the Township for any purpose that does not conform to the intent and policies of this Official Plan.
4. The Township may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan subject to the provisions of the *Planning Act*, and any other applicable statutes of the Province of Ontario.
5. All development agreements regarding Plans of Subdivision, Plans of Condominium, Consents, Minor Variances, and site plans are required to conform to the policies of this Official Plan.

7.2 PUBLIC PARTICIPATION

The Township intends that the public be involved in the formulation and implementation of planning policies. To this end, the Township shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment and development applications pursuant to the provisions of the *Planning Act*.

1. A minimum of one (1) public meeting in accordance with the requirements of the *Planning Act* shall be held and depending on the nature or complexity of the proposal, open houses, public displays, workshops or other appropriate forums may also be added.
2. Notice of a public meeting shall be given in accordance with the regulations of the *Planning Act*.
3. The Township may forego public notification and public meetings in connection with a technical Official Plan or Zoning By-law Amendment if such amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto, and may include the following matters:
 - a. altering the number and arrangement of any provision;
 - b. correcting punctuation or altering language to obtain a uniform mode of expression;
 - c. correcting clerical, grammatical, dimensions or typographical error;
 - d. effecting changes in format; or
 - e. consolidating previous amendments into the parent document.

7.3 ZONING BY-LAW

The policies of this Plan and all land use designations shall be implemented through a comprehensive Zoning By-law. Any land use designation may have more than one zone category that regulates and controls the permitted uses.

After the Official Plan is approved, a comprehensive Zoning By-law shall be prepared to conform to the

Official Plan. The Zoning By-law divides the lands within the Township into a number of zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land including land that is the site of an archaeological resource. The Zoning By-law shall ensure that all lands within the Township are zoned for purposes compatible with the Official Plan. All amendments to the Zoning By-law shall be in conformity with the Official Plan.

7.3.1 NON-CONFORMING USES

1. Where a legally existing use of land does not comply with the land use designations and the policies of this Plan, it may be zoned in the Zoning By-law in accordance with the existing use, after due consideration, provided that:
 - a. the zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
 - b. the use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
 - c. there is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
 - d. the use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
 - e. where the existing use is discontinued for more than one (1) year, any Zoning By-law Amendment may only take place in accordance with the policies of this Plan.
2. Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted by a Minor Variance to the Zoning By-law provided that:
 - a. the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
 - b. the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use; and
 - c. the proposed extension or enlargement meets the tests of Section 45 (1) of the *Planning Act*.
3. The repair or replacement of a legal non-conforming use may be permitted provided that:
 - a. the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
 - b. the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

7.3.2 MINOR VARIANCE

1. The Township shall recommend Minor Variances for relief from regulations to the Zoning By-law, in accordance with Section 45 of the *Planning Act*, the rules of procedure and regulations issued by the Minister under the *Planning Act* and the policies of this Plan.
2. The Township may also recommend Minor Variances to other by-laws, such as Interim Control by-laws and the Property Maintenance and Occupancy Standards By-law.

7.3.3 ZONING BY-LAW – AMENDMENTS AND REVIEW

In general, applications for an amendment to the Zoning By-law shall proceed as follows:

1. A complete Zoning By-law Amendment application shall be submitted to the Township by the applicant.
2. A Planning Rationale may be required by the applicant and provided to the Township along with supporting studies and plans.
3. The Township will:
 - a. advertise a notice of a public meeting;

- b. notify the applicant and all those required to be notified as per the *Planning Act*; and
- c. hold a Statutory Public Meeting.

7.4 PRE-APPLICATION CONSULTATION AND PRESCRIBED INFORMATION FOR PLANNING APPLICATIONS

The *Planning Act* permits the Township to require applicants to consult with the Township prior to formal submission of planning applications. During the Pre-Consultation, the Township shall determine which studies and information are required by Township staff and Council to evaluate the application. Furthermore, Township staff shall identify those studies that must be submitted at the time of application submission. Although the *Planning Act* does not require it, proponents are strongly encouraged to consult and engage the affected community, and Aboriginal groups, early in the planning process in order to identify potential issues, opportunities, and mitigation of potential adverse impacts, prior to finalizing the application(s).

1. Depending on the nature of the proposed development and planning application, the Township may require the following studies or additional information to deem complete applications and to properly evaluate a development application:
 - Planning Rationale
 - Heritage Impact Assessment
 - Environmental Impact Statement
 - Archaeological Assessment
 - Transportation Impact Study
 - Minimum Distance Separation (MDS) Criteria Evaluation
 - Servicing Options Study
 - Drainage/Stormwater Management Report/Plan
 - Geotechnical Study
 - Hydrogeological Study
 - Confirmation of Hauled Sewage/Septage Capacity Report
 - Erosion and Sediment Control Plan
 - Feasibility / Detailed Noise Study
 - Vibration Study
 - Sun-Shadow Study
 - Fisheries Assessment
 - Shoreline Riparian Control Study
 - Phase 1 Environmental Site Assessment / Phase II Environmental Site Assessment / Record of Site Condition (RSC)
 - Other technical studies to address potential land use compatibility issues
2. Fisheries Assessments shall be evaluated by the Department of Fisheries and Oceans as part of the development review process.

7.4.1 STREAMLINING REVIEWS OF PLANNING APPLICATIONS

In an effort to streamline the review of planning amendment and development applications, the applicant should consult with at least the following:

- relevant Official Plan policies and Zoning By-law regulations;
- the Township of Chapple;
- the Northwestern Health Unit, if applicable;
- the Ministry of Natural Resources;
- the Ministry of the Environment, if applicable;
- the Ministry of Transportation, if applicable;
- the Ministry of Northern Development, Mines and Forestry if the lands are within 1 kilometre of areas of known past Mining Activity or within an areas considered to be a high concern for mineral resource potential;
- School Boards (with an estimate of the number of students and busing equipment), if appropriate;

- Ontario Hydro and utility companies;
 - the Rainy River First Nations, if applicable;
 - the Ministry of Municipal Affairs and Housing, if applicable; and
 - abutting municipalities, if applicable.
1. The Township of Chapple may undertake an initial review of an application to determine if the application is complete.
 2. With evidence of the pre-circulation process, described above, the Township will endeavor to respond to amendment and development applications within 30 days, depending on receipt of comments from other agencies.
 3. The Province has implemented a "one window" planning service for provincial review and approval of municipal planning applications at the Ministry of Municipal Affairs and Housing. The "one window" approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as needed.

7.5 COMMUNITY IMPROVEMENT POLICIES

The Community Improvement provisions of the *Planning Act* allow municipalities to prepare Community Improvement Plans (CIP) for designated Community Improvement Project Areas as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

1. The Township of Chapple shall attempt to implement Community Improvement Policies. The objectives of CIPs are:
 - a. to upgrade and maintain all essential municipal services and community facilities;
 - b. to ensure that community improvement projects are carried out within the built up areas of the Township;
 - c. to ensure the maintenance of the existing building stock;
 - d. to encourage the preservation, rehabilitation, renewal and reuse of heritage resources, including heritage buildings;
 - e. to encourage private sector investment and the strengthening of the economic base;
 - f. to enhance the visual appearance of Community Improvement Areas; and
 - g. to promote the redevelopment of brownfields.
2. Any land use designation in an Official Plan may be designated as a Community Improvement Project Area, based on the following criteria:
 - a. that there is evidence of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sanitary and storm sewers. Water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services;
 - b. that the phasing of improvements is within the financial capability of the Township;
 - c. that a significant number of buildings in an area show signs of deterioration and need of repair;
 - d. that improvement to the visual appearance or aesthetics be required; and
 - e. that improvement shall have a significant impact on strengthening the economic base of the community.
3. Community improvement may be accomplished through the:
 - a. designation, by by-law, of Community Improvement Projects Area(s) based on the criteria listed above;
 - b. preparation and adoption of a CIP for each Community Improvement Project Area; and/or
 - c. establishment of programs to implement the CIP in effect within a designated Community Improvement Project Area.

4. Council may have regard for the following matters in the preparation and adoption of a CIP:
 - a. the boundary of the proposed Community Improvement Project Area and the land use designations contained in this Plan;
 - b. the estimated costs, means of financing and the staging and administration of the project;
 - c. the provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
 - d. the phasing of improvements, in order to permit a logical sequence of development without generating unnecessary hardship to area residents and the business community;
 - e. the means of implementation; and
 - f. citizen involvement.

5. In order to implement a CIP in effect within a designated Community Improvement Project Area, the Township may undertake a range of actions in accordance with the *Planning Act*, including:
 - a. acquisition of land within the Community Improvement Project Area and subsequent:
 - Clearing, grading, or other preparation of this land;
 - Construction, repair, rehabilitation, or improvement of buildings on this land;
 - Sale, lease, or disposition of this land to any person or governmental authority.
 - b. provision of public funds such as grants or loans to owners, tenants and their assignees to pay for the whole or part of the eligible costs of the CIP (e.g. environmental site assessment, remediation, development, redevelopment, etc.).
 - c. application for financial assistance from senior level government programs.
 - d. development proposals located within Community Improvement Project areas shall have regard to the CIP.

7.6 ENERGY CONSERVATION DESIGN GUIDELINES

1. The Township may establish energy conservation design guidelines to encourage or require future development to implement energy conservation measures.

7.7 TEMPORARY USE BY-LAWS

Pursuant to Section 39 of the *Planning Act*, the Township of Chapple may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature.

1. Temporary Use By-laws shall be for uses which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.
2. In particular, Temporary Use By-laws shall be the method of authorizing garden suites.
3. The Township shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and Zoning By-law, prior to approval of a Temporary Use By-law.
4. Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.
5. Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Zoning By-law as permanent uses may be permitted by Temporary Use By-laws, subject to the above.

7.8 HOLDING PROVISIONS

In accordance with Section 36 of the *Planning Act*, the Township may approve a Zoning By-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.

1. The Township shall ensure that one or more of the following objectives is attained:

- a. the appropriate phasing of development or redevelopment;
 - b. the restriction of development until adequate services are provided and uncommitted reserve capacity is available; and
 - c. the implementation of policies for locations of developments which require special design features.
2. The holding provisions described under this section may apply to all undeveloped lands in the Township or where the Township considers that specific concerns may develop in respect to a particular development.
 3. The Township, at any time, may approve to designate any zone or part of a zone as a Holding Zone through the placing an 'H' in conjunction with the zone symbol in order to meet one of the above mentioned objectives.
 4. During the interim period, when the Holding Zone is in place, uses permitted on the affected lands are limited to existing uses only.
 5. Prior to the removal of the holding symbol, the Township must be satisfied that the following conditions have been met:
 - a. that servicing requirements for the subject lands are in place;
 - b. that any impacts on surrounding lands can be mitigated through the use of Site Plan Control or other design requirements; or
 - c. that a Site Plan Agreement has been executed in accordance with the policies of this Plan and the *Planning Act*.
 6. It shall be the responsibility of the applicant requesting the removal of the holding symbol to demonstrate that the conditions for the removal of the holding symbol as stated in policy 4 of this Section have been satisfied.

7.9 INTERIM CONTROL

In areas where the Township wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Township may approve an Interim Control By-law.

The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study and desired use.

Pursuant to Section 38 of the *Planning Act* the length of time the Interim Control By-law is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the By-law is in effect provided the total period of time does not exceed two (2) years from the approval of the By-law.

7.10 SITE PLAN CONTROL

The Official Plan may be implemented through the use of Site Plan Control subject to the provisions of Section 41, of the *Planning Act*. All of the area affected by the Official Plan shall be deemed to be a Site Plan Control Area with the exception of single and semi-detached residential dwellings and agricultural operations.

1. The goals of implementing Site Plan Control are to:
 - a. ensure safe and efficient vehicular and pedestrian patterns;
 - b. ensure that development will not have a detrimental visual impact on adjacent uses;
 - c. ensure industrial and commercial developments do not reduce the enjoyment of adjacent lands; and

- d. ensure parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts.
2. A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Township. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in Policy 3 of this Section.
 3. Prior to issuance of a building permit, the applicant must enter into a Site Plan Agreement respecting the matters outlined in this section. The agreement may address one or more of the following matters:
 - a. widenings to roads or highways that abut the lands subject to the application. Any proposed widenings requested must be shown on the site plan drawing;
 - b. provision of sufficient parking, access driveways and similar matters;
 - c. the construction of walkways, ramps and pedestrian access;
 - d. proper lighting of buildings and lands;
 - e. the provision of adequate landscaping and buffering in the form of trees, shrubs, walls, and berms;
 - f. storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - g. the conveyance of any easements for the construction, maintenances and improvements of any drainage works, water works and other public utilities;
 - h. the provision of adequate drainage and management of surface stormwater and waste water from the lands, buildings or structures;
 - i. the provision of adequate water and sewage disposal services; and
 - j. the location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and structures.

7.11 PROPERTY MAINTENANCE AND OCCUPANCY STANDARD BY-LAW

The Township is committed to the maintenance and development of a safe, healthy and attractive environment.

1. The Township may adopt a By-law pursuant to Section 31 of the *Planning Act*, which sets out standards for the maintenance and occupancy of property and prohibits the use of property which does not conform to the standards. The By-law shall require that all substandard properties be repaired in conformance with the By-law or be cleared of all buildings, debris, structures or refuse and left in a graded and levelled condition. The By-law shall specify the manner in which the By-law will be administered and enforced.

The By-law may address the following items:

- a. the physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
- b. the adequacy of sanitation, including drainage, waste disposal and garbage;
- c. the physical condition of accessory buildings; and
- d. the physical condition of all buildings and dwellings with particular regard to the following:
 - insect and vermin;
 - structural standards and appearance;
 - tightness against wind, water and weather;
 - adequate heat, light and ventilation;
 - condition of stairs;
 - condition of interior walls, floors and ceilings;
 - satisfactory plumbing facilities, including washroom and toilet facilities;
 - condition of chimneys and external appurtenances;
 - general cleanliness;
 - adequacy of noise abatement and privacy;
 - adequacy of electrical services;

- adequacy of food preparation and kitchen facilities;
 - adequacy of access and egress;
 - standards of living area, room sizes and occupancy;
 - adequacy of fire protection and safety and warning devices;
 - adequacy of thermal insulation, storm windows and storm doors.
2. After passing the above By-law, a Property Standards Officer shall be appointed and a Property Standards Committee shall be established. The appointment and responsibility of the Property Standards Officer and Property Standards Committee shall be in accordance with Section 31 of the *Planning Act*.

7.12 CONTAMINATED SITES / BROWNFIELDS

Contaminated Sites may include, but are not limited to, sites used for industrial, transportation or utility purposes. Contaminated Sites may include brownfields, which are defined by the Province as undeveloped or previously developed properties that may be under-utilized, derelict or vacant.

1. Prior to granting planning approvals to allow for development on any property which may be contaminated, Council shall require the submission of a Record of Site Condition, prepared by a qualified person in accordance with the Ministry of Environment (MOE) Guidelines, and acknowledged by MOE.
2. If site restoration is required, this shall normally be done prior to the adoption of the amendment or approval of the rezoning in accordance with a site remediation plan prepared to be consistent with Ministry of Environment guidelines.
3. In some cases, where site remediation requirements are known and feasible, planning approvals using a Holding Zone may be considered. In these instances, the remediation of the site and the submission of a Record of Site Condition, acknowledged by the Ministry of the Environment, shall be required prior to the removal of a holding symbol. In the interim, uses permitted on such properties shall be restricted to existing land uses.

7.13 ENVIRONMENTAL IMPACT STATEMENTS (EIS)

1. Where required, an Environmental Impact Statement (EIS) shall be prepared by an individual(s) with appropriate environmental qualifications, and shall include, but not be limited to:
 - a. a description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
 - b. a description of the potential impacts of the proposed development on the natural features and the ecological functions for which the area is identified;
 - c. suggested development alternatives that would avoid these impacts or, if impacts cannot be avoided recommended mitigation measures, including proposed implementation methods; and
 - d. recommended monitoring activities.
2. Where required, no planning approval will be granted until an EIS has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of EIS. The Ministry of Natural Resources is responsible for the review and approval of all EIS reports relating to fish habitat, significant habitat or significant wildlife habitat.
3. In accordance with the Natural Heritage Policies of this plan, where natural heritage features are identified, development and site alterations shall not be permitted within the distances from the feature specified in the table below, unless an EIS demonstrates that there will be no negative impacts on the natural heritage features or on its ecological functions. The Ministry of Natural Resources is responsible for the review and approval of all EIS reports relating to fish habitat, significant habitat or significant wildlife habitat.

PROVINCIAL POLICY STATEMENT NATURAL HERITAGE FEATURE OR AREA	ADJACENT LANDS WIDTH (distance from feature for considering potential negative impacts)
Significant habitat of endangered and threatened species	120 m
Significant wetlands	120 m
Significant wildlife habitat	120 m
Significant areas of natural and scientific interest - life science	120 m
Significant areas of natural and scientific interest - earth science	50 m
Fish habitat	120 m

7.13.1 SCOPED EIS

In cases where the development constitutes a relatively minor undertaking (such as construction on a single residential lot), or one that barely encroaches within the adjacent lands zone, municipal planning staff, through consultation with the Ministry of Natural Resources, can exercise some discretion and request that the proponent prepare a scoped EIS. This typically involves a simple checklist approach of planning issues that only addresses the key issues identified at the initial assessment stage.

7.13.2 FULL SITE EIS

For more complex proposals, such as Plans of Subdivisions, and resort/recreational developments (e.g., marinas), a full site EIS is the appropriate mechanism for demonstrating that development can meet the test of municipal and provincial natural heritage policies. Components of a full site EIS typically include consideration of the following:

- a. a detailed description of the natural heritage attributes of the study area, including terrain setting; soils; geology; groundwater and surface water resources; vegetation communities; fish and wildlife communities and habitat; and delineation of the precise boundaries of the natural heritage feature(s);
- b. a characterization of the existing ecological, hydrological, and hydrogeological functions performed by the significant feature(s);
- c. a detailed description of the proposed development, including building type and density, servicing (sewage disposal, water supply) and infrastructure (roads, stormwater management, etc.);
- d. a prediction as to potential impacts (direct, indirect and cumulative) of the development on the natural and physical environment;
- e. the identification and evaluation of measures/options to avoid, reduce or otherwise mitigate impacts to meet the standard of no loss of feature and function;
- f. the selection of a preferred mitigation/rehabilitation strategy;
- g. a summary of predicted net effects after the application of mitigation compared to overall environmental targets and standards; and
- h. an evaluation of the need for and the elements of a monitoring program to assess the effectiveness of the preferred mitigation/rehabilitation strategy.

Additional guidance regarding the specific technical requirements of an EIS and the approach that should be taken for the preparation of an EIS within the context of a typical municipal planning process are discussed further in the Natural Heritage Reference Manual (OMNR 2010).

7.14 LAND DIVISION

1. The subdivision of land shall be by Plan of Subdivision, Plan of Condominium, Consent or Part Lot Control exemption.

2. The location and nature of lands to be divided will be suitable for the intended or permitted use. No lots shall be created which does not comply with the requirements of the Zoning By-law. A Zoning By-law Amendment may be a condition of lot creation.

3. All new lots shall have direct frontage on an open and publicly-maintained road.

Where it is deemed appropriate for land to be dedicated for park purposes, as a condition of the land division approval, such dedicated land shall be suitable located for recreational development and use. Land dedicated for park purposes as a condition of land division approval shall be carried in accordance with the Parkland Dedication Section of this Plan.

4. The subdivision of land for non-aggregate uses on land shown as Mineral Aggregate Resources on Schedule C and on lands adjacent to Mineral Mining Resources shall be subject to the Mineral Mining Resources section of this Plan.
5. The subdivision of land for non-aggregate use may be permitted on lands within 30 m abutting high or moderate aggregate resource areas provided:
 - a. there is no negative impact on an existing or future aggregate extraction operation; and
 - b. no negative land use impact will result from the existing or future aggregate use on the non-aggregate use (i.e. noise, dust, traffic impacts).
6. The subdivision of land shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring or man-made hazards unless it can be demonstrated that the hazard will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Ministry of Natural Resources and the Township.

7.14.1 PLAN OF SUBDIVISION OR PLAN OF CONDOMINIUM

It is the intent that Plans of Subdivisions or Plan of Condominium for residential purposes will be within the Residential Area and Rural Area in conformity with the policies of this Plan. Plans of Subdivision or Plan of Condominium for industrial and commercial uses will be permitted if such plan is located in an area in conformity with the designation and policies of this Plan.

1. Plans of Subdivision in the Agricultural Area will not be supported by the Township.
2. An application for a Plan of Subdivision or Plan of Condominium may be considered on the following basis:
 - a. the application meets the criteria in any relevant regulations issued under the *Planning Act*;
 - b. the application is considered to serve the public interest;
 - c. natural features, such as tree cover and topography, shall be retained, where possible, and incorporated into the overall design of lots and/or roads;
 - d. the applicant has submitted the required studies described in the Pre-application Consultation and Prescribed Information for Planning Applications section of this Plan; an Agreement(s) shall be entered into between the developer and the Township, to provide services, as deemed necessary by the appropriate government authority. The services shall be constructed to the specifications of the appropriate government authority.
 - e. the lands can be provided with adequate services and utilities as per the Servicing Section of this Plan;
 - f. the development is not likely to adversely affect the economy or financial position of the Township if such subdivision is approved; and
 - g. the proposed Plan of Subdivision or Plan of Condominium conforms to other policies in this Plan.
3. A Plan of Subdivision or a Plan of Condominium shall be required for rural residential purposes greater than 5 lots and shall be accompanied by a Planning Rationale that addresses the need and scale of the proposed development based on the following considerations:

- a. the amount of developable land available with existing residential areas;
 - b. long term servicing impacts, environmental factors and impact on surrounding land uses;
 - c. the scale and design of the development is compatible with the surrounding development and rural character; and
 - d. any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner.
4. Where a draft Plan of Subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.

7.14.2 CONSENTS

The division of land by Consent is primarily intended to facilitate technical transfer in land titles, such as boundary corrections and partial mortgage discharges, and the creation of a limited number of lots. The division of land for all other purposes and circumstances should generally take place by Plan of Subdivision or by Plan of Condominium.

1. Consents shall only be granted that conform with the policies of this Plan and provided that:
 - a. the retained and severed lot(s) can be adequately and safely serviced. In areas not serviced by municipal sewage systems, the Private Water Supply section of this Plan shall apply;
 - b. the soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and if required, the installation of private septic disposal systems;
 - c. the lands front onto a public road that is maintained year round by the Township or the Ministry of Transportation and is of an acceptable standard of construction;
 - d. where access is proposed from a provincial highway, the Provincial Highway policies of this Plan shall apply;
 - e. no traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible;
 - f. the consent does not result in land use conflicts with existing nearby uses.
 - g. the proposed use is compatible with adjacent land uses as per the Land Use Compatibility section of this Plan;
 - h. the lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
 - i. adequate protection and preventative services are available including health, fire and police services; and
 - j. the consent does not result in land locked parcel(s) being created.
2. The following may be considered, among other things, as conditions of consent by the Township:
 - a. that the Zoning By-law be amended, if required;
 - b. that any necessary land for road widening, allowances or easements be dedicated to the Ministry of Transportation or the Township; and
 - c. that the applicant improves road access, grading and drainage to a standard satisfactory to the Township and/or the Ministry of Transportation.
3. Consents in the Agricultural Area are generally discouraged and shall be permitted only for the following uses:
 - a. agricultural uses where the severed and retained lots are intended for agricultural use and are of a size that is appropriate for the agricultural use as per the Agricultural Area Section of this Plan;
 - b. agriculture related uses;
 - c. residences surplus to a farming operation as a result of farm consolidation.
4. Notwithstanding the policies of this Section, consents may be granted for the following technical purposes, provided that the retained and severed portions conform with the Zoning By-law:
 - a. boundary corrections or adjustments;
 - b. lot enlargements;

- c. discharge of mortgage;
 - d. road widening and road allowances; or
 - e. easements.
5. In the Rural Area a maximum of 3 new severed lots per land holding as of the date of this Plan was adopted (i.e. December 1996), can be created, exclusive of the retained part, provided all the above matters can be suitably addressed .

7.14.3 PART LOT CONTROL

Council may pass by-laws to exempt all or part of registered Plans of Subdivision from part-lot control. Such exemption will eliminate the need for further subdivision or consents to convey portions of lots within the registered Plan of Subdivision.

7.15 PARKLAND DEDICATION

1. The dedication of lands or acceptance of cash-in-lieu of the land dedication as a result of new development or redevelopment of land shall be in accordance with the following requirements:
 - a. the development or redevelopment of land for residential purposes shall be at a standard of 5% of that land being developed or redeveloped; and
 - b. development or redevelopment of land for commercial or industrial purposes shall be at a standard of 2% of the land being developed or redeveloped.
2. To ensure that parkland dedications are of an acceptable quality, parkland sites should follow these guidelines:
 - a. be relatively level and not be required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
 - b. be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access;
 - c. provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields (i.e. soccer fields, baseball fields, etc.);
 - d. have adequate access within the development;
 - e. be provided with basic service requirements; and
 - f. be developed in accordance with other Township parkland standards, if applicable.
3. Conservation - Environmental Protection Area lands may not be considered as part of a parkland dedication pursuant to the *Planning Act*.

7.16 FEES

Pursuant to Section 69 of the *Planning Act*, the Township of Chapple may prescribe fees for the processing of applications made in respect of planning matters through By-laws. The By-law shall prescribe the fees to be charged for processing applications for an amendment to the Official Plan, an amendment to the Zoning By-law, Minor Variance applications, Site Plan Control, applications for consents and Plans of Subdivision or Condominiums, if applicable or any other applications made in respect of planning matters. The By-laws shall also indicate the authority to which the fee is payable.

SECTION 8 INTERPRETATION

The Official Plan should be read as a whole to understand the comprehensive and integrative nature of the policy framework for decision making in the Township of Chapple over the planning horizon to the year 2031.

Sections 1 to 9 and Schedules A, A1, B and C constitute the Official Plan. Both the preamble in the Sections and the numbered policies are policy.

Where reference is made in the Official Plan to other documents, such as provincial or federal acts, or other legislation, or to other documents that are not part of the Plan, it is understood that it is the latest approved version of the legislation or document that is being referenced, unless otherwise specified.

Minor amendments to the Official Plan and/or the Zoning By-law are permitted without adopting an amendment provided the intent of the Official Plan or the Zoning By-law does not change. Minor amendments could include: number changes, cross-referencing; correcting grammatical or typographical errors and updating Schedule C to this Official Plan as information is updated on the Ministry's Natural Resource Values Information System.

8.1 LAND USE BOUNDARIES

It is intended that the boundaries of the land use designations, shown on Schedules A and A1 of this Plan and the Natural Heritage Features, Cultural Heritage Resources and Development Constraints illustrated on Schedule C, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the schedules.

8.2 USES

Examples of permitted uses as included in this Plan are intended to illustrate a range of activities in each respective land use designation. Specific uses and related regulations for an area shall be defined by the Zoning By-law.

8.3 AMENDMENTS TO THIS OFFICIAL PLAN

An amendment to any of the schedules in this Plan or to the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. No development or activity shall occur which contravene the intent and policies of this Plan.

1. The Plan shall be subject to a continual review by the Township. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.
2. The Official Plan shall be subject to a comprehensive review at least once every 5 years pursuant to Section 26 of the *Planning Act*.
3. In considering an amendment to any of the Schedules in this Plan with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:
 - a. the need for the proposed use;
 - b. land use compatibility policies of this Plan;
 - c. the location of the area under consideration with respect to:

- the adequacy of the existing and proposed roadway system;
 - the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
 - the adequacy of water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council may request from the proponent.
4. In general, applications for an Official Plan Amendment shall proceed as follows:
- a. a complete Official Plan Amendment application shall be submitted to the Township by the applicant in accordance with the regulations under the *Planning Act*;
 - b. a Planning Rationale may be required from the applicant and provided to the Township, along with supporting studies and a copy of the complete application for their review;
 - c. advertise a notice of a public meeting;
 - d. a public meeting is held;
 - e. the Township will review the application and send a recommendation to the Ministry of Municipal Affairs and Housing; and
 - f. the applicant will be advised of the Minister's decision.

8.4 REFERENCES TO STATUTES AND AGENCIES

1. From time to time, Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.
2. The names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.

SECTION 9 SCHEDULES

The following Schedules form part of this Official Plan:

- **Schedule A** – Land Use Designations
- **Schedule A-1** – Village of Barwick Settlement Area Land Use Designations
- **Schedule B** – Wellhead Protection Area
- **Schedule C** – Natural / Cultural Heritage and Development Constraints

Schedule C shall be revised without the need for an Official Plan Amendment to reflect updated information from the Ministry's Natural Resource Values Information System.

TOWNSHIP OF CHAPPLE OFFICIAL PLAN SCHEDULE A LAND USE DESIGNATIONS

Ministerial Approval: September 17, 2013

Village of Barwick Settlement Area

Land Use Designations

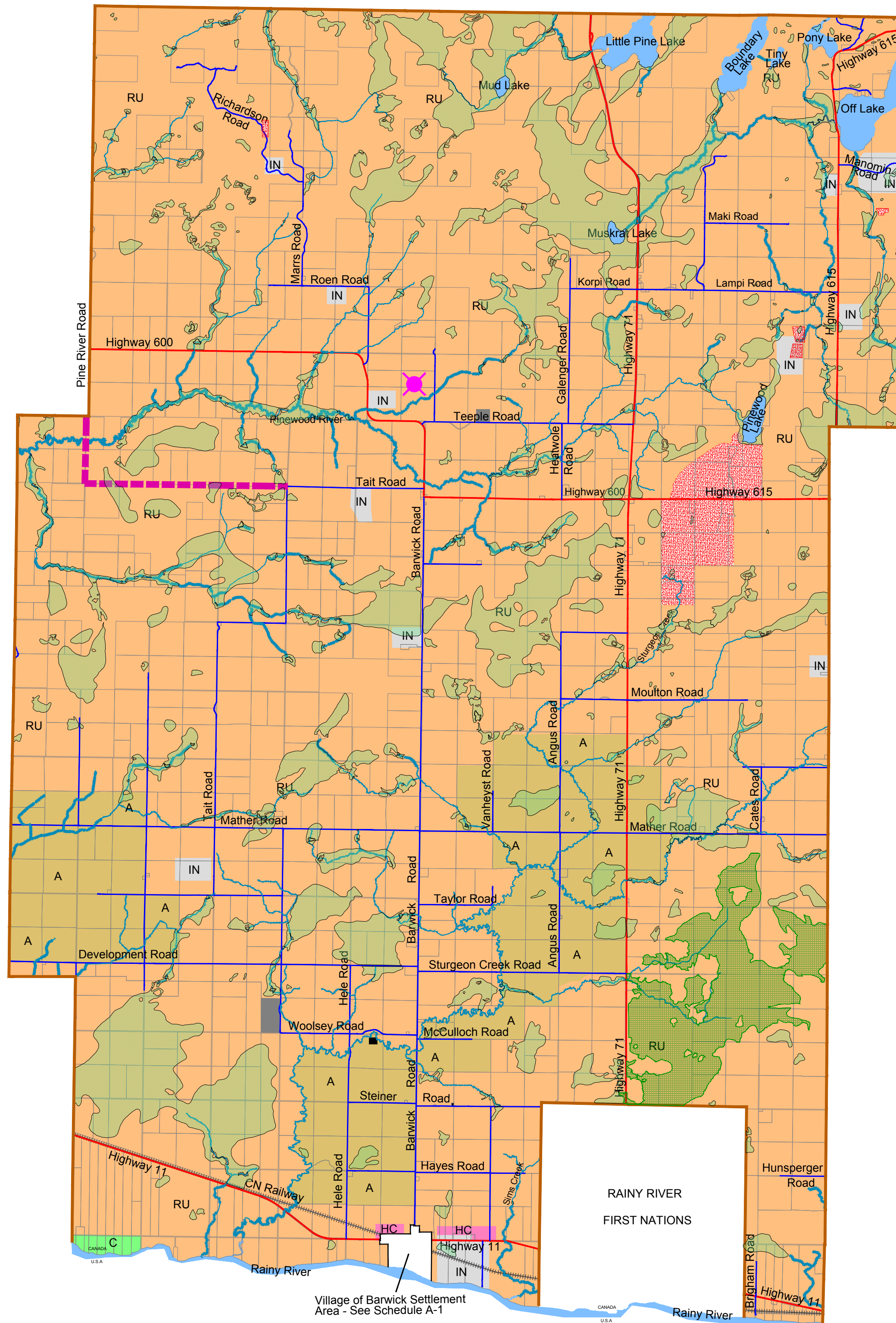
- Rural Area RU
- Agricultural Area A
- Highway Commercial Area HC
- Industrial Area IN
- Conservation - Environmental Protection Area C
- Waste Disposal Site [Black Box]
- Former Waste Disposal Site [Red Stippled Box]
- Aggregate Extraction Area [Red Stippled Box]
- Mine Site [Pink Star]
- Conceptual Realignment of Highway 600 [Pink Dashed Line]

Transportation

- Provincial Highway [Red Line]
- Township Roads [Blue Line]
- CN Railway [Black Line with Cross-ticks]

Provincially Significant Wetlands

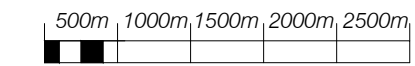
- Wetlands [Green Grid Pattern]
- Watercourses [Blue Line]



Village of Barwick Settlement Area - See Schedule A-1



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TOWNSHIP OF CHAPPLE

OFFICIAL PLAN

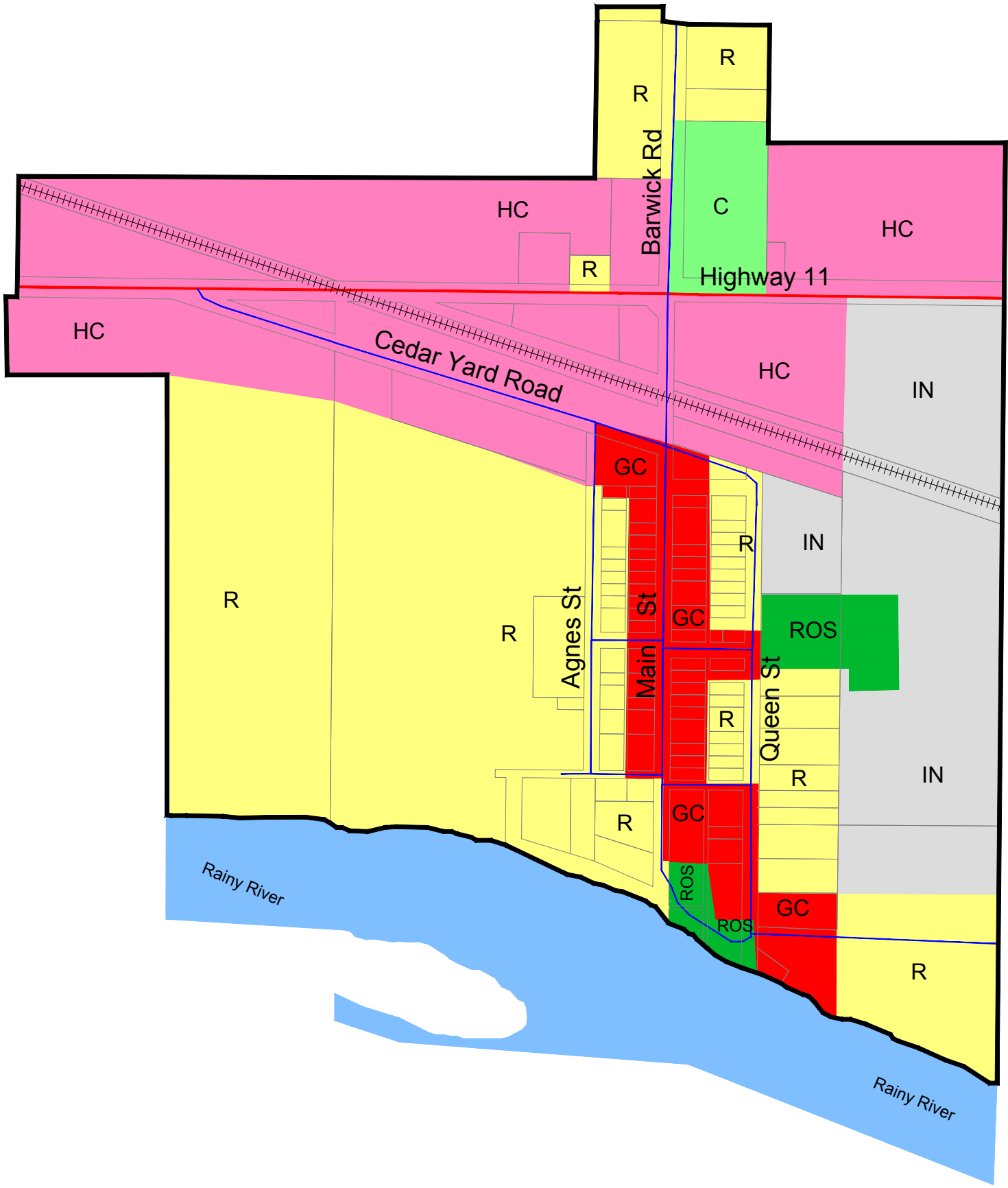
SCHEDULE A-1 - VILLAGE OF BARWICK

SETTLEMENT AREA

LAND USE DESIGNATIONS

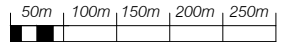
Ministerial Approval: September 17, 2013

- Village Settlement Area
- Land Use Designations
- Residential Area R
 - General Commercial Area GC
 - Highway Commercial Area HC
 - Industrial Area IN
 - Recreational - Open Space Area ROS
 - Conservation - Environmental Protection Area C
- Transportation
- Provincial Highway
 - Township Roads
 - CN Railway



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TOWNSHIP OF CHAPPLE

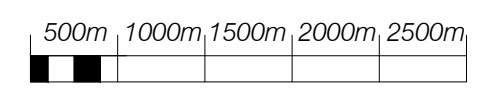
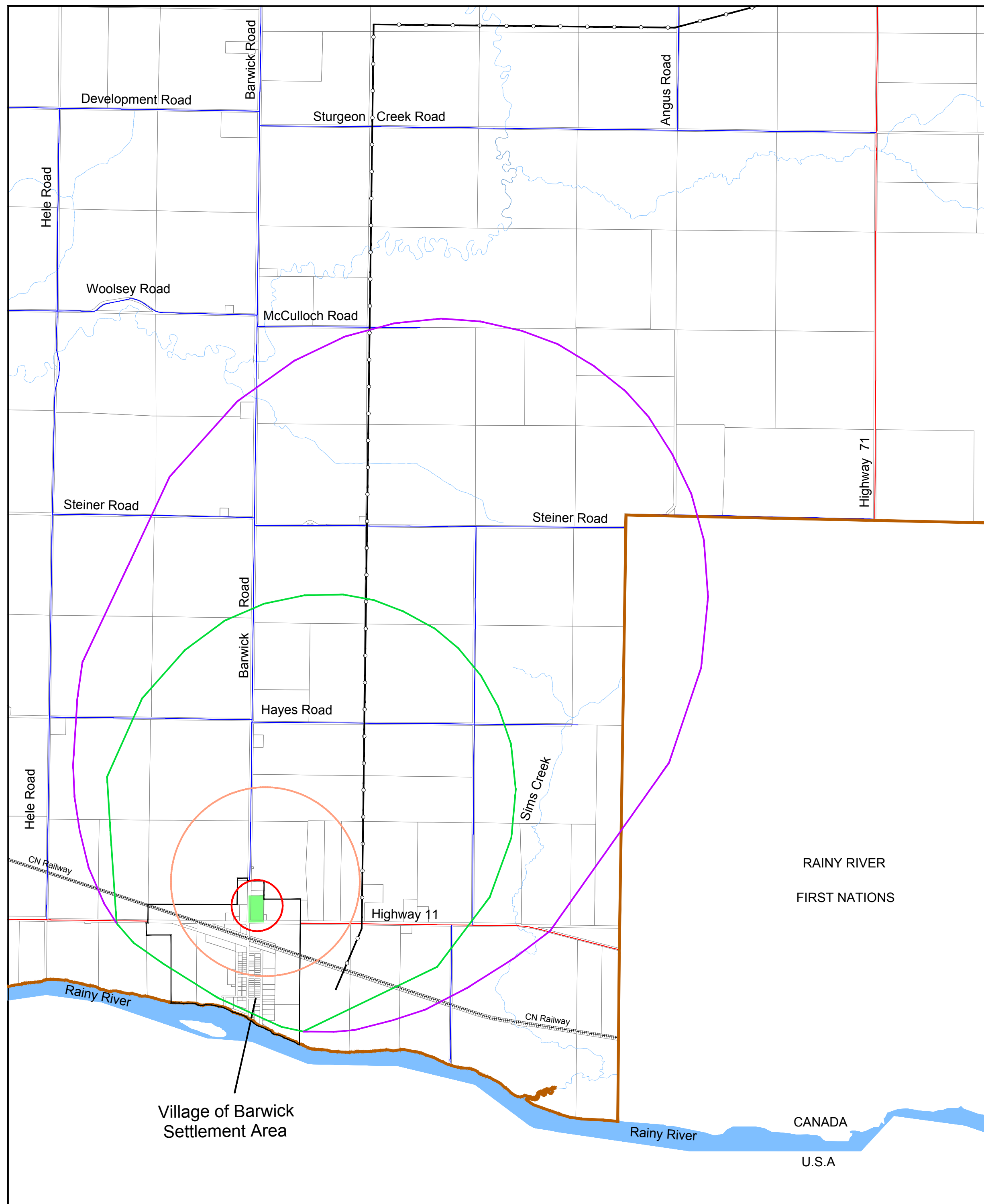
OFFICIAL PLAN SCHEDULE B

WELLHEAD SENSITIVITY PROTECTION AREA

Ministerial Approval: September 17, 2013

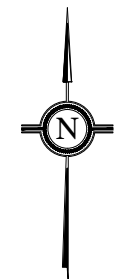
- Village of Barwick Settlement Area □
- Wellhead Sensitivity Protection Area
- Municipal Well Field ■
- 50 Day Travel Time —
- 2 Year Travel Time —
- 10 Year Travel Time —
- 25 Year Travel Time —

- Provincial Highway —
- Township Roads —
- CN Railway —
- Utility Lines —



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TOWNSHIP OF CHAPPLE

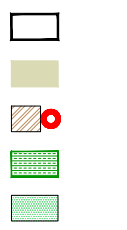
OFFICIAL PLAN

SCHEDULE C

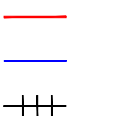
NATURAL / CULTURAL FEATURES and DEVELOPMENT CONSTRAINTS

Ministerial Approval: September 17, 2013

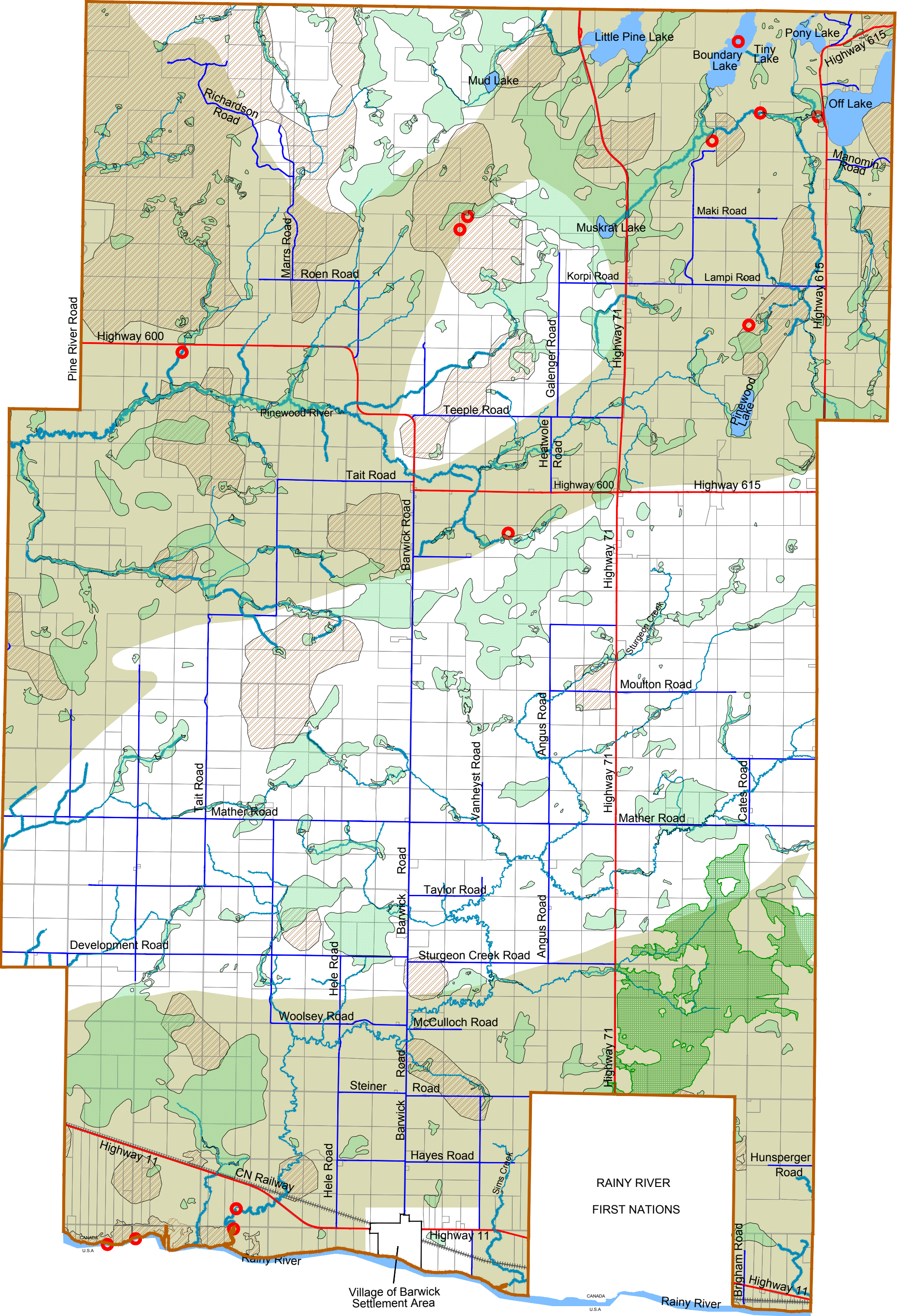
- Village of Barwick Settlement Area
- Mineral Mining Resources
- Ecologically Sensitive Area
- Provincially Significant Wetlands
- Wetlands



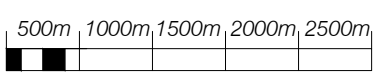
- Transportation
- Provincial Highway
- Township Roads
- CN Railway



Watercourses



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