

**OFFICIAL PLAN  
(OFFICE CONSOLIDATION)**

Sault Ste. Marie

1996

The Plan came into force on 1996 09 17  
This consolidation is for convenience only  
For accurate reference, see the original Plan and subsequent Amendments  
Prepared by the **Sault Ste. Marie Planning Division**, 1996 09 18

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## **PART I - BASIS OF THE PLAN**

### **1. The Community**

#### **1.1 Location/Climate/Setting**

Sault Ste. Marie is a "Great Lakes community". Its unique location, climate, and physical setting have shaped its growth and settlement.

Sault Ste. Marie is located on the eastern end of Lake Superior and thus is on the windward shore of the lake. The lake effect snowfall provides a higher than average accumulation for this latitude (300 cm).

Sault Ste. Marie has a "cool temperate" climate and four distinct seasons, with warm summers (July and August average temperatures 17C) and cold winters (average temperature -7 to -10C). It qualifies as a "Winter City".

Sault Ste. Marie has a river valley setting and its most prominent physical feature is the Lake Superior/St. Mary's River shoreline. This shoreline defines the southerly boundary of the community. The rapids in the river formed by a 6m drop over hard Cambrian sandstone gave strategic value to the site. They were the historic reason for the location of the community and the basis of much of its economic growth.

The form of the community is further defined by the Algonquin and Nipissing lowland plateaus created by various prehistoric lake levels. The lowland plateaus have two levels – the first only a few feet above the River – the second approximately 30m higher. The outcroppings of precambrian rock of the Canadian Shield Highland at the north of the community create a physical limit to possible urban settlement.

#### **1.2 Growth and Development**

The River provided resources for settlement and a means of transporting goods, services and people to the community. The whitefish found in the rapids provided abundant food resources for a permanent First Nation's fishing village 2000 years before the birth of Christ. The French call these people the "Saulteur" or "People of the Rapids".

In the 1600's the River became a link in the French Canadian "voyageur" route for the European exploration of the continent and the development of the fur trade economy. In this era, settlements were sporadic and consisted of missions, military forts and trading posts generally on the south side of the River.

In 1846, the original "City Plan" was surveyed for the north side of the River. Urban development on individual land holdings began. By 1887, the settlement had reached "town" status with a population of 1,600 persons and the C.P.R. had reached the Sault with a link across the River to the American railways.

In 1894, the F.H. Clergue industrial era began. The basic engines for the manufacturing economy were established – the pulp mill and steel mill. The first hydro electric development and the Canadian Locks were built around this time.

From 1900 to 1930 was the “golden era of waterbased tourism”. Cruise boats and passenger vessels brought American movie stars to hotels and cottages along the waterways. Hemmingway enjoyed rainbow trout fishing and the Hiawatha Festival drew over 100,000 visitors. By the end of the war years, Algoma Steel was Canada’s second largest Steel Plant and the population of the community was over 30,000.

By 1960 the community had grown to 60,000. The impacts of the increased need for steel and mineral resources, the increased dependence on the automobile, suburban housing, hinterland cottaging and the bushplane further shaped the community. Much of the downtown waterfront was used industrially serving as a transfer point for goods and resources. Coal, oil, lumber, passenger and packaged goods dominated the waterfront.

During the 60’s and 70’s, growth resulted in major restructuring of the community. The Townships of Korah and Tarentorus were amalgamated with the City. Links to the east, west and north by the TranCanada Highway and the new Federal Airport dramatically changed and improved transportation to the community. In 1962, the construction of the International Bridge created a major connection south to the American tourism and economic markets. The bridge completed the shift from water to land based transportation for the community. The retirement of the passenger vessel M.S. Norgoma in 1963 ended the era of marine service between Sault Ste. Marie, the North Channel communities and Southern Ontario.

By 1980, the population of the community had reached 80,000 people. Algoma Steel employed 11,500 workers – one third of the City’s work force. Eighty percent of the downtown waterfront was redeveloped for commercial and civic uses and a new relationship between the community and the water’s edge was established as the recreational and amenity potential of the waterfront and the river setting was rediscovered.

### 1.3 **Economic Restructuring**

In 1982, decades of employment growth came to an abrupt halt. Technological and structural changes in the global economy hit the local economy. Algoma Steel was forced to cancel plans for expansion and reduce its work force to 7,500. The Sault experienced its first massive unemployment since the great depression of the 30’s.

The community is now faced with a new challenge in its search for community sustainability and the employment of its citizens. Production of the resources that have sustained the community requires fewer and better skilled workers. The steel, paper and rail industries have restructured and are rationalizing, however, survival on international markets will require further efficiencies, capital investment and downsizing.

Based on the declining employment base in the community, it is projected that the population growth will “peak” in the year 2001 at 84,000 people, stabilize and begin a slow decline.

#### 1.4 **Community Development Strategy**

In response to the rapidly changing economy of the mid 1980’s, the community undertook three major development studies:

1. Waterfront Development Strategy – 1986-1988. This study explored tourism development opportunities on the downtown waterfront.
2. RAPIDS Strategic Plan – 1991-1992. The focus for this study was economic diversification and social adjustment.
3. Focus 2020 – 1993-1995. This process resulted in a “Community Development Strategy” which consolidated and updated the above strategies and which is the basis of the Official Plan.

In order to assess community concerns for “Focus 2020” the strategic planning process and a series of stakeholder workshops was utilized.

Workshop #1 – “Co-operation” – November 1993 – It presented background information on the state of the community and solicited citizen input.

Workshop #2 – “Convergence” – January 1994 – A workshop and a charrette were held to clarify the community’s concerns and discuss strategies with local and out of town professionals.

Workshop #3 – “Consensus” – May 1994 – A draft of the Community Development Strategy was reviewed.

Workshop #4 – “Concurrence” – September 1994 – This workshop began translating the Community Development Strategy and Provincial Policies into Official Plan Policies.

#### 1.5 **Official Plan**

The following steps were followed in order to encourage stakeholder review of the Plan.

Workshop #5 – Draft Official Plan – May 1995. All persons who had attended the Community Development Strategy workshops were circulated a draft copy of the Official Plan in advance of the meeting. The plan was presented and reviewed at afternoon and evening sessions.

Council Meeting – June 29, 1995. The above attendees and the public were given notice of the public hearing on the Official Plan. There were no stakeholders in attendance at the meeting, two letters of concern were submitted.

Council Meeting – June 29, 1995. Council amended the Official Plan in response to the Public concerns and other issues.

Council Meeting – April 22, 1996. Council revised the Official Plan in response to Provincial concerns and adopted the Plan for submission to the Minister for approval.

As part of the review process and as the basis for the Official Plan, Technical Background Reports were prepared on Natural Environment, Population Growth, Housing Needs and Land Needs. These reports are available under separate cover.

## 2. **The Plan**

### 2.1 **Purpose**

The Official Plan is a guide to manage and direct the physical change and development of the community and the related effects on the social, economic and natural environment. It is designed to meet the current and future needs of the citizens of Sault Ste. Marie and to reflect their goals and aspirations, their desired quality of life and their strategies for development as expressed in the Community Development Strategy. The Plan outlines the urban form for the community and sets out the goals, policies, services and methods of implementation. Schedules "A", "B", "C" and "D" attached to this Plan identify the areas in the community affected by the policies in this Plan. All of the Schedules and their related policies must be consulted to determine which policies apply to a specific site or property.

### 2.2 **Provincial Policy**

Provincial Policy and the Planning Act guide the development of local Official Plans. The policies in this Plan have been negotiated with Provincial review agencies. For matters addressed in this Plan, Provincial approval will confirm the manner in which Provincial Policy shall apply to Sault Ste. Marie.

Amendments to Provincial Policy or to the Planning Act or other applicable legislation or regulations may require amendments to the Official Plan.

### 2.3 **Legal Status**

This Plan is adopted by Council pursuant to the Planning Act and is approved by the Minister of Municipal Affairs and Housing.

The Plan requires that no public work be undertaken and no municipal by-law passed which does not conform to the Plan.

The Plan shall be used by City Council as the basis for decisions and actions on municipal projects, facilities and programs and by other government agencies and departments and business, industry and citizens in preparing their plans and programs.

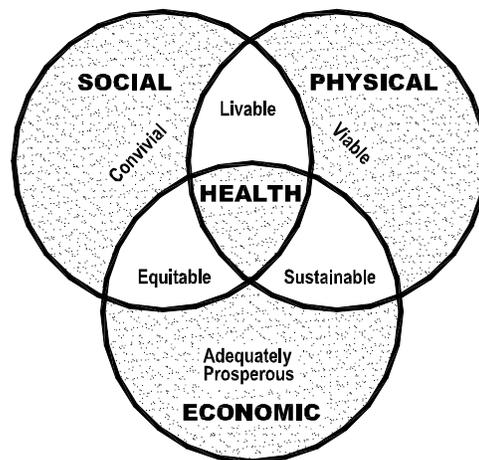
#### 2.4 **Review and Amendments**

This Plan shall be reviewed and amended from time to time as required by Council to meet the changing needs of the citizens of Sault Ste. Marie and to respond to new issues, information and projects. Amendments may be initiated by City Council or by citizens. Amendments must follow the procedures outlined in this Plan and the Planning Act and its regulations.

## **PART II – COMMUNITY DEVELOPMENT**

### 1. **Healthy Community**

The health, well being and quality of a community is influenced by its economic, social and physical circumstances. The *Healthy Community* strives to enhance each of these components or sectors and to provide a balance between them.



Sault Ste. Marie has adopted the *Healthy Community* integrated approach to the social, economic and physical development of the community and has adopted the following goals to implement that approach.

### 2. **Quality of Life**

To enhance the well being of the economic, social and physical sectors (areas of common interest or service) of the community and the quality of life of its citizens.

To express the community's satisfaction, pride and commitment to the superior quality of its natural environment, standard of living and ongoing achievements.

### 3. **Community Governance**

To co-ordinate, balance and effectively plan the delivery of government services across the economic, social and physical sectors within the three levels of government.

To create platforms, focal points and community groups to guide the activities of government and the direction of resources to meet the needs of the local community.

### 4. **Community Participation**

To facilitate citizen involvement in the planning and development of the community.

To facilitate volunteer expertise and manpower to assist government service delivery.

## **PART III – ECONOMIC DEVELOPMENT**

### **Introduction**

Sault Ste. Marie is a “naturally gifted” community. The City’s location as a transportation and natural resource centre has provided, and will continue to provide, the basis for economic growth. The natural beauty of the region has also created a significant and expanding tourism industry.

With the only road and rail connections to the United States between Thunder Bay and Sarnia, the City enjoys an important competitive advantage to reach the major American Mid-West markets. The Great Lakes – St. Lawrence Seaway provides shipping access to world markets and the community has a modern airport capable of handling international flights.

The City has also developed and will continue as the primary administrative, educational, health, retail and service centre for the region.

The City shall pursue the following goals and policy initiatives to further develop its economic base. Additional policies which assist the achieving of Economic Goals are contained in Part III, Section 4 – Physical Development – Built Environment.

#### 1. **Goals**

To ensure that adequate employment opportunities and other financial resources are available to permit all residents to enjoy a good standard of living.

To identify new wealth creating opportunities.

To assist local business and other community groups to develop these opportunities.

To ensure that appropriate lands and services are available for development.

To provide a responsive and timely development approval process.

#### 2. **Policy Directions**

##### 2.1 **Marketing**

MR.1 The City shall continue to develop and promote itself as an attractive, clean, culturally rich, friendly and safe community.

MR.2 The City’s location, land, labour, lifestyle and leadership shall be promoted to attract new investment.

MR.3 The “naturally gifted” theme shall be continued and local businesses shall be invited to participate in a common advertising effort directed at both tourist and other business markets.

MR.4 Activities which foster community pride shall be supported and all residents shall be encouraged to promote the community.

## 2.2 **Manufacturing and Transportation**

MT.1 Continued support for the re-structuring and expansion of the local steel and forest products industries shall be pursued. Additional opportunities for secondary manufacturing shall be explored.

MT.2 Local forest bio-technology resources shall be used to promote additional research and manufacturing opportunities in conjunction with the development of a “science park”.

MT.3 The City’s role as a major transportation centre should be further expanded with the development of a deep water port.

## 2.3 **Tourism**

TO.1 The local cultural, historical, waterfront, accessible wilderness and winter city themes shall be promoted to increase the existing visitor market and encourage the expansion and development of new tourist facilities.

TO.2 The City shall continue to be promoted as a boating, skiing, snowmobiling and sports fishing destination and additional facilities developed which contribute to four season tourist activity.

TO.3 A comprehensive signage program shall be implemented to provide direction and highlight the major tourist attractions and facilities.

TO.4 The City shall continue to assist with the development of conventions, festivals and other visitor oriented events.

## 2.4 **Regional Services**

RS.1 The City shall further develop its role as the primary centre for all goods and services in the region.

RS.2 The expansion of Algoma University College and Sault College as Provincial centres of academic excellence shall be supported.

2.5 **Other**

- EO.1 Programs and activities which improve the knowledge base and skill level of the local labour force shall be encouraged.
- EO.2 The City shall provide information and assistance to potential new or expanding businesses, including "home-based" enterprise.
- EO.3 The City shall encourage and assist volunteer, non-profit and other community groups to become active participants in new business development ventures.
- EO.4 Further development of a communications infrastructure to access the "information highway" shall be supported.

## **PART IV – SOCIAL DEVELOPMENT**

### **Introduction**

Social development and economic development are inextricably linked. Economic development is necessary for social development to take place and the level of social development in the community is the most significant factor contributing to quality of life within a community. Quality of life, in turn, is a key component in promoting the City to attract economic development.

Facilities that serve and accommodate local citizens can also serve as attractions for visitors to the City.

This Plan is intended to provide a context for planning the locations and appropriate level of human services within the community.

#### 1. **Goals**

To provide an adequate range of community and social services accessible to all.

To ensure the existing high standard of social services is maintained and work toward making this community the nucleus of social services for the district.

To develop the “naturally gifted” human resources found in the community to their maximum potential in order to enhance the quality of life of the citizens and meet the challenges of the “new economy”.

To encourage volunteers and non-profit groups to promote community development.

To foster the pioneering spirit, “northern ingenuity” and independence that has created this “modern frontier” community on the edge of accessible wilderness.

While recognizing the broad scope of social development concerns, this Plan focuses on leisure and recreational, cultural, heritage and housing policies.

#### 2. **Policy Directions and Policies**

##### 2.1 **General Policy Direction**

Co-operation, access and opportunity create a mix of qualities necessary for successful social development.

SG.1 Design streets and places, and facilities to be safe, active and accessible to all.

- SG.2 Encourage co-operation between social development partners, agencies and groups in order to identify needs, bridge gaps and find solutions to enhance social development.
- SG.3 Explore and promote the social opportunities and learning potential of our unique northern location and climate (i.e. "Winter City" experience).

## 2.2 **Leisure and Recreation Policy Direction**

The lives of all residents regardless of age or skill, can be enhanced through the provision of diverse leisure and recreational opportunities.

The "Parks & Recreation Master Strategy" details parks and recreation facilities and lands in the City. The appropriate land use policies are included in this Plan.

- LR.1 Promote the value of recreation and leisure to the health and quality of life; and develop diverse recreation opportunities for citizens and visitors.
- LR.2 Support sports, arts and cultural programs throughout the community.
- LR.3 Public access to the waterfront and the development of waterfront parks sites is a primary objective.
- LR.4 A waterfront parks system shall be developed based on:
- consolidating continuous public access to the waterfront
  - providing connections to other facilities in the City
  - ensuring the fullest utilization of the feature
  - designing movement along the area at the pedestrian and cyclist level
- LR.5 The municipality shall encourage the development of services and facilities that reach identified niche markets.
- LR.6 Inequalities of access within the parks system should be eliminated. The open space system should be integrated for linear recreational opportunities.
- LR.7 The Neighborhood Parks System shall be reviewed to best service the community's changing population.
- LR.8 Public and user group participation should be sought in land acquisition or disposal, and the Parks & Recreation Master Strategy.
- LR.9 Joint utilization of municipally and other publicly owned open space shall be encouraged.

### 2.3 **Culture Policy Direction**

The residents of Sault Ste. Marie have created a community with a rich and diverse cultural heritage. It is important that this diversity be recognized within the community and efforts be made to preserve our diverse traditions and experiences.

As stated in the Municipality's Cultural Policy the Plan does support:

CU.1 Promoting and encouraging the community's cultural identity and diversity.

CU.2 Encouraging the appreciation and enjoyment of culture.

### 2.4 **Heritage**

Each major theme in Canadian History is represented in the history of Sault Ste. Marie. Throughout the City, there are several locations and structures that serve as a link to this past. These sites are part of the City's cultural heritage and should be preserved for the benefit of local residents and visitors to the City. Two examples include the Ermatinger Old Stone House and the Sault Ste. Marie Lock.

Heritage resources include, but are not restricted to, archaeological sites, buildings, structures, monuments, cairns, plaques, structural remains of historical and architectural value, and groups of distinctive structures in a specific area, districts or landscapes of historic or scenic interest and significant vistas and ridge-lines.

The following policies may be implemented with the advice, assistance and recommendations of the Local Architectural Conservation Advisory Committee (LACAC), other recognized advisory bodies and the Ministry of Citizenship, Culture and Recreation.

HE.1 Identify, map and maintain an inventory of the following:

- Isolated structures, buildings, sites, areas, neighbourhoods of historical, archaeological, architectural, physical, aesthetic or cultural significance, and medium to high archaeological potential sites,
- Significant cultural or natural landscapes, units, corridors, significant vistas and ridge-lines,
- Nationally and Provincially significant Historic or Prehistoric sites.

HE.2 Pursuant to the Ontario Heritage Act Council may,

- Designate properties to be of historic or architectural value or interest or,
- Define and/or designate areas as heritage conservation districts or neighbourhoods.

- HE.3 It is not always possible to preserve all buildings or sites of historical, architectural or archaeological worth, but their significance shall be assessed and recorded prior to demolition or alteration.
- HE.4 Wherever possible, heritage resources shall be managed in a manner that perpetuates their functional use while maintaining their heritage value and benefit to the community.
- HE.5 Historical monuments, cairns and plaques shall be preserved.
- HE.6 The demolition and alteration of heritage resources shall be controlled.
- HE.7 All development applications shall be reviewed for their impact on existing heritage resources.
- HE.8 The preservation or rescue excavation of significant architectural resources shall be encouraged.
- HE.9 An archaeological impact assessment meeting the Ministry of Citizenship, Culture, and Recreation guidelines shall be required for development that impacts medium to high potential archaeological sites.

## 2.5 **Housing**

Housing policies integrate the social and economic aspects of creating and providing adequate and affordable dwellings throughout the municipality to satisfy our projected need.

New residential construction over the life of the Plan is expected to be limited. Based on recent projections, approximately 75 to 150 new residential units can be anticipated annually.

Policies related to the physical aspects of the delivery of housing are contained in Section 4 of Part 3 of the Plan, "Residential Land Use".

- HO.1 Opportunities for a full range of housing types shall be provided to meet the present and expected needs of the community.
- HO.2 Innovative and alternative residential development standards supporting affordable housing and compact urban form shall be encouraged. However, climate (i.e. snowfall) and other local circumstances should not be neglected.
- HO.4 Medium and high density – including affordable housing – will be encouraged to be built before or at the same time as low density units.

- HO.6 For all urban residential developments greater than 50 units, the developer shall be required to provide a statement of affordability ensuring that opportunities for creating a range of housing types are provided so that no less than 30% of the new dwellings are affordable. Wherever feasible 50% of all affordable housing provided shall be affordable to low income households as defined by the Ministry of Municipal Affairs and Housing.
- HO.7 The inventory of affordable housing shall include the sale, resale and re-renting of existing units.
- HO.8 Housing affordability levels (both new and resale) and projected housing types shall be monitored semi-annually.
- HO.9 An inventory of multiple-residential zoned land shall be maintained in an effort to assist providers in finding sites for low-income and multiple-unit dwellings.

## **PART V – PHYSICAL DEVELOPMENT – NATURAL ENVIRONMENT**

### **Introduction**

The natural environment provides opportunities and challenges to the growth of the community and to the form of its built environment. The City shall promote the stewardship of the community's natural resources and features to ensure an environment that is ecologically sound, that recognizes the importance of healthy, diverse ecosystems, and is responsive to the health, safety and well being of the present and future residents.

The City shall be guided by the following goals and policies to manage its natural physical environment.

#### 1. **Goals**

To identify, protect, conserve, restore and develop provincially, regionally and locally significant natural environmental features and resources, resulting in a naturally sustainable environment.

To maximize the environmental, social and economic benefits derived from protecting, maintaining, enhancing and developing natural environmental features and resources.

To encourage protection of natural environmental features which are located on private land.

To maintain, or where necessary, to develop corridors or linkages between natural environmental features to maintain or enhance the natural habitat of the municipality.

To utilize ecologically based planning methods and procedures.

To encourage watershed planning in the region.

To maintain a data base of significant environmental features as identified by the Ministry of Natural Resources, Conservation Authority and other interested groups and agencies.

To utilize the best available information when managing development affecting the natural physical environment.

To require where appropriate an *Environmental Impact Study (EIS)* for proposed development.

## 2. **Policies**

The following Introductions and Policies for Natural Resources (Schedule "A") and Natural Constraints (Schedule "B") recognize the value and guide the stewardship of the natural environment and guide the development of the community within the constraints required by the natural environment.

## 3. **Natural Resources/Soils**

The Natural Resource areas referred to in the following sub-sections and identified on Schedule "A" are opportunities for resource development, protection and conservation and stewardship; and for the protection of natural areas from development.

### 3.1 **Aggregate**

#### **Introduction**

Mineral aggregate resources, extracted from local pits and quarries are necessary for the development of the urban area. The protection of aggregate resources from incompatible uses conserves this non-renewable resource and provides for progressive rehabilitation and sequential use. It also ensures residential areas are minimally impacted with development of new pits and quarries and the expansion of existing pit and quarry operations.

#### **Policies**

- A.1 To ensure orderly extraction and optimum use of mineral aggregate resources, to provide for local, regional and provincial needs while minimizing the negative environmental, financial and social impacts on the municipality and residents.
- A.2 Existing licensed pit operations are permitted. The prime area for expansion of aggregate resources is adjacent to existing pits and quarries.
- A.3 New pits and quarries are permitted subject to rezoning.
- A.4 Rehabilitation of all licensed or abandoned pits shall be encouraged.
- A.5 The exploration for or the extraction of any aggregate resources within the municipal area shall be in accordance with the Aggregate Resources Act. Operation of processing equipment requires Ministry of Environment and Energy approval.
- A.6 Other extensive land uses such as agriculture and forestry that do not preclude the future use of the aggregate resources are permitted.
- A.7 Land uses which are not compatible with aggregate extraction shall be discouraged from areas surrounding existing pits and quarries.

A.8 Residential development is limited to existing lots. New lot creation shall not be permitted.

A.9 Other non-Aggregate uses may be permitted by rezoning if

- extraction is not feasible or
- the use serves a greater long term interest of the public or
- the use would not significantly preclude or hinder future extraction

### 3.2 **Natural Heritage Features**

#### **Introduction**

Natural heritage features and areas have been identified by the Ministry of Natural Resources and other agencies. They contain distinctive or unusual features performing a key ecological function and/or provide habitat for significant plant and/or animal species. Linkages between Natural Heritage features act as corridors to enhance and maintain the natural habitat of the municipality.

Schedule A identifies the location of key Natural Heritage Features. The Technical Background report contains descriptions and a Category 1 & 2 classification of the features.

#### **Policies**

H.1 No development is permitted in Category 1 Natural Features or Areas. The municipality shall maintain an inventory of these features and areas.

H.2 Development applications within Category 2 Natural Features or Areas, or adjacent to a natural heritage feature or area may require an *Environmental Impact Study (EIS)*. The municipality shall maintain an inventory of these features and areas.

H.3 If an *Environmental Impact Study (EIS)* concludes that the overall impact upon the natural heritage feature or area, or ecological function is negative (i.e. detrimental), the development application shall not be approved.

### 3.3 **Forested Areas (Woodlands)**

#### **Introduction**

The forested areas of the City of Sault Ste. Marie cover approximately 40% of the City's land area. The policies below set out the means of preserving and protecting this valuable resource.

## **Policies**

- FO.1 The municipality, the Ministry of Natural Resources and the Conservation Authority shall inventory important woodlands within the planning area, and shall develop policies for stewardship and protection of these areas. These agencies shall promote proper forest management practices on all forested lands and the municipality may enact by-laws under the Municipal Act.
- FO.2 Development that is inconsistent with good forestry practices should not be permitted in these areas. Development for residential purposes should not be allowed in areas of high fire risk.
- FO.3 The municipality and the Conservation Authority shall encourage the “Urban Forest” concept. Forested corridors and greenbelts shall be encouraged and maintained throughout the planning area. Tree planting shall be required on all new and encouraged in existing developments.

### 3.4 **Alluvial Soils**

#### **Introduction**

The areas of alluvial soils are environmentally sensitive to development because of the bearing capacity of these soils to support foundations.

#### **Policies**

- AL.1 No development applications or building permits shall be approved for development on alluvial soils without a review and a report prepared by a professional engineer approved by the municipality.

### 3.5 **Lacustrine Clay Soils**

#### **Introduction**

Lacustrine clay soils lack the ability to support the operation of domestic sewage systems.

#### **Policies**

- CL.1 The development of a domestic sewage system shall not take place in areas of clay soils unless all of the guidelines of the Ministry of Environment and Energy and Algoma Health Unit are met and the approval of the Algoma Health Unit is obtained.

### 3.6 **Fish Habitat**

#### **Introduction**

Fish and fish habitat play an important role in the development of the community as a "tourism" destination. Quality fish habitats have significant economic and social benefits (e.g. St. Mary's River Rapids). It is therefore, important to provide protection to fish habitat, especially when considering the wide variety of fish species available in the area and their related habitat requirements (i.e. warmwater/coldwater fisheries). Fish habitat includes spawning grounds, nursery rearing, food supply and migration areas; all are necessary components of a fish habitat.

All lakes, streams and rivers and all their tributaries as shown on Schedule "A" are identified as fish habitat and classified as Type 1, 2 or 3. The Technical Background Report contains descriptions of the Type 1, 2 and 3 classifications.

#### **Policies**

- FI.1 To protect all fish habitat from harmful disruption, alteration or destruction by not permitting development which could result in damage to these areas.
- FI.2 To encourage the restoration, enhancement and creation of fish habitat.
- FI.3 To ensure that public access to fishery resource areas is provided or maintained given that the area is suited to human activity.
- FI.4 No development is permitted in Type 1 fish habitat. This currently includes:
  - 1. St. Mary's River Rapids
  - 2. Crystal Creek from Case Road to Minnehaha Falls
- FI.5 All fish habitat, excluding areas identified as Type 1, is classified as Type 2 or 3. Applications for developments in or adjacent to these areas, or adjacent to Type 1 Areas, may be approved by Council, if accompanied by an *Environmental Impact Statement (EIS)*.  
  
The *EIS* may determine:
  - 1. that the habitat or a portion thereof is Type 1 and subject to policy F1.4 above, or
  - 2. the conditions under which development may take place.
- FI.6 A separate zoning provision shall be used in the Comprehensive Zoning By-law to identify a vegetative buffer adjacent to fish habitat.
- FI.7 Minor adjustments to expand or reduce the limits of the zoning buffer boundaries may be agreed upon by Council or Committee of Adjustment at the time of

consideration of adjacent development proposal. Such minor refinements would not necessitate an amendment to this Plan.

#### 4. **Natural Constraints**

##### **Introduction**

Schedule "B" outlines natural constraints to development. These constraints may mean prohibition of development; development subject to detailed *Environmental Impact Study (EIS)*; or development with minimum conditions after review.

##### 4.1 **Groundwater Recharge Area**

##### **Introduction**

The City obtains 50% of its water from groundwater sources. In the Rural Area, most residents depend on ground water for domestic use. The importance of protecting the City's groundwater resources is critically important. For example, one litre of gasoline or similar petroleum solvent can pollute 1 million litres of drinking water.

The inter-relationship between ground water and surface streams, and the importance of the forested upper watersheds and wetlands as water storage and recharge areas into the ground water regime should be recognized. All of these features are necessary to provide high quality water.

##### **Policies**

- G.1 The aquifer recharge zone has been identified by the Public Utilities Commission. The types of activities that are prohibited in this zone include:
1. landfill sites
  2. cemeteries
  3. storage of salt
  4. animal feed lots
  5. storage of fuel or any petroleum product
  6. use or storage of any other hazardous materials
  7. automotive and truck repair
  8. any industrial manufacturing or processing use
  9. any other environmentally hazardous use
- G.2 Existing uses that threaten the aquifer as listed above should be monitored to ensure that best practices for mitigation of the threat are followed. These existing uses should be relocated and shall not be permitted to expand.

- G.3 New residential development shall only occur if it is serviced with sanitary sewers and if it practices storm water management consistent with ground water objectives to maintain the recharge area in terms of quality and quantity of ground water.
- G.4 The City, in partnership with the MOEE shall develop and implement a plan for the containment of spills.

#### 4.2 **Great Lakes Flood Line**

##### **Introduction**

The Provincial Great Lakes – St. Lawrence River Shoreline Policy and the Shoreline Management Plan of the Conservation Authority are implemented through this policy. The purpose of the policy is to reduce the potential loss of life and property damage as a result of flooding erosion and dynamic beach action.

##### **Policies**

- L.1 The shoreline is divided into two classes, the lake (Lake Superior) and connecting channel (St. Mary's River). The connecting channel runs from the Compensating Works to the eastern municipal boundary. The difference between these two classes is that flood setback allowances may be decreased in the connecting channel. The policies for the shoreline are defined by the regulatory shorelands which is a combination of the greatest landward extent of the "regulatory flood standard", the "regulatory erosion standard" and the "regulatory dynamic beach standard".
- L.2 Along the lake, new development consisting of new consents, subdivisions and rezonings of property shall not be permitted within the regulatory shorelands.
- L.3 Along the lake, in areas of existing development e.g., building, structures and lots of record, development within the regulatory shorelands may be permitted (excepting in those areas within defined portions of a dynamic beach) provided that:
1. building or extension of building is flood-proofed;
  2. erosion setbacks are used in combination with specific engineering works and/or studies to ensure proper protection; and
  3. the access standard can be met.

Erosion control works must comply with environmental protection standards administered by the Ministry of Environment & Energy and with structural standards administered by the Conservation Authority.

- L.4 Along the Connecting Channel, no development will be permitted within the defined portions of the one hundred year flood level, except from Huron Street to Simpson Street (extended), where development and redevelopment may be permitted provided that flood and erosion protection are provided to current engineering standards and are approved by the Conservation Authority.
- L.5 Property owners and developers, in areas where there is natural shoreline, shall maintain this natural shoreline and promote re-vegetation and a return to natural shorelines wherever possible.

#### 4.3 **Tributary Flood Line**

##### **Introduction**

The Tributary Flood Line identified by the Conservation Authority indicates lands that are subject to flooding that are not on the Lake Superior – St. Mary’s River shoreline. The Provincial Flood Plain Policy Statement shall be implemented through this section of the Official Plan. The purpose of the policy is to reduce property damage and threats to human life.

The Flood Plain areas are identified using the “Regional Storm” as defined by the Province of Ontario. In this area, the Regional Storm is the “Timmins Storm” which is based on an actual rainfall event that occurred over Timmins in 1961.

For tributaries for which the tributary flood line and flood plain areas are not delineated on the Schedule, identification shall be required when development is proposed.

##### **Policies**

- T.1 No development of new buildings or structures shall take place in these areas unless specified otherwise in this section. Existing buildings and structures may be permitted to expand by up to 50% of the original building floor area if all flood related hazards can be addressed. Flood and/or erosion control structures, facilities which by their nature must locate near or traverse water and ancillary facilities of an adjacent land use may be permitted.
- T.2 Development proposed within floodplains in accordance with T.1 and/or T.4 shall require an *Environmental Impact Study (EIS)*. Any development, including grading or the placement of fill within the floodplain and any setback area must be accompanied by a study using “accepted geotechnical principles”. In ravine areas, development setbacks shall be maximized, in order to control erosion and slumping of the ravine walls. The Zoning By-law will include floodproofing provisions whereby any openings to new buildings and structures will be restricted below the regulatory flood level.
- T.3 In areas where stream systems have been degraded, these areas shall be rehabilitated using a natural channel design.

- T.4 Portions of the lands subject to flooding are affected by the Two Zone Concept and divided into two policy areas the Floodway and the Flood Fringe,
1. in the Floodway, Policies T.1, T.2 and T.3 above shall apply
  2. in the Flood Fringe, Policies T.2 and T.3 shall apply and development in accordance with the underlying land use designation shall be protected to the Tributary Flood Line elevation, and the structural integrity of the building shall be designed to the satisfaction of the City.

The Flood Fringe is the portion of the floodplain between the Regional Storm [Timmins Storm (1961)] and the 1:100 year flood level and the Floodway is the portion of the floodplain below the 1:100 year flood level and the river channel.

The Two Zone Concept applies to portions of the following tributaries: Root River, Big Carp River, Little Carp River, Fort Creek as identified on Schedule "B" and further identified by Conservation Authority mapping.

#### 4.4 **Specific Flood Areas**

##### **Introduction**

These urban areas have been built upon and are prone to flooding. The nature of the flooding in these areas is similar to that experienced in the Flood Fringe or can be made to reflect these conditions when certain improvements are completed. Once these improvements are completed, development in the Bayview, Gateway and Steelton areas will be subject to Specific Flood Area policies.

##### **Policies**

Development and redevelopment are permitted provided:

- SA.1 Bayview – There are no openings to buildings below 184.4m Canadian Geodatic Datum.
- SA.2 Gateway – The improvements which resolve the flooding problem are identified by the municipality, with the technical advice of the Conservation Authority and Ministry of Natural Resources and are required as a condition of redevelopment. Further, there are no openings to buildings below 178.6m Canadian Geodetic Datum.
- SA.3 Steelton – The improvements which resolve the flooding problem are identified by the municipality, with the technical advice of the Conservation Authority and Ministry of Natural Resources and are proposed as a public project and provided when possible. Further, there are no openings to buildings below the elevations established in the Conservation Authority's Fort Creek Watershed Appraisal, 1984.

## 4.5 Wetlands

### Introduction

Wetlands are important to the maintenance of a strong sustainable natural environment. They provide useful environmental functions such as wildlife habitat, water quality enhancement and flood control. The City has approximately 2,200 ha of lands considered as wetlands. These wetlands include fens, swamps, bogs and marshes.

### Policies

The following policies shall apply to “wetlands” and “adjacent lands” within 120m.

- W.1 If “Provincially Significant Wetlands” are identified, no development shall be permitted within the wetland. The exception to this is utilities/facilities development proposals where it can be shown, through an examination of alternatives, that the proposal cannot be located outside of the wetland. These would include pipelines, provincial highways, roads, electric power facilities, and water and water treatment plants, as examples. If the planning process for these types of development do not include an examination of the impacts on the environment, an EIS will be required.
- W.2 If “Provincially Significant Wetlands” are identified, development within adjacent lands (120 m of the boundary of the wetland) may be considered subject to the submission and approval of an *Environmental Impact Study (EIS)*.
- W.3 Permitted uses in wetland areas that are not “Provincially Significant” include passive or low intensity recreational uses, fish and wildlife management and forestry provided that such land uses maintain and enhance the natural functions and area of the wetland.
- W.4 Applications for development in conformity with Schedule "C" in, or adjacent to wetland areas, may be approved by Council, if accompanied by an *Environmental Impact Study (EIS)*. **AMENDED BY OFFICIAL PLAN AMENDMENT NO. 3**
- W.5 Development shall only be permitted in wetlands that are not “Provincially Significant” where there is:
1. no loss of wetland functions
  2. no encouragement for future development that will impair wetland functions
  3. no conflict with site specific wetland management practices
- W.6 The loss of any wetland areas through development shall be made up by the creation and/or dedication of other wetland areas.

## 4.6 **Fill Areas**

### **Introduction**

The City's slopeland and Conservation Authority fill area policies were originally developed to protect significant environmental areas such as rivers and stream corridors. These policies also protect significant areas of geological interest such as the Korah Bench. Slopeland areas are within the fill areas on Schedule "B".

### **Policies**

F.1 The following slopeland criteria and development prescriptions shall apply to new development:

| Slope                        | Policy   |
|------------------------------|--|
| 1. 25% + (14 + degrees) -    | no development, dedication to the Municipality |
| 2. 20-25% (11 - 14 degrees)  | restricted development and possible dedication |
| 3. 15-20% (8.5 - 11 degrees) | restricted development                         |
| 4. 10-15% (5 - 8.5 degrees)  | site specific controls                         |

Lands dedicated in excess of 25% are not included in any required park land dedication.

F.2 Any application for development of any slopelands that contains slopes over 15% shall be accompanied by an engineering study that addresses the hazards of slope stability at that site, and an *Environmental Impact Study (EIS)* that shall address all of the environmental concerns of development at that site.

F.3 Removal of vegetation on a slopeland shall not be permitted without consultation with a Professional Forester, Professional Engineer, or Landscape Architect.

F.4 Areas where topographic changes might result in significant erosion or other environmental damage shall be protected. These areas may include sensitive vegetation, or vegetation in combination with topographic features.

F.5 The prime agency in the designation and review of fill areas is the Conservation Authority. Changes to the boundaries or permits to place fill require its approval.

F.6 Fill materials must meet Ministry of Environment and Energy requirements.

## **PART VI – PHYSICAL DEVELOPMENT – BUILT ENVIRONMENT**

### **Introduction**

The physical development of the community must respond to the economic, social and natural environmental challenges and opportunities. These forces shape and accommodate the form of the community's urban and rural built environment.

The City shall be guided by the following goals; Introductions, land use description, and policies to manage the physical development of the community as shown on Schedule "C". These policies should be read in conjunction with other policies related to resources and constraints, in particular those policies in Part VI, Natural Environment Policies, and be addressed when development is considered.

#### **1. Goals**

To ensure that adequate physical resources, facilities and services are available for its citizens to accommodate their activities and to sustain their quality of life.

To develop the physical form of the community to be environmentally sustainable, functionally efficient and aesthetically pleasing.

To plan for the needs of a stable population and its working, living and recreational activities.

To encourage the reuse, rehabilitation and redevelopment of the existing built environment.

To develop new facilities for our natural resource based industries and to diversify the economy.

To develop new facilities to expand the tourism industry's potential to attract and service visitors to the community and for the enjoyment of its citizens.

To develop flexible and adaptable land use plans and development procedures that respond rapidly to development opportunities.

#### **2. Policies**

The following policies shall guide the development of the built physical form of the community.

## 2.1 **Urban Design**

### **Introduction**

Quality urban design helps create a safe, attractive and stimulating environment in which to live and work. Urban design should address the visual character, compatibility of land use and aesthetic aspects of development.

Development proposals and improvement plans shall be reviewed and prepared using good urban design principles and the following policies:

### **Policies**

D.1 The physical form of the community shall be friendly and accessible to all users and development shall respect and reinforce the human scale. New development should be designed to integrate with the existing urban fabric.

Development or redevelopment should replicate and/or respond to existing colour, texture, scale, and massing in order to harmonize with the existing streetscape rhythm and the relationship of uses.

D.2 Streetscape improvements and the upgrading of existing building facades, signage, sidewalk improvements, lighting, street furniture, parking areas and landscaping shall be encouraged.

D.3 The maintenance and/or reinforcement of all natural features such as river and creek valleys, ravines, wooded areas, parkland and heritage landscapes located within or next to development sites shall be encouraged.

D.4 Views and vistas of built and natural features, significant forest corridors, landscapes and ridge lines shall be preserved and enhanced.

D.5 The "Urban Forest" concept of maintaining existing and establishing new forested areas shall be encouraged. Tree planting shall be required for new development.

D.6 A high standard of site design in strategic or prominent locations such as the downtown, along major arteries, at street intersections and at entrances to the City shall be promoted.

D.7 The visual quality of visitor access corridors should be enhanced. High sign standards shall be applied. Front yard landscaping and landscaped buffers should be provided to separate and visually screen parking areas from the street and abutting properties.

- D.8 Site design shall consider the impact on street functions and pedestrian, cycling and vehicular access. The effects of traffic noise, vibration and odour shall be assessed.
- D.9 Pedestrian and cycling access to parks, bus stops and schools shall be encouraged.
- D.10 All uses should provide sufficient parking on site except where alternatives are provided for in the downtown.
- D.11 "Winter City" design principles which acknowledge the climate of the community shall be considered.

## 2.2 **Energy**

### **Introduction**

Energy conservation, water conservation and the reduction, re-use and recycling of waste offer direct and indirect social and economic benefits to the community. These energy policies support other policies contained in the Official Plan.

### **Policies**

- E.1 The use of energy efficient development standards shall be encouraged in all new development.
- E.2 Infill development to maximize the use of existing services shall be encouraged.
- E.3 Rehabilitation and retrofitting of existing buildings for improved energy efficiency shall be promoted.
- E.4 Alternative transportation and energy efficient forms of transportation such as public transit, cycling and walking shall be supported.

## 2.3 **Land Use**

The anticipated urban form and land use designations for the community are shown on Schedule "C" to the Official Plan.

### **Urban Growth & Settlement**

The community settlement area is delineated by the urban land use designations on Schedule "C", excluding the Rural designation.

Based on recent trends the population of the community is expected to peak in the year 2001 at 84,000 persons. As a result of the aging population and the changing nature of employment, housing construction will never again experience the dynamic growth of

the past 30 years. Thus all future residential growth within the City can be accommodated on lands already committed to development within the existing settlement area. Lands designated Residential have been reduced from that shown in the 1968 Official Plan to reflect the reduced need for residential land over the lifetime of this Plan.

The settlement area has been modified to reflect changing priorities and to include additional lands for industrial and commercial land use and thus to promote opportunities for employment growth.

## **Rural Residential Growth**

Further development of unserviced lots in the rural area is not required to meet the growth needs of the community and development will be limited to existing lots of record. No new estate residential plans of subdivision will be permitted. Residential use should only be permitted as accessory to the economic development of a Natural Resource located in the Rural Area which meets health standards and has no impact on the environment.

### **2.3.1 Residential**

#### **Introduction**

Residential land use primarily includes buildings used as dwellings. Other uses associated and accessory to the residential uses that contribute to the completeness of the neighbourhood but do not depreciate or affect the amenity of the residential environment are permitted. Such uses include, but are not limited to, elementary schools, social and recreation centres, local and Neighbourhood parks, churches, group home facilities licensed, funded or operated by a Federal or Provincial agency, *correctional group home* facilities, and other institutional uses. Small scale commercial uses which are compatible with the residential nature of the area, such as convenience stores, day care centres, home occupations and bed and breakfast establishments are also permitted.

Current population projections for the City do not indicate major growth. However, declining family size and old housing stock may offer opportunities for limited residential development. Projected residential construction over the next 20 years can be accommodated within the existing urban form.

#### **Policies**

- R.1 A mixture of housing types and diversity of ownership and tenure forms shall be encouraged in new development.
- R.2 Low and high density development should be integrated and compatible in density, height and building setbacks. Generally, high density development shall be restricted to major arterial streets and areas abutting the downtown core.

- R.3 Medium density residential dwellings may be integrated into low density areas subject to rezoning.
- R.4 Small scale intensification may be permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist.
- R.5 Small scale residential intensification may include, but not be limited to, rooming, boarding and lodging houses, apartments in houses, infill development and redevelopment.
- R.6 Group home facilities shall be integrated into residential neighbourhoods. *Correctional Group Home* facilities shall be encouraged to locate on the perimeter of residential neighbourhoods.
- R.7 Existing commercial uses in residential areas are permitted. Commercial development of less than 200 sq.m may be permitted on lands designated Residential without an Official Plan amendment.
- R.8 In order to ensure a sufficient supply of land for development and intensification and to create opportunities to meet the needs of a full range of present and expected households, the City shall:
1. maintain a continuous ten year supply of residentially designated land; and
  2. maintain at least a three year supply of residential land available for impending development  
(i.e. draft approved/registered plans of subdivision).

### 2.3.2 **Commercial Land Use**

#### **Introduction**

Commercial land use includes businesses engaged in: retail, finance and insurance, real estate, business, government, educational, health or social services; accommodation, entertainment, food and beverage or other personal or household service industries.

The main emphasis shall be to maximize the use of existing commercial space. Very little demand for new office or retail space is anticipated within the next five years. The development of new commercial space on lands not properly zoned shall be discouraged until the existing supply of vacant space is reduced to reasonable levels. It is acknowledged that some of the vacant space requires upgrading. Exceptions to allow new development shall be made where major uses cannot be accommodated in existing buildings.

The Official Plan provides general descriptions of uses to be permitted in the Downtown, Great Northern Road – Trunk Road, and local neighbourhood commercial areas in order to clarify the application and intent of the Zoning By-law.

Existing Commercial zoning in areas not designated “Commercial” is recognized and may be modified without an Official Plan amendment.

Commercial development of less than 200 sq.m may be permitted on lands designated “Residential” subject to Zoning By-law approval without an Official Plan amendment.

### **Policies**

- C.1 The conversion of existing vacant commercial space to residential or other non-commercial use shall be encouraged where appropriate and permitted subject to Zoning By-law approval without an Official Plan amendment.
- C.2 Applications to permit new commercial development in excess of 4,000 sq.m shall require a market study to assess the impact on existing facilities prior to approval.

### **The Downtown**

- C.3 The Downtown area is defined as those lands bounded by or with frontage on Church Street, Wellington Street East, Gore Street, Queen Street West, Huron Street and the waterfront and includes “Commercial” and “Residential” designated properties.
- C.4 The Downtown area should be maintained as the primary administrative, business and cultural centre of the community. Parks and other public facilities shall be permitted. Mixed use and high density residential development shall be permitted. Construction of major office buildings outside of the Downtown area shall be discouraged and new office buildings shall be encouraged to locate in the Downtown core.
- C.5 The “Gateway Area” includes those properties bounded by Andrew Street, Queen Street, Huron Street and the waterfront. This area welcomes visitors to the community and development should focus on tourist oriented uses.
- C.6 The Downtown area includes an established residential area. Substantial residential structures should be preserved. Existing residential development should be maintained and improved where practical. New residential development may be permitted on lands designated Commercial within the Downtown area subject to Zoning By-law approval.

- C.7 Existing residential buildings in the Downtown may be converted to permit additional units or for limited commercial uses where the abutting properties are of a similar use and adequate off street parking can be provided subject to Zoning By-law approval without an Official Plan amendment. Front yard parking shall be discouraged and removed where practical.
- C.8 New development and redevelopment proposals should consider surrounding residential uses. Priority should be given to mixed land use projects. New development should be designed to maximize the use of existing parking in the Downtown. The construction of a Downtown parking structure should be encouraged if demand warrants.
- C.9 Use of “cash in lieu” of parking will encourage new development and provide funds for additional consolidated downtown parking facilities and shall be considered where public parking is available to serve the development and/or the impact of the loss of the physical parking spaces will be minor.
- C.10 Commercial parking requirements may be lower in the Downtown than in other areas to reflect multi-purpose trips and greater transit usage.
- C.11 Clergue Park and the adjoining vacant lands should be redeveloped, in conjunction with the art gallery and library properties, as the major parkland in the Downtown.
- C.12 A strong focus shall be placed on creating good pedestrian and cycling routes throughout the Downtown and along the waterfront. In particular, pedestrian and cycling routes should be improved between the Queenstown – City Centre shopping areas, Station Mall and the St. Mary’s River Boardwalk. Property shall be acquired to extend the Boardwalk along the waterfront to the hospitals.

### **Great Northern Road – Trunk Road**

- C.13 The Great Northern Road and Trunk Road areas include a combination of major shopping centres, mini-malls and individual businesses. New land uses adjacent to these highways should be limited to those uses which serve the travelling public or which cannot be readily accommodated in the Downtown area.
- C.14 The number of driveways onto arterial roads should be minimized. Shared driveways serving more than one property or business shall be encouraged. Direct vehicular access between adjoining commercial uses shall be encouraged.
- C.15 Development along Great Northern Road between Third Line and Fourth Line should only be permitted where full municipal services are available. The “wilderness” area north of Fourth Line should be maintained.
- C.16 Front yard landscaping and landscaped buffers shall be provided. Outdoor storage and parking areas shall be visually screened.

## **Neighbourhood Commercial Areas**

- C.17 Commercial activities which are not located in the Downtown or Great Northern Road – Trunk Road areas should be limited to those uses which are intended to serve the needs of the immediate neighbourhood.
- C.18 Commercial uses of this nature should be grouped together in Neighbourhood malls or at the intersection of arterial streets.

### **2.3.3 Industrial Land Use**

#### **Introduction**

Industrial land use includes businesses engaged in: logging and forestry, manufacturing, construction, transportation and storage, communication, other utility and wholesale trade industries.

As it is not possible to accurately predict future industrial land needs, the City shall develop a portfolio of land to accommodate a variety of industrial uses with different locational and servicing requirements.

Existing Industrial zoning in areas not designated “Industrial” is recognized and may be modified without an Official Plan amendment.

#### **Policies**

- I.1 An adequate inventory of vacant, serviceable industrial land shall be maintained.
- I.2 Where private interests are unable to maintain an acceptable inventory, the City shall acquire and develop industrial land. The City may enter into partnerships with private interests for the development and marketing of industrial lands.
- I.3 Trunk services may be extended to areas identified for future industrial development.
- I.4 The development of a deep water port shall be promoted in conjunction with the continued development at Algoma Steel and the adjoining industrial lands.
- I.5 The Zoning By-law shall provide for a variety of industrial locations with permitted uses grouped into Light Industrial or Heavy Industrial zone categories.
- I.6 Minimum setbacks and other forms of buffering shall be used to provide adequate separation from neighbouring sensitive uses as described in the applicable Provincial Ministry guidelines.

- I.7 Site Plan Control Agreements may be required where property has frontage on an Arterial street or where otherwise specified by City Council.
- I.8 Redevelopment of lands previously used for industrial purposes shall require an environmental report identifying the nature and extent of any site contaminants. A Holding Provision may be used in the Zoning By-law to ensure remediation to Ministry of Environment and Energy standards.
- I.9 Rezoning for industrial development will be reviewed by the Ministry of Environment and Energy and early consultation is recommended.

### **Industrial – Commercial Areas**

- I.10 Although designated “Industrial”, properties with frontage on the following streets may be zoned to permit a combination of select commercial and industrial uses:
- the west side of Great Northern Road between Second Line and Third Line.
  - White Oak Drive East between North Street and Sackville Road.
  - Second Line between Sackville Road and Old Garden River Road.
  - The extension of Second Line (Highway 17 realignment) east of Black Road.

Permitted commercial uses shall be primarily those which provide a service to the travelling public or which require large lots and which cannot be accommodated in existing commercial areas. Permitted commercial uses include: automobile sales, building supply sales, convenience stores, furniture warehouses, a hotel or motel, recreation centres, restaurants and similar uses.

Permitted industrial uses are those which can satisfy commercial quality performance standards as described in the applicable zoning regulations. Permitted industrial uses shall include, but not be limited to, those businesses which provide a service to other industrial businesses.

- I.11 Front yard landscaping and landscaped buffers shall be provided. Outdoor storage and parking areas shall be visually screened.

### **2.3.4 Institutional**

#### **Introduction**

Lands designated Institutional are intended to be used for major public and quasi-public purposes of a community or regional nature such as hospitals and medical centres; secondary schools; colleges and universities; homes for the aged; correctional institutions; and major Federal and Provincial institutions and other public institutional facilities and buildings. Group home facilities licensed, funded or operated by Federal or Provincial agency, and correctional facilities are also permitted.

Institutional uses may also be permitted in other land use designations subject to Zoning By-law regulations without an Official Plan amendment.

## **Policies**

IN.1 A park-like setting with adequate setbacks, sideyards and landscaping shall be promoted.

### **2.3.5 Park and Recreation**

#### **Introduction**

The Park designation includes major regional parks and open space linkages that form a series of regional facilities and linear park systems. These parklands may be municipally owned or controlled. They may only be right-of-ways or easements over private property. Some of these lands and facilities are owned and operated by the Conservation Authority or by the Crown or private individuals.

The municipal plan for Parks and Recreation facilities and lands is the Parks and Recreation Master Strategy. The direction and strategic interventions of the Municipality are contained within that document.

Community Services Department is the lead agency in the development and maintenance of recreation systems in the community. Assistance from the Conservation Authority is recognized in resource management open space issues.

Joint utilization where practical to make the best possible use of municipal and publicly owned open space lands should be practiced.

#### **Policies**

P.1 The following linear recreation systems are identified:

- Waterfront
- Creek Lands and Escarpment Plans on Western Escarpment
- Black Road Trail

P.2 Acquisition and development of the three linear systems identified in the above policy should be pursued as rapidly as funds and resources allow.

P.3 A right-of-ways acquisition program along the waterfront should be pursued as opportunities emerge both through dedication at the time of rezoning, through purchase and/or development approvals.

P.4 Residential developments shall be required to provide 5% of the land for park purposes or cash in lieu of 5% where the City deems it appropriate. Non-residential developments shall be required to provide up to 2% of the lands for

parkland or cash in lieu of parkland. Funds from the 5% reserve fund should be utilized for open space acquisition and development.

- P.5 Under-utilized neighbourhood park sites should be disposed of when possible.
- P.6 Opportunities for integrated linear park systems at the Neighbourhood level should be developed wherever possible.
- P.7 The Municipality shall give priority to open space development projects that stimulate tourism development.

### 2.3.6 **Rural Area**

#### **Introduction**

Rural land uses include agriculture, forestry, extractive uses such as mining, quarrying and aggregate removal, golf courses, riding academies, kennels, cemeteries, approved landfill sites, limited residential development on lots in existence as of the date of adoption of this Plan and not on municipal sewer or water services, churches and schools.

The Rural Area is all of the area of the municipality outside of the community settlement area.

#### **Policies**

- RA.1 The area in close proximity to the urban settlement area may be preserved as a reserve for future urban development.
- RA.2 Development of individual residential units on existing lots and subdivisions is permitted subject to Algoma Health Unit approval for domestic sewage systems.
- RA.3 Residential development at urban densities may be permitted on lots in existence on the date of adoption of this Plan if the lots abut municipal services i.e., sewer and water.
- RA.4 Further development of unserviced lots in the rural area is not required to meet the growth needs of the community and development shall be limited to existing lots of record. No new estate residential plans of subdivision shall be permitted. Residential use may only be permitted as accessory to the economic development of a Natural Resource located in the Rural Area which meets health standards and has no impact on the environment.
- RA.5 Areas having unsuitable soils, shallow soils, and the area north of the Shield Line should not be developed for residential purposes. No special policies are set out to protect agricultural soils in the community.

- RA.6 An adequate drilled well and domestic sewage system in conformity with guidelines from the Ministry of Environment and Algoma Health Unit shall be provided for all rural residential development.
- RA.7 Extractive land uses based on non-renewable resources should be developed using environmentally sensitive "best practices".
- RA.8 Extractive uses based on renewable resources should be developed using the principles of "sustainability".
- RA.9 Industrial uses related to aggregate extraction activity may be permitted subject to the appropriate environmental constraints and rezoning.
- RA.10 Temporary wayside pits and quarries providing aggregate products for public projects are permitted in the rural area excluding in or adjacent to significant natural environmental features.
- RA.11 Land uses that support tourism should be actively promoted and developed in an environmentally sensitive manner.

## 2.4 **Transportation**

### **Introduction**

Schedule "D" identifies and classifies existing roads and road allowances which may require dedication of lands for widening and intersection improvements as a condition of development.

The City's transportation system must satisfy the domestic and commercial needs of its citizens and accommodate the large volumes of international commerce and tourist traffic at the International Bridge. Local traffic can be accommodated, with some minor alterations, by the existing infrastructure. However the additional traffic introduced into the system by way of inter-provincial and international connecting links shall require major infrastructure improvements.

Development and redevelopment of the system shall be carried out in a manner consistent with the following policies:

### **Policies**

- TR.1 The community's transportation system shall be designed to function in a manner that meets the short and long term needs of the community, the region and the Province.
- TR.2 **Street Classification** – Streets shall be designed by the following classifications. The existing street network and the proposed improvements are shown on Schedule "D".

1. **Restricted Access Arterial Streets** – are designed to facilitate the safe movement of large volumes of traffic at a higher rate of speed. Access shall be from other arterial streets, collector, local streets or service routes. No individual lot access shall be permitted.
2. **Arterial Streets** – are designed to facilitate the safe movement of large volumes of traffic at a moderate rate of speed over extended distances. The design width of arterial streets shall be up to 36m. Access shall be restricted to other arterial streets, collector streets and streets serving major commercial/industrial uses. Access from abutting uses shall be controlled and permitted only where approved by Public Works & Transportation.
3. **Collector Streets** – are designed to facilitate the safe movement of traffic from residential, commercial and industrial areas to or from the arterial street network. The design width for collector streets is up to 26m. Limited access is permitted from abutting uses subject to the approval of Public Works & Transportation.
4. **Local Streets** – (not shown on Schedule "D") – are designed to facilitate the safe movement of traffic within a residential area. The design width of local streets is up to 20m. Individual access from abutting uses is permitted. Local streets shall be designed to discourage through traffic thus, preserving their usage as access to the abutting uses and enhancing safety.
5. **Removed by Official Plan Amendment No. 7.**

TR.3 Arterial and collector streets shall be located and designed to minimize traffic flows through residential areas. Truck routes shall generally be restricted to arterial and collector streets. Where possible, truck traffic shall be directed away from residential areas.

TR.4 The City shall designate a truck route through the City to the International Bridge which will minimize the impact on existing land use and satisfy local transportation needs.

TR.5 Signage shall be utilized to direct local, tourist and commercial traffic to designated routes.

TR.6 The Zoning By-law shall identify those existing roads which shall require widening to accommodate existing or future traffic volumes. Those widening shall be protected by requiring setbacks for all new construction and the dedication of lands as a condition of development.

TR.7 **Alternative Modes of Transportation**

1. **Public Transit** use shall be encouraged by the City. The needs of the Transit system shall be considered in the design of the transportation systems, in road construction, road reconstruction and in development approvals. The City shall encourage pedestrian access to and from Public Transit facilities.

2. **Sidewalks and Walkways** shall be used to separate pedestrian and vehicular traffic. Sidewalks shall be required on arterial and collector streets where reconstruction or expansion occurs. Sidewalks should be maintained in a manner which encourages year round use. Walkways shall be required to provide access to bus stops, schools and parks. These policies will be applied to new residential subdivisions when they are developed.
3. **On-Road Bicycle Facilities** are encouraged. Existing facilities and expansions to the system shall be identified in the Cycling Master Plan.
4. **A Recreational Transportation System** shall be developed by a comprehensive system of multi-use, shared trails throughout the City. The trail system will enhance recreational and economic opportunities. The system shall be considered as part of the development approval process for dedication of space, lands or right of ways. The City shall actively cooperate with senior government and non profit volunteer groups to expand the multi use trail network.
5. **Alternative Transportation Modes** will be considered as part of the development approval process for large scale residential, commercial and industrial projects, and they may include provisions for bicycle storage facilities, locker rooms and shower facilities etc.

TR.8 In reviewing proposals for major development within the City, consideration of the potential impact on the safety, efficiency and volume of traffic on abutting streets shall be considered. Developers may be required to contribute to the costs of infrastructure improvements which, in the opinion of Council, are necessary to provide safe pedestrian and vehicular access to and from the site. These improvements may include: turning lanes, traffic signals, medians, sidewalks, signage, paved curb lanes and bicycle facilities.

TR.9 Prior to residential, residential type, day care centre, educational or health facility development proceeding adjacent to a rail line, major transportation facility or corridor, traffic artery or airport, developers may be required to carry out noise and/or vibration assessments and determine control measures to meet Provincial noise level and vibration guidelines to the satisfaction of the Ministry of Environment, appropriate rail company and the Municipality. Where necessary noise mitigation measures shall be incorporated in the development.

TR.10 In reviewing applications for development adjacent to railway corridors, the City shall seek to ensure that appropriate safety measures such as setbacks, berms, noise walls and security fencing are provided to the satisfaction of the City in consultation with the appropriate rail company.

## 2.5 **Municipal Services**

### **Introduction**

Given the projected population and economic trends, the urban land use needs of the community can be met without expanding existing trunk services. The exception to this would be the extension of trunk services in order to develop designated industrial lands and to correct water quality and/or waste disposal problems of existing development as identified by the Ministry of Environment and Energy and/or the Algoma Health Unit. Where such development is located outside of the urban area, the development shall remain in the Rural designation. Any extension of services not related to the above matters will require an amendment to the Official Plan. Water services should not be extended without accompanying municipal sanitary sewer service.

Public and private services should be provided in a coordinated manner, which accommodates multi use servicing corridors and utility right-of-ways.

### **Policies**

- S.1 Sewage treatment shall be improved to ensure an acceptable quality of water in the St. Mary's River. This requires upgrading the East End Sewage Treatment Plant from primary to secondary treatment. The municipality shall also review and continue to resolve the problem created by storm water infiltration and inflow which results in sewage overflows into the St. Mary's River.

Applications for Official Plan amendments, subdivisions or rezonings which result in increased flows from the area served by the East End Sewage Plant may be approved as the municipality addresses the storm water infiltration and inflow problem. In assessing applications for the above, the Municipality and the Ministry of Environment & Energy shall consider:

1. the impact on sewage flow and,
  2. the progress made by the municipality in addressing the storm water problem.
- S.2 The existing sanitary landfill site has a projected capacity sufficient to meet the needs of the municipality within the timeframe of this Official Plan. Identification of a new site may be required within the period of the Plan.
- S.3 The City shall encourage the development of recycling programs and operations which divert solid waste from the landfill site.
- S.4 The municipality shall encourage the Conservation Authority to prepare storm water management plans for each of the drainage areas within the municipality.
- S.5 The impact of any new development on the natural and man made storm drainage systems shall be reviewed;

1. to control discharges to surface and ground water in a manner which maintains the existing quality and quantity of water flow off the development site.
2. to protect against erosion by prohibiting or minimizing alterations to the natural drainage systems by the retention of natural vegetation and maintaining vegetated buffer strips along water courses.

S.6 New lots in the Urban Area shall be serviced by both municipal water and sewer.

S.7 Schedule "D" indicates the location of the TransCanada pipeline. Development or excavation within 30m of the pipeline must comply with the National Energy Board requirements.

## **PART VII – IMPLEMENTATION**

This section outlines how the Official Plan shall be implemented.

### **1. Interpretation**

The following are guides to the interpretation and understanding of the policies and schedules of the Plan.

#### **1.1 Schedules "A" and "B" (Natural Resources and Constraints)**

The delineation of features as shown on Schedule A and B represent a consolidation of data available through the responsible public agencies. The municipality shall maintain an up-to-date consolidation of the data and advise proponents and land owners on the measures needed and/or the agencies to be contacted to determine how development proposals are influenced by the resources and constraints. When based on more detailed mapping or information from review agencies, minor alterations to the boundaries on Schedules "A" and "B" will not require an amendment to this plan provided the general intent of the plan has been maintained.

#### **1.2 Schedule "C" (Land Use)**

The boundaries between land use designations on Schedule "C" are fixed only where they coincide with physical features such as; streets, railways, rivers or streams. Deviation from these boundaries shall require an amendment to the Plan. Council may permit minor departures from other boundaries if it is of the opinion that the general intent of the Plan is maintained and that the departure is advisable and reasonable.

#### **1.3 Land Use Designations**

The lists or examples of permitted uses are provided for the land use designations to indicate the possible range and type of permitted uses. Specific uses which are not listed in the Plan but which are considered to be similar in nature to the listed uses and which conform to the general intent and policies of the applicable land use designation, may be permitted by Council.

#### **1.4 Non Compliant Uses**

Some existing uses of land will not comply with the land use designations as shown on Schedule "C" or with other policies in the Plan. These uses may have been established for a number of years and may be able to continue without causing serious adverse influences on existing or new complying uses. Council may permit the existing use subject to appropriate conditions and by amendment to the Zoning By-law.

## **Existing Buildings**

Some existing buildings of less than 1,000 square meters may be proposed for uses which do not comply with the land use designations as shown on Schedule "C". Council may permit the proposed uses by an amendment to the Zoning By-law without an Official Plan amendment subject to appropriate conditions to ensure compatibility with the existing uses, the proposed land use and all other policies of the Plan. **Added by Official Plan Amendment No. 3.**

### **1.5 Permitted Uses**

Structures and facilities associated with the following utilities may be permitted in all areas of the municipality subject to the limitations of the constraint areas as shown on Schedules A and B:

1. Water & sanitary services
2. Storm and drainage systems
3. Hydro and electrical power facilities
4. Natural gas lines
5. Telecommunications works and transmission lines
6. Railways

### **2. Provincial Policy**

The Planning Act requires that all municipal land use decisions and advice comply with Provincial Policy. This Plan interprets how Provincial Policy applies to Sault Ste. Marie. The City shall maintain a record of Provincial Policies and regulations for reference. The municipality shall consult with the appropriate provincial and public agencies in reviewing development applications. Development proponents are responsible to insure that their proposals comply with Provincial Policy.

### **3. Development Assistance**

In order to assist developers the City shall provide information services, coordinated advice and a timely decision making process.

#### **3.1 Information Services – Research Data**

The City shall maintain a Geographic Information system (GIS) and will provide:

1. demographic and economic data
2. land parcel ownership and use information
3. the geographic data base for Schedules "A" & "B"
4. location of possible contaminated sites (waiver of liability required)

### 3.2 **Development Proposals – Pre-Application Consultation**

The City shall provide advice to development proponents including:

1. information on Municipal policies
2. information on Provincial policies and regulations
3. local agencies to consult
4. information necessary to complete an application
5. the steps in the approval process

### 3.3 **Development Assistance Review Team (DART)**

The City shall facilitate a team of the key local agencies involved in the approval process. The team shall:

1. review preliminary proposals
2. co-ordinate the review of development applications
3. provide assistance to the applicants

## 4. **Land Use Controls**

### 4.1 **Zoning**

Council shall enact a Zoning By-law to regulate the use of land, the character, location and use of buildings and structures and the amount or type of development in the City.

### 4.2 **Holding Provisions**

The Zoning By-law may include Holding Provisions. Lands subject to these provisions shall be identified by the holding symbol "hp" following the zone symbol on the zoning consolidation schedules.

Holding provisions may be applied when the uses that will be developed in the area are known, however, it is the intent of Council to delay development until specified conditions are met i.e., provision of municipal services, soil remediation, etc. The holding provision will indicate the future use and the use permitted on the site during the period in which the holding provision is in place.

The Holding Provision shall be removed when Council determines that the conditions as set out in the By-law have been satisfied.

### 4.3 **Interim Use Control**

Where Council has, by By-law or resolution, directed that a study be undertaken regarding its land use policies for the City or any defined area or areas within the City, it may pass an Interim Control By-law prohibiting the use of land, buildings or

structures within the area defined, except for such uses as are set out in the By-law. An Interim Control By-law shall apply for a limited period of time.

#### 4.4 **Temporary Use By-laws**

Council may pass By-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the Zoning By-law for a period not exceeding three years.

In considering the passing of temporary use By-laws, Council shall have regard to the compatibility and impact on abutting uses and municipal infrastructure as well as the uses ability to supply adequate parking. The construction of permanent buildings in association with a temporary use shall be discouraged.

#### 4.5 **Site Plan Control**

Lands within all designations in the Official Plan are designated by the Municipality as areas of Site Plan Control. All types of development or redevelopment within these areas may be subject to Site Plan Control provisions. Council may enter into an agreement to ensure certain works are completed and appropriate conditions met. Council may require public notification and participation at the site plan approval stage.

### 5. **Committee of Adjustment**

City Council has delegated the approval to grant consents, minor variances and extensions to nonconforming uses to the Committee of Adjustment.

#### 5.1 **Consents to Sever**

The Committee of Adjustment can grant consents to sever the land for ownership, rights in use of land (easements) by sale or purchase or mortgage, lease or other form of agreement for a period of twenty one years or more.

The Committee of Adjustment when dealing with an application for consent to create a lot or lots shall be satisfied that;

1. They shall comply with Provincial Policy, comply with the Official Plan and conform with the Zoning By-law.
2. That municipal services and utilities are available or,
3. That the proposed lot or lots have been approved by the Algoma Health Unit for use of private sanitary and water systems.
4. A plan of subdivision is not necessary.
5. They infill an existing developed area.
6. They front on a public road maintained year round.
7. They shall not unduly reduce the access to abutting lands.
8. That the matters listed in Section 51(24) of the Planning Act have been satisfied.

## 5.2 **Minor Variances**

The Committee of Adjustment when dealing with an application for a minor variance shall be satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained.

## 5.3 **Non Conforming Uses**

An existing use which is not permitted by a subsequent Zoning By-law is "legal non-conforming". It is seen as undesirable, and the intent is that the use shall eventually terminate. If the use is reasonably compatible with other uses in its vicinity it may be permitted to expand or redevelop, subject to any conditions or standards Council or the Committee of Adjustment deems appropriate to enhance to compatibility and the amenity with respect to abutting uses.

Similarly the Committee of Adjustment may allow a change in the use of land or a building, from a legal non-conforming use to another non-conforming use.

## 6. **Subdivision of Land**

### 6.1 **Council Approval**

Approval of subdivisions assigned to City Council through the provisions of the Planning Act. Council shall evaluate applications for subdivision approval consistent with the objectives and policies of the Province and the Official Plan.

### 6.2 **Part Lot Control**

Council may pass By-laws to exempt all or parts of registered plans of subdivision from Part Lot Control. Such exemptions will eliminate the need for further subdivisions or consents to convey portions of the lots within registered plans of subdivision. Part Lot Control should be used when a subdivision has created semi-detached lots or blocks for townhouses and should not be used to circumvent the subdivision or consent process. Part Lot Control should be reinstated when the desired lots are created.

### 6.3 **Subdivision Deemed Not to be Registered**

Council may by By-law, deem all or part of a plan of subdivision not to be a registered plan of subdivision in accordance with Subsection 50(4) of the Planning Act.

## 7. **De-Commissioning**

Where a change in land use is proposed and the historical and/or existing uses have had the potential to cause environmental contamination, the site shall be decommissioned and/or cleaned up in accordance with Provincial policy and regulations.

## 8. **Property Standards**

The enforcement of minimum standards for the maintenance and occupancy of individual properties is important to the health, safety, and welfare of city residents and assists in preserving the character of residential areas. The Property Standards By-law requires that buildings be maintained in a structurally sound condition, and provides for the removal of buildings that have deteriorated to the point where rehabilitation is not economically feasible.

## 9. **Community Improvement**

Council may by By-law designate an area or areas within the municipality as a "Community Improvement Area". Within areas so designated Council may carry out such improvements to the land or structures and/or administer grants or loans in accordance with its adopted improvement strategy for that area.

## 10. **Monitoring**

A continuous monitoring of key trends and indicators, periodic policy review, and Official Plan amendments as warranted will be used to ensure that the Plan remains responsive to the community's needs and changing conditions. An annual review would report progress. The components of the annual review include the following subject areas:

1. Economic Climate – employment and future prospects – income and wealth generation data
2. Social Factors – to measure quality of life
3. Environmental Quality – specific scientific indicators of ecosystems health
4. Residential Growth – rural/urban and projected growth
5. Housing – units constructed or resold by type/cost, sold/price, rental vacancy rates/amount, projected need by type and cost
6. Residential Land – serviced and available vacant rural/urban land
7. Commercial Space – vacant commercial retail and office
8. Commercial/Industrial Construction – building permits value
9. Industrial land – serviced and available
10. Tourism Statistics – visitation at major attractions

A major review should take place every five years, preferably two years following the Census. Major review of the Plan would take place in 1997/98 and 2002/03. The major rework of the Plan is anticipated after 5-10 years of experience working with the Plan.

## **PART VIII – DEFINITIONS**

The following are definitions of the terms shown in *Italic* in the text.

### 1. **Correctional Group Home**

A *Correctional Group Home* does not include a facility which prohibits access to a neighbourhood or which has 24-hour confinement.

### 2. **Environmental Impact Study (EIS)**

Where an *Environmental Impact Study (EIS)* is required, it shall be prepared by a qualified professional on behalf of the applicant, and shall include:

1. a description of the existing natural environment that will be affected or that might reasonably be expected to be affected, either directly or indirectly
2. the environmental effects that might reasonably be expected to occur
3. alternative methods and measures for mitigation of potential environmental effects of the proposed development and
4. a monitoring plan to measure the potential effects on the environment

The EIS shall be prepared to the satisfaction of Council, with the technical advice of the appropriate agency (Conservation Authority and/or Ministry of Natural Resources, etc.). Council, with the technical advice of the appropriate agency, may determine that a less detailed version of an EIS (or Scoped Site EIS) may be allowed for smaller scale developments, or where anticipated impacts are less likely.

Preparation of the required EIS does not mean that any proposed development or redevelopment will be permitted.

### 4. **Healthy Community**

A *Health Community* is a community which is constantly improving its economic, social and physical environment and which, using the resources of the community, enables its citizens to help each other carry out their daily tasks and fully develop their potential.