



Hearst
Planning Board
Le conseil
d'aménagement de
Hearst



OFFICIAL PLAN OF THE HEARST PLANNING AREA

2017 consolidated version for office use



March 2017

OFFICIAL PLAN OF THE HEARST PLANNING AREA

March 2017

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LIST OF AMENDMENTS

By-law No. or Resolution No.	Date of MMAH Approval	Plan Section or Schedule	Effect

OFFICIAL PLAN OF THE HEARST PLANNING AREA

1. TITLE AND COMPONENTS

- 1.1 Work on this document began as a five-year review of the Official Plan of the Hearst Planning Area that was approved in 2006 by the Ministry of Municipal Affairs and Housing. The review was initiated by the Councils of the Corporation of the Town of Hearst and the Corporation of the Township of Mattice-Val Côté, and the Hearst Planning Board. As work progressed, it soon became evident that the magnitude of changes to both the policies and schedules of the 2007 Plan document necessitated a complete new Official Plan, in order to respond to new legislation, to adequately reflect the *Provincial Policy Statement, 2014* and to incorporate technical guidelines and current terminology.

This Official Plan therefore serves three functions. Firstly, it reflects changes that have occurred and trends that have developed in the Hearst Planning Area over the past ten years. Secondly, it addresses policy changes that came into effect as a result of the release of the *Growth Plan for Northern Ontario, 2011* and the implementation of the *Provincial Policy Statement, 2014*. This Official Plan demonstrates consistency with both the policies in the *Provincial Policy Statement, 2014* as well as those set out in the *Growth Plan*.

Thirdly, this Official Plan sets out the approaches of Hearst and Mattice-Val Côté Councils for building sustainable economies in their communities, for promoting opportunities for economic development and community investment readiness, for fostering a sense of place, and conserving elements that define community character. It provides local authorities with planning policy direction, support and a framework for achieving sustainable development and strong, healthy communities that are resilient to climate change.

- 1.2 This Official Plan document shall:
- i) be known as the “Official Plan of the Hearst Planning Area” upon its approval by the Ministry of Municipal Affairs. The Official Plan approved in 2006 shall hereafter be repealed by by-laws of the Town of Hearst, the Township of Mattice-Val Côté, and the Hearst Planning Board; and
 - ii) remain in effect for a period of ten (10) years after the date that it takes effect (until 2027) , or until periodic monitoring of the policies contained herein reveal that changing circumstances within the Planning Area necessitate a review or revision of this Plan prior to its expiry date.
- 1.3 This Official Plan of the Hearst Planning Area consists of the written text contained in Sections 1 through 7 and the appended Schedules, as well as the

written text and schedules set out in the following secondary plan document:

- ☐ Part A - The Mattice Secondary Plan.

2. **PURPOSE OF THE PLAN**

2.1 An Official Plan is defined in the *Planning Act*, S.O. 1996, as a document approved by the Minister, which contains goals, objectives and policies that have been established "primarily to manage and direct physical change and the effects on the social, economic and natural environment" of a municipality or part thereof, or an area that is without municipal organization. The Plan may also contain "measures and procedures proposed to obtain the objectives" as well as measures and procedures to inform the public of proposed amendments to the Plan and its implementing by-laws, including via municipal web sites and through other electronic means.

2.2 In accordance with this definition, this Official Plan intends the following:

- i) to promote sustainable development and economic growth within the Hearst Planning Area and to reduce the carbon footprint and adapt and prepare for climate change with smarter development;
- ii) to provide a framework for protecting, conserving and rehabilitating the natural resources of the Hearst Planning Area;
- iii) to promote cost effective development standards and land use patterns to minimize land consumption and servicing costs, thereby ensuring long-term economic prosperity, while conserving biodiversity, recognizing the ecological benefits to be derived from nature, and minimizing the potential adverse effects of climate change;
- iv) to safeguard the health, safety, convenience and economic well-being of residents and visitors;
- v) to reduce any uncertainty in both public and private sectors regarding future development of lands within the Hearst Planning Area;
- vi) to preserve and conserve the natural environment for the enjoyment and economic well-being of the current population as well as that of future generations, through the wise use of natural resources;
- vii) to protect and conserve cultural heritage resources for the enjoyment and education of residents and visitors;
- viii) to protect viable agricultural lands and lands exhibiting aggregate resource potential from incompatible land uses;

- ix) to avoid development and land use patterns that may lead to environmental, health and/or safety concerns; and
 - x) to make all efforts during planning processes to consult with residents of the Hearst Planning Area, the community of Constance Lake First Nation, and other indigenous communities on planning matters that may affect their rights and interests, in order that good and sound decisions can be made for the benefit of all.
- 2.3 This Official Plan shall define the means of implementing the principles and policies contained in this document and their relationship to associated governmental responsibilities.
- 2.4 The policy framework of this Official Plan is consistent with the *Provincial Policy Statement, 2014* issued pursuant to the *Planning Act*.

3. **BASIS OF THE PLAN**

- 3.1 The following principles provide the fundamental basis for this Official Plan:
- i) The Town of Hearst shall continue to be the principal residential, commercial, industrial, social and cultural centre of the Planning Area.
 - ii) Hearst shall be the regional centre for business services ranging from goods to skilled trades, and for education, medical, health and social services.
 - iii) Hearst shall achieve economic growth through a balanced diversification program. It shall foster and champion the development of new value added forestry sectors, mining opportunities, and the strengthening of service and support industries and commerce, while at the same time expanding the tourism sector. This will balance long-term growth and reduce dependence upon one traditional sector.
 - iv) The development and encouragement of business-related travel and sports, cultural and family tourism and investment in both accommodations and support services in Hearst shall ensure growth through external revenues, enabling the community to take full advantage of its prime location on Highway 11.
 - v) Catalyst projects created through public/private partnerships shall result in investment, job creation and expansion of Hearst's tax base.
 - vi) New economic activity in Hearst shall be environmentally sustainable and

congruent with the interests of the forestry industry and the mining sector.

- vii) With its large forest industrial base supported by physical and social infrastructure and served by a sophisticated industrial support sector, Hearst shall build upon its existing industrial cluster and encourage its expansion into new fields and economic opportunities.
- viii) Disused, contaminated 'brownfield' and 'greyfield' sites in Hearst shall continue to be rehabilitated and reused.
- ix) In Hearst, the focus on the linkage and revitalization of the Downtown and Front Street Corridor shall continue, being critical ingredients in a vibrant and high quality living environment.
- x) Aging and obsolete infrastructure in Hearst shall be renewed and replaced to meet the technological and space requirements of a modern economy, with consideration being given to the potential impact of climate change on such infrastructure during the planning and design processes.
- xi) The Township of Mattice-Val Côté shall continue to play a significant role in the Planning Area, particularly as a satellite community for the Town of Hearst.
- xii) Mattice-Val Côté shall provide a vibrant residential alternative to Hearst, offering significant recreational amenities, affordable housing and good primary education and cultural facilities.
- xiii) Mattice-Val Côté shall establish itself as a destination tourism centre focused on the Missinaibi River, a designated Canadian Heritage River and decisions affecting lands adjacent to or within proximity to this river shall take into account any cultural statements made at the time of this designation.
- xiv) In Mattice, potential core projects on the Missinaibi waterfront created through public/private partnerships as well as the potential development of new cottage lots on area lakes may result in investment, job creation and expansion of Mattice-Val Côté's tax base.
- xv) Existing hamlets shall continue to fill a local service role within the context of the Planning Area.
- xvi) Cultural heritage resources will be conserved for continuity with the past, for maintaining the quality of life and for promoting economic development through tourism.
- xvii) Utilization of natural resources for agricultural, forestry, mining and

recreational purposes shall be encouraged on lands best suited for such uses based on soil capability, mineral potential, accessibility and ownership. Aggregate extraction shall be permitted throughout rural areas, and mineral exploration and development shall be encouraged.

- xviii) Land use relationships and densities shall be responsive to changing transportation needs in order to promote active transportation, and more effective and efficient utilization of infrastructure.
- xix) Development shall proceed in an orderly, phased manner and will not be permitted in areas necessitating undue extension of municipal services.
- xx) Residential uses shall only be permitted in appropriate locations in the rural area.
- xxi) The Hearst Downtown and Front Street Corridor shall be the commercial and business focus of the Planning Area. Commercial development related to and dependent upon high traffic volumes shall be concentrated along the Front Street Corridor. Limited convenience shopping facilities serving the day to day needs of neighbouring residents shall be permitted in residential areas.
- xxii) The Township of Mattice-Val Côté shall have a commercial and business area in Mattice to serve the needs of its residents.
- xxiii) Seasonal residential uses shall be permitted only in appropriate locations within the Planning Area.
- xxiv) Lands with environmental hazards and/or physical limitations, such as poor drainage, organic soils, flood susceptibility, erosion, and steep slopes, shall be protected and appropriately designated in order to preserve and conserve the natural environment as well as to protect people and property from flooding and erosion.
- xxv) In keeping with general trends forecast by the Province for Northeastern Ontario, the policies of this Plan have been based on a declining population over the next twenty (20) years to 2036.
- xxvi) The Planning Area is experiencing a rapidly aging population. Policies should therefore be included that focus on seniors and specialized housing and support services in response to their needs.
- xxvii) This Plan is expected to serve as the basic guide for the Planning Area for the next ten (10) years (until 2027), at which time the Planning Board and the Councils shall hold special public meetings to determine the need for a revision of this Plan.

4. **GENERAL POLICIES**

4.1 **APPLICATION**

The following general policies shall apply to the entire Hearst Planning Area, as shown on Schedule 'A' Key Map to this Plan. Where a Secondary Plan has been approved for a specific community or neighbourhood within the Hearst Planning Area, as indicated on Schedule 'A', the policies and land use designations set out in that Secondary Plan shall complement and reinforce the policies and land use designations contained in this Official Plan. Such Secondary Plan shall be incorporated into this Official Plan by way of an Official Plan amendment.

4.2 **GENERAL STATEMENT**

The policies contained in this Official Plan have been established in conformity with the *Provincial Policy Statement, 2014* and they represent the interpretation of this *Statement* within the local context. It shall therefore be the policy of the Councils and the Planning Board to ensure that development takes place in accordance with the land use designations and policy statements of this Official Plan. Decisions taken, and comments, submissions and advice given by the Councils and the Planning Board with respect to planning and development matters shall be consistent with the policies set out in this Official Plan and the *Provincial Policy Statement, 2014*.

New planning policies shall not be adopted by Councils or Planning Board, unless those policies are in harmony with *Policy Statements* that may be issued from time to time by the Province under the *Planning Act*. No Zoning By-law shall be passed and no public works shall be undertaken which would contradict the policies set out in this Official Plan, unless appropriate amendments to this Plan have been made, and no Zoning By-law shall be passed and no public works shall be undertaken contrary to the policies of the *Provincial Policy Statement*. This Plan shall also be implemented in a manner that is consistent with the *Ontario Human Rights Code* and the *Canadian Charter of Rights*.

4.3 **DEVELOPMENT STANDARDS**

The Councils and the Planning Board shall establish adequate standards for new development within their respective jurisdictions through the passing of Zoning By-laws and Site Plan Control By-laws pursuant to the *Planning Act*. Each Council shall continue to encourage the maintenance, preservation and longevity of existing buildings and properties within their respective communities, through their property maintenance and occupancy standards by-laws. The display of signs and advertisements shall be regulated by by-laws passed pursuant to the *Municipal Act*.

4.4 TERRITORIES WITHOUT MUNICIPAL ORGANIZATION

The Planning Board shall administer this Official Plan and its implementing By-laws in those territories of the Planning Area without municipal organization. For planning matters, the Planning Board shall function as though it were the municipal council for those territories, in accordance with the requirements of the *Planning Act*. The Planning Board shall ensure that adequate control over all development in those territories is maintained, in keeping with the policies of this Official Plan and with the *Provincial Policy Statement*.

4.5 TERRITORIES WITH MUNICIPAL ORGANIZATION

The Councils of the Town of Hearst and the Township of Mattice-Val Côté shall be responsible for the administration of this Official Plan and its implementing By-laws within their respective municipal boundaries. Each Council shall ensure that adequate control over all development within its corporate boundaries is maintained, in keeping with the policies of this Official Plan and with the *Provincial Policy Statement*.

As provided in the *Planning Act* and by mutual agreement of the partners comprising the Hearst Planning Area, a Council may delegate its administrative responsibilities for certain planning matters to the Planning Board.

4.6 INFILLING

It shall be the policy of the Councils of the Town of Hearst and the Township of Mattice-Val Côté and Planning Board to encourage infilling of vacant areas within the Town of Hearst and the Village of Mattice where municipal services are readily available.

It shall be a further policy of the Councils and Planning Board to limit infilling in the rest of the Hearst Planning Area to hamlets with available communal servicing capacities and to rural residential areas as shown on Schedule 'C' Settlement Area Plans to this Plan, provided that private water supply and sewage disposal facilities can be provided to comply with regulations made under Ontario's *Building Code Act*.

4.7 EXISTING USES

Nothing in the Official Plan shall affect the continuation of uses legally established on the date that the Plan was adopted by the Town of Hearst, the Township of Mattice-Val Côté and the Hearst Planning Board.

In those territories of the Hearst Planning Area without municipal organization, residential uses in existence on January 1, 1980 shall be deemed to be in conformity with the intent of this Official Plan.

4.8 NON-CONFORMING USES

As a general rule, non-conforming uses throughout the Hearst Planning Area should cease to exist in the long term, so that the land affected may revert to a use in conformity with the intent of the Official Plan and the provisions of the implementing Zoning By-law. Circumstances however may dictate that this rule is not always possible to apply. In those cases a Committee of Adjustment, which has been duly constituted and appointed by the Council pursuant to the *Planning Act*, shall have the authority to grant relief or minor variance from the provisions of the implementing Zoning By-law as it deems desirable and in keeping with the intent of this Official Plan and the implementing Zoning By-law, where such Committee is satisfied that the requested variance is minor in nature.

Where it is proposed that a non-conforming land use be changed to another non-conforming use, the Committee of Adjustment may approve the change in land use without amending this Official Plan or its implementing Zoning By-laws. Approval shall be subject to the determination that the proposed land use is either similar to the existing non-conforming land use, or is more compatible with the uses permitted by the implementing By-law. In making that determination, the Committee of Adjustment shall give consideration to the comments of all interested parties, in addition to the following principles and matters:

- i) Where extensions or enlargements of non-conforming uses are proposed, the Committee of Adjustment shall have regard to:
 - a) the promotion of orderly and efficient growth; and
 - b) the possibility of the non-conforming use relocating.
- ii) If relocation is not a feasible option, the Committee of Adjustment pursuant to the *Planning Act*, may permit an extension or enlargement of the non-conforming use without amending this Plan or its implementing By-laws. Prior to that action, the Committee of Adjustment shall give consideration to the following matters relating to the non-conforming use:
 - a) the size of the extension in relation to the existing operation;
 - b) whether the proposed extension can be considered minor;
 - c) the characteristics of the use relating to appearance, noise, vibration, fumes, smoke, dust, odours, lighting, flooding, erosion and traffic generation, and the degree to which any of these factors may be increased by the extension in view of the potential impact on surrounding land uses;

- d) the possibilities of reducing nuisances through landscaping, buffering, building setbacks, sign control, etc., to improve the existing situation, and to mitigate problems that may result from any extension;
- e) the implications of the proposed extension on general traffic safety and the need for adequate parking and loading facilities;
- f) the adequacy and availability of municipal or communal services such as water, sewers and roads;
- g) the potential visual impact of the extension or enlargement on the nature and character of the surrounding neighbourhood; and
- h) the appropriateness of the proposed development in view of its potential impact on the community and the surrounding neighbourhood.

4.9 **MOBILE HOMES**

Mobile homes as defined by the *Planning Act*, which have had their running gear permanently removed and have been set on blocks and/or foundations, shall be considered as residential dwelling units in the “Village”, “Hamlet”, “Rural Residential District” and “Natural Resource District” designations as long as they satisfy all other requirements of the Official Plan and the implementing Zoning By-law.

In the Town of Hearst, mobile homes shall not be permitted as dwelling units in those urban built-up areas receiving municipal water and sewer services, except in mobile home parks which have been designated for that purpose.

4.10 **WAYSIDE PITS, QUARRIES, PORTABLE ASPHALT AND CONCRETE PLANTS**

Wayside pits and quarries, portable asphalt plants and portable concrete plants which are opened and used on a temporary basis by or on behalf of a public authority or for the express purpose of providing aggregate materials for a public project, shall be regarded as permitted uses in all zones of the implementing Zoning By-law and shall not require amendments to this Official Plan or its implementing Zoning By-law, except where areas of existing development or of particular environmental sensitivity have been identified and are determined to be incompatible with extraction and associated activities.

4.11 CONTAMINATED LANDS

No development shall be permitted on any lands that are known or found to be contaminated or that have the potential to be contaminated from previous activities, unless such lands are restored to a safe condition by the removal of all hazardous materials or other remedial measures are implemented as approved by the authority having jurisdiction, in order that the known and potential hazards are mitigated to acceptable and manageable levels.

Prior to the development or redevelopment of any lands that are known or suspected of being contaminated as a result of previous uses, the proponent shall undertake an assessment of the property in accordance with the requirements of *Ontario Regulation 153/04*. An acknowledgement from the Province confirming the submission and filing of a Record of Site Condition (RSC) on the Brownfields Environmental Site Registry may be required prior to final approval of any development application. Where required by *O. Reg. 153/04* pursuant to the *Environmental Protection Act*, the submission and filing of an RSC on the Brownfields Environmental Site Registry will be required prior to the issuance of a building permit.

4.12 PERMITS, APPROVALS AND UTILITIES

- i) No permits, approvals or utilities shall be provided to any mobile home, building, accessory building or structure which shall contradict the policies of this Official Plan or contravene any of its implementing Zoning By-laws.
- ii) No approvals shall be given for any development which may have an adverse effect on the natural environment, property, or persons, unless measures are identified, are approved by the authority having jurisdiction, and are implemented to mitigate such effects to an acceptable level.

4.13 STATUTORY AUTHORITIES

Where nothing in this Official Plan may affect the powers of Provincial agencies or Local Boards as defined in the *Planning Act* to undertake public works by authority granted under other statutes, they shall consult with the Council or Planning Board having jurisdiction and have regard for the policies set out in this Official Plan. They shall endeavour to ensure that the public works follow the general intent of the Official Plan and are compatible with the type, quality and character of land use permitted by the land use designation in which the works are proposed.

5. STRATEGIC POLICIES

5.1 GROWTH MANAGEMENT POLICIES

5.1.1 PLANNING STRUCTURE FOR THE HEARST PLANNING AREA

5.1.1.1 POLICY OBJECTIVES

- i) To promote the development of safe, strong and healthy communities that are accessible, diverse, thriving economically, environmentally sustainable, resilient to climate change, and that offer choices to all residents.

5.1.1.2 STRATEGIC POLICIES

- i) The Schedule 'B' Land Use Plans in the Official Plan delineate the land use designations of the Hearst Planning Area which reflect existing uses and identify lands within the municipalities which will accommodate growth in accordance with the policies of this Official Plan over the next 20 years. The land use planning structure is comprised of:
 - a) the "Village", being the built-up serviced area of Mattice and adjacent designated growth areas within the Township of Mattice-Val Côté;
 - b) the "Hamlet of Val Côté" meaning the built-up area of Val Côté within the Township of Mattice-Val Côté, which is serviced by a public communal sanitary sewer system and those vacant areas having frontage on such system;
 - c) the "Hamlets of Hallébourg and Jogues" delineating those built-up parts of the unorganized communities which have public communal sanitary sewage disposal services;
 - d) the "Hamlet of Lac Ste. Thérèse" identifying the existing built-up parts of the unorganized community of Lac Ste. Thérèse which have private on-site services;
 - e) the "Rural Residential District – Shallow Lake Area" defining the existing housing clusters on private services along Shallow Lake in the Township of Mattice-Val Côté;
 - f) the "Rural Residential District of Coppel" delineating the existing housing cluster on private services in the unorganized Township of Lowther;

- g) the “Rural Residential District – Highway 11 West, Cloutier Road North and South and Lacroix Road” being the existing housing clusters on private services within the Town of Hearst;
- h) the “Seasonal Residential District” delineating the existing built-up areas along lakeshores in the unorganized territories which are the focus of recreation and tourism;
- i) the “Urban Residential District” being those built-up areas within the Town of Hearst and the Village of Mattice where the majority of housing and projected housing growth will take place;
- j) the “Institutional District” defining suitable lands within the Town of Hearst and the Village of Mattice where public and institutional uses such as hospitals, schools, clinics, municipal and other governmental buildings, etc. occur;
- k) the “Downtown and Main Street District” identifying the primary centres of business and commerce within the Town of Hearst and the Village of Mattice;
- l) the “Industrial District” identifying areas of existing industrial development and lands suitable for industrial growth and attenuating zones within the Town of Hearst and the Village of Mattice;
- m) the “Aggregate Resource District” defining lands throughout the Planning Area which contain existing aggregate operations or areas of known aggregate deposits;
- n) the “Aggregate Constraint Areas” identifying lands exhibiting high aggregate potential for future development;
- o) the “Natural Resource District” encompassing the majority of lands within the Planning Area, including “Aggregate Constraint Areas”, which are or will be the focus for resource based industrial, recreation and tourism activities, as well as being intended to control haphazard and scattered development;
- p) the “Environmental Constraint District” identifying lands throughout the Planning Area that are subject to hazards or potential hazards (whether natural or man-made), and lands that contain ANSIs, significant wetlands and significant habitats;

- q) “Waste Management Sites” indicating existing landfill sites and their associated attenuating zones, and also identifying closed landfill sites by the symbol ‘(c)’; and
 - r) the “Airport District” identifying lands devoted to the landing and departure of aircraft, including related commercial and industrial uses, and that area immediately surrounding René Fontaine Municipal Airport which requires constraints on heights of buildings and structures to ensure aircraft safety.
- ii) The Schedule ‘C’ Settlement Area Plans define those areas within the Town of Hearst and the Village of Mattice which are described as the built-up serviced areas of those communities, where development is already established and services such as water and/or sanitary sewers and/or roads exist. The Settlement Areas also encompass lands adjacent to the serviced built-up areas that are priority areas for growth, where municipal services are already present or where such services may be readily extended in a logical and cost effective manner. The boundaries of Settlement Areas have been delineated as follows:
- a) the urbanized areas and their adjacent readily serviceable lands within municipalities, which are designated in the Schedule ‘B’ Land Use Plans as “Urban Residential Districts”, “Institutional Districts”, “Downtown and Main Street Districts”, and “Industrial Districts” shall comprise the Settlement Areas for the Town of Hearst and the Village of Mattice where the majority of projected population growth will take place;
 - b) the Settlement Area for the “Hamlet” of Val Côté shall encompass those immediate lands that are serviced by communal sewage disposal services, where some limited population and employment growth can occur through infilling;
 - c) the “Hamlets” of Hallébourg and Jogues in the unorganized Townships of Kendall and Way shall not be designated as Settlement Areas, however some limited residential growth shall be permitted to take up excess capacities of existing public communal sewage disposal systems;
 - d) although not recognized as a Settlement Area, some limited development on existing vacant lots of record may be permitted in the unorganized “Hamlet” of Lac Ste. Thérèse and on undeveloped rural lands within the unorganized Townships of Casgrain, Hanlan, Kendall, Lowther and Way, provided such vacant lands front on existing year-round maintained public roads and adequate on-site water and sewage disposal systems can be provided;

- e) the “Rural Residential Districts” of Highway 11 West, Cloutier Road North and South, and Lacroix Road shall not be recognized as Settlement Areas, and development may only be permitted on vacant lots of record or to replace structurally unsound or damaged buildings and structures;
- f) the “Rural Residential District” of Shallow Lake shall not be recognized as a Settlement Area, however some limited development on existing vacant lots of record or by consent may be permitted, provided lots are of sufficient size in accordance with the Ministry of the Environment and Climate Change’s D-Series Guidelines to accommodate private on-site servicing with no negative impacts; and
- g) the “Rural Residential District” of Coppell in the unorganized Township of Lowther shall not be recognized as a Settlement Area, although development may be permitted to replace existing buildings and structures.

5.1.2 PROJECTED TWENTY-YEAR POPULATION (2016-2036)

5.1.2.1 POLICY OBJECTIVES

- i) To achieve a level of population growth that is sustainable within the context of the Hearst Planning Area’s physical, social, economic and environmental resources.

5.1.2.2 STRATEGIC POLICIES

- i) The Hearst Planning Area shall have a twenty-year (2016-2036) population target of 5,960 persons.
- ii) The Town of Hearst shall have a twenty-year (2016-2036) population target of 5,090 persons.
- iii) The Township of Mattice-Val Côté shall have a twenty-year (2016-2036) population target of 609 persons.
- iv) The population target shall be reviewed every five years in conjunction with the Statistic Canada census data release dates and Provincial population projections.

5.1.3 HOUSING DEMAND AND SUPPLY

5.1.3.1 POLICY OBJECTIVES

- i) To encourage the provision of a broad mix and range of housing to meet the needs of present and future households in the Hearst Planning Area.
- ii) To foster and promote the development of specialized and accessible housing to accommodate the needs of the Hearst Planning Area's aging population, thereby enabling seniors and residents with disabilities to remain in their communities.
- iii) To facilitate and support the development and redevelopment of affordable housing to meet the needs of low and moderate income households as defined and envisioned by the *Provincial Policy Statement*, where affordable housing means either one of:
 - a) in the case of home ownership, housing for which the purchase price results in annual accommodation costs which do not exceed thirty per cent (30%) of the gross annual household income for low and moderate income households, or housing for which the purchase price is at least ten per cent (10%) below the average purchase price of a comparable resale unit in the community; or
 - b) in the case of rental housing, a unit for which the rental rate does not exceed thirty per cent (30%) of the gross annual household income for low and moderate income households, or a unit for which the rent is at or below the average market rent of a comparable unit in the community.

5.1.3.2 STRATEGIC POLICIES

- i) Within the Planning Area, the Town of Hearst shall be the focus for housing development. New housing units will generally be developed through the replacement or redevelopment of existing housing units, the construction of new units on vacant lands as infilling, or the creation of second units on existing residential properties.
- ii) The population of the Town of Hearst is expected to experience a population decline of 9.1% over the next 20 years, bringing the population to an estimated 4,609 by the year 2036. During this period, the population will be aging at a far greater pace than the rest of Ontario, and household sizes will be decreasing while the number of tenant households in need of affordable housing as defined in clause 5.1.3.1(iii) will increase. Hearst Council shall therefore concentrate its efforts on the provision of additional affordable housing units to accommodate Hearst's aging population.
- iii) Although much of the housing requirements will be satisfied through the rehabilitation and redevelopment of existing housing stock and the

provision of new units to meet the needs of Hearst's aging population, Hearst Council shall explore methods for providing incentives to encourage new residential development that will meet the needs of low and moderate income households as well as Hearst's emerging young labour force. Such methods may include incentives through the designation of Community Improvement Project Areas and the development of Community Improvement Plans, the reduction or waiving of charges and fees, the reduction of tax rates, and/or entering into partnerships with the private sector and industries to provide housing for employees. Hearst Council shall also work with government and agencies such as the Cochrane District Social Services Administration Board (CDSSAB) to promote programs that assist homeowners to repair their dwelling units or make them accessible, and to create new housing units that respond to the needs of seniors and the frail elderly.

- iv) Similarly, the population of the Township of Mattice-Val Côté will continue to experience a population decline over the next 20 years, decreasing to an estimated population of 589 by the year 2036. Overall, the Township will encounter an aging population, decreasing household sizes and an increase in the need for affordable housing. At the same time however, home ownership opportunities in the Township are more affordable for young families. Mattice-Val Côté Council shall focus on the rehabilitation of existing housing stock and the repurposing of larger dwelling units and underutilized commercial buildings to create additional affordable housing units.
- v) Generally the housing requirements in the Township of Mattice-Val Côté will be satisfied through the rehabilitation and redevelopment of existing housing stock and underutilized buildings. Council shall consider tools for providing incentives to encourage residential redevelopment that will meet the needs of low and moderate income households as well as its aging population. Such methods may include working with government and agencies such as the CDSSAB to promote programs that assist homeowners to repair their dwelling units or make them accessible, designating Community Improvement Project Areas and developing Community Improvement Plans to enable the Municipality to reduce or waive charges and fees, to reduce tax rates, or to provide grants and no or low interest loans to carry out building improvements.
- vi) The Town of Hearst shall continue to promote a balanced diversity of dwelling types in Hearst, where rental housing plays a significant role for almost half of the households in the community. Both Hearst and Mattice-Val Côté Councils shall monitor the achievement of housing objectives by consulting with the CDSSAB and non-profit and for-profit housing providers in their respective communities. It is the intent of the Town of Hearst and the Township of Mattice-Val Côté that 22% of new housing will be affordable to lower and moderate income households.

- vii) Council and Planning Board shall ensure the provision of a full range and mix of housing types and densities to meet the projected demographic and market requirements of current and future residents of the Hearst Planning Area by:
 - a) maintaining a minimum 10 year supply of land designated for new housing;
 - b) maintaining a minimum 3 year supply of draft approved and/or registered lots and blocks for housing;
 - c) encouraging housing types, densities and tenures that are affordable to moderate and lower income households and households with specialized housing needs;
 - d) encouraging residential intensification in the built-up areas of Hearst and Mattice where feasible; and
 - e) establishing cost-effective development standards for new residential development and redevelopment.
- viii) To meet their housing mix targets, Councils shall encourage development proposals in the urban serviced areas of Hearst and Mattice to provide a mix of housing types, densities and tenures. While not every proposed greenfield or infill development will be expected to reflect the housing mix target, Council shall review every development application to determine its contribution to the housing mix target and the provision of a wider range of housing opportunities in the Hearst Planning Area.
- ix) The fulfillment of housing targets is dependent on the housing market. Councils shall work with the for-profit and non-profit sectors to deliver a wider range of housing types to meet the demonstrated need in the Hearst Planning Area.
- x) Hearst Council shall collaborate with the Town of Hearst Non-Profit Housing Corporation, other non-profit organizations, the private sector and the CDSSAB in the development of affordable housing units and supportive housing to meet the needs of Planning Area residents.
- xi) Throughout the “Urban Residential District”, second dwelling units shall be permitted in existing and proposed single detached dwellings, semi-detached dwellings and row houses, and in ancillary residential buildings where there is no second dwelling unit in the principal building on the residential property.

- xii) The demand for housing in the Hearst Planning Area shall in part be accommodated through residential intensification within the Urban Areas, which may include the following:
 - a) modification of an existing dwelling or construction of a new dwelling to include a second unit;
 - b) infill development and residential development of vacant land or underutilized land in existing residential neighbourhoods; and
 - c) redevelopment which includes either the replacement including adaptive reuse of existing residential uses with compatible new residential developments at a higher density or the replacement of non-residential uses with compatible residential or mixed use developments with a residential component.
- xiii) The addition of a second unit in an existing or proposed single detached dwelling, semi-detached and row house dwelling shall be subject to the planning considerations set out in this Official Plan.
- xiv) Council and the Planning Board shall consider applications for residential development and redevelopment based on the following considerations:
 - a) whether the proposed development satisfies the location criteria set out in this Official Plan for Hearst, Mattice or the respective designated Hamlets or Settlement Areas;
 - b) the adequacy of existing water and sanitary sewer services to accommodate the additional development;
 - c) if required on-site parking can be accommodated;
 - d) whether the local road network can accommodate the additional traffic;
 - e) the compatibility of the proposed development with the existing development standards and physical character of the adjacent properties and the surrounding area; and
 - f) compliance with the Zoning By-law.
- xv) Council and the Planning Board shall give priority to applications for development which:
 - a) facilitate the logical rounding out of development in an existing built-up area;

- b) represent infill development or site redevelopment; and/or
 - c) facilitate the relocation of an existing incompatible use.
- xvi) Residential intensification shall be in accordance with the policies of the individual land use categories in this Official Plan.

5.1.4 FOCUS ON URBAN CENTRES

5.1.4.1 POLICY OBJECTIVES

- i) To promote the Town of Hearst and the Village of Mattice as the major focal points for growth and public and private sector investment in the Hearst Planning Area.

5.1.4.2 STRATEGIC POLICIES

- i) Opportunities for major residential, commercial and industrial development shall be directed to the Town of Hearst and the Village of Mattice where full municipal services are available.
- ii) The Town of Hearst and the Village of Mattice shall have the highest concentration and intensity of uses in the Hearst Planning Area and shall be the focus of residential, commercial, industrial, government, institutional, entertainment, cultural heritage and health/social service activities.
- iii) Intensification, infill and/or development/redevelopment of vacant designated or underutilized sites and areas in transition in the Town of Hearst and the Village of Mattice shall be encouraged.
- iv) Development of greenfield lands within designated growth areas in the Town of Hearst and the Village of Mattice shall be based on the efficient provision of water supply, sanitary sewers, roads, parks, schools and other public services.
- v) Proposed expansions to the designated Settlement Areas shall require an amendment to this Official Plan. A Planning Justification Report shall be required which documents the following:
 - a) a demonstrated need for the proposed development based on municipal growth projections, including those for population and employment;

- b) existing designated areas do not have sufficient and/or appropriate land supply to accommodate the proposed land use;
- c) no reasonable alternative location for the proposed development has been found, which will avoid expansion onto rural lands;
- d) any impact from the proposed development on adjacent lands can be mitigated;
- e) the potential impacts of proposed growth on infrastructure and public facilities are addressed;
- f) that infrastructure and public facilities which are planned or existing are suitable for the development over the long term, are financially viable over their expected life span, and protect public health and safety and the natural environment; and
- g) that physical constraints preclude accommodating the proposed development within the existing Settlement Area boundary.

5.2 ECONOMIC DEVELOPMENT POLICIES

5.2.1 POLICY OBJECTIVES

- i) The Town of Hearst and the Township of Mattice-Val Côté shall undertake economic development strategies, which set out each Council's approach to building the respective economies of Hearst and Mattice-Val Côté in sustainable manners. The goals of such strategies shall be to ensure that prosperous communities are present for current and future generations of Hearst and Mattice-Val Côté residents.
- ii) The underlying target of each economic development strategy shall be job growth. To grow more jobs and offer a wider choice of jobs and employment opportunities, it shall be necessary to expand the economy of the Town of Hearst, the Township of Mattice-Val Côté and the Hearst Planning Area.
- iii) It shall be the role of the private sector to grow this economy. It shall be the role of the Town of Hearst and the Township of Mattice-Val Côté to work in concert with regional stakeholders to create an environment that is conducive to private sector investment.
- iv) The objectives of the Economic Development Strategy for the Town of Hearst are to:

- a) support the economic competitiveness of Hearst and area businesses through the efficient provision of municipal services and through an equitable tax levy;
 - b) establish Hearst as a leader in forestry value-added manufacturing;
 - c) establish Hearst as a year-round tourist destination, structured on sports, family related events, and the community's cultural heritage and outdoor adventure assets;
 - d) achieve controlled economic diversification without compromise to the core elements of the existing economic infrastructure;
 - e) create development catalysts to encourage private sector investment and job creation;
 - f) increase Hearst's regional relevance as a centre of business and commerce, and an education, health and social services centre for the surrounding communities;
 - g) ensure that Hearst is mining-ready with opportunities available for the development of support industries and services, including the development of a commercial/industrial subdivision at the René Fontaine Municipal Airport and the establishment of the Gaspésie Road Industrial Park;
 - h) ensure adequate infrastructure is available to support growth and development;
 - i) assist and work through local economic development agencies to concentrate and focus efforts in sponsoring growth and development;
 - j) increase the participation of the First Nation's community in all aspects of the economy and its various sectors; and
 - k) achieve long-term sustainable growth without compromise to the common values shared by all residents of the Town of Hearst.
- v) The objectives of the Economic Development Strategy for the Township of Mattice-Val Côté are to:
- a) establish Mattice-Val Côté as a destination tourism community based on the Missinaibi River, its sustainable use and the preservation of its heritage;

- b) build the community foundation to attract, retain and provide the quality of life for new families settling in the Hearst Planning Area;
- c) create development catalysts to encourage private sector investment and job creation focussing on the Missinaibi River;
- d) ensure adequate infrastructure is available to support growth and development; and
- e) achieve long-term sustainable growth without compromise to the common values shared by all residents of the Township of Mattice-Val Côte.

5.2.2 STRATEGY TARGETS

- i) To expand the economy, the Town of Hearst and the Township of Mattice-Val Côte shall establish strategies aimed at five fronts:
 - a) sustaining local business, jobs and reinvestment;
 - b) growing local business, jobs and opportunities;
 - c) attracting and retaining a workforce;
 - d) attracting external business and investments; and
 - e) developing existing tourism assets.

5.2.3 STRATEGY BALANCE

- i) Balance is the cornerstone of sustainable development. The Town of Hearst and the Township of Mattice-Val Côte shall work towards a diverse and balanced portfolio, which recognizes the importance of the following:
 - a) investment anchors jobs;
 - b) small business creates new net jobs;
 - c) globally competing industry is the foundation of the Hearst economy;
 - d) public sector financial risk is unacceptable;
 - e) economic strategies are long-term investments;
 - f) stakeholder participation is essential; and

- g) recognition of the public sector bottom-line including the importance of balancing social, environmental and economic considerations over the long term is critical to success.

5.2.4 **COUNCIL LEADERSHIP**

- i) Hearst and Mattice-Val Côté Councils shall play important roles in creating an environment that is conducive to investment and job creation. Their Economic Development Strategies shall be based on the principles of:
 - a) action;
 - b) communication;
 - c) competitive practice;
 - d) continuous improvement;
 - e) team work; and
 - f) accountability.

5.2.5 **STRATEGIC POLICIES**

- i) The Town of Hearst shall implement a four-pronged Economic Development Strategy:
 - a) Council shall direct its resources, assets and processes to support economic development and investment by:
 - providing clear planning and zoning guidance for future investors;
 - supporting the beautification of the Downtown and Front Street Corridor to improve its image and ability to draw transient traffic into the community;
 - mandating the Hearst Economic Development Corporation to execute the economic development strategy;
 - communicating the economic development strategy and creating a community pride and awareness campaign; and
 - deploying Council's assets to support specific economic development activities.

- b) Council shall collaborate with local and regional stakeholders to forge partnerships to:
- develop a cooperative network among local governments in the region to promote and market the region's uniqueness and to lobby political support for special projects and investments;
 - develop a distinctive regional branding and marketing platform;
 - increase wealth through export development and import substitution;
 - ensure that Hearst's approach to economic development is aligned with other municipalities along the Highway 11 Corridor;
 - develop sound infrastructure and services to support the economic development strategy; and
 - collaborate with other lead economic development agencies in delivering projects.
- c) Council shall provide specialized support for select business sectors in order to balance economic activity amongst multiple sectors. Council shall:
- support existing primary forest industries currently operating in the sector;
 - foster development of value-added forest manufacturing industry;
 - support the development of tourism;
 - support mining exploration and assist existing projects;
 - support agriculture and silviculture entrepreneurs;
 - support the development of the health and elderly services industries;
 - support the development of the education sector and the expansion of trade apprenticeship programs;

- encourage the growth and ambitions of the industrial support sector; and
 - encourage retail enterprises and small service businesses.
- d) Council shall build Hearst's social infrastructure (people's skills and social facilities) to achieve a high quality of life by:
- providing leadership, vision and clear strategic direction for the community;
 - actively facilitating the formation and expansion of not-for-profit enterprises;
 - providing appropriate community facilities;
 - developing a sustainable community in terms of high quality living and working environments; and
 - facilitating the growth and maintenance of the community support services sector.
- ii) The Township of Mattice-Val Côté shall implement a three-pronged Economic Development Strategy:
- a) Council shall direct its resources, assets and processes to support economic development and investment by:
- providing clear planning and zoning guidance for future investors;
 - working with merchants along Highway 11 to upgrade and beautify their buildings under a municipally-led design associated with the Missinaibi River Provincial Park;
 - communicating the economic development strategy and creating a community pride and awareness campaign;
 - encouraging local residents to champion initiatives on regional tourism related boards; and
 - developing a distinctive regional branding and marketing platform.
- b) Council shall provide support to existing businesses to stem their exodus and the further erosion of the tax base by:

- encouraging the development of a destination tourism focussing on the Missinaibi River; and
 - assisting retail enterprises and small service businesses.
- c) Council shall build Mattice-Val Côté's social infrastructure (people's skills and social facilities) to achieve a high quality of life by:
- providing leadership, vision and clear strategic direction for the community;
 - actively facilitating the formation and expansion of not-for-profit enterprises;
 - providing appropriate community facilities;
 - developing a sustainable community in terms of high quality living and working environments; and
 - providing quality public places and adequate infrastructure.
- iii) The Town of Hearst and the Township of Mattice-Val Côté Councils shall annually review the status of their Economic Development Strategies to assess/benchmark the achievement of the intended results identified in their Game Plans and make the necessary changes to those plans. Their monitoring programs shall be based on the Game Plans.
- iv) The Town of Hearst and the Township of Mattice-Val Côté Councils shall review/update any economic development plans and strategies in effect to coincide with the statutory review of the Official Plan.

5.2.6 HOME-BASED BUSINESS POLICIES

- i) Home-based businesses shall be accepted as legitimate activities carried on within dwelling units and related accessory buildings in urban residential and rural areas.
- ii) Zoning By-laws and procedures shall be developed to provide for home-based businesses, with the intent that these businesses will eventually evolve, grow and achieve levels of success which will necessitate their permanent relocation to more suitable commercial or industrial areas of the community.

- iii) Appropriate home-based businesses shall be recognized as permitted uses in areas where permanent residential occupancies are permitted land uses under the implementing Zoning By-law.
- iv) By-laws shall also be established pursuant to the *Municipal Act*, which respond to the needs of the home-based business practitioner while aiming for a fair and equitable business environment in the community. Policies and by-laws shall respect the values of residents and the character of residential neighbourhoods.
- v) The nature and character of existing residential neighbourhoods shall be protected by ensuring that home-based businesses are compatible with adjacent residential land uses and the surrounding residential area.
- vi) The use of dwelling units and/or accessory buildings for home-based businesses shall only be authorized where:
 - a) the business activity or occupancy is clearly secondary, accessory, incidental and subordinate to the residential use;
 - b) the residential character of the dwelling unit and property is not changed as a result of the ancillary business occupancy;
 - c) the ancillary business occupancy will not require the storage of hazardous or dangerous materials and products on-site;
 - d) the number of employees of the home-based business will not exceed two (2), both of whom must be residents of the dwelling unit; and
 - e) only those signs authorized under sign and advertising device by-laws passed pursuant to the *Municipal Act* will be visible.
- vii) In addition to the criteria set out in clause (vi) of this Section, within designated urban residential areas, home-based businesses shall only be permitted in dwelling units or accessory buildings where:
 - a) the ancillary business occupancy will not produce noise, vibration, smoke and/or odours;
 - b) the business occupancy will not create an increase in the volume or nature of traffic that would be inconsistent with normal levels of traffic experienced in the residential neighbourhood;
 - c) there is no outdoor storage or display of materials and/or products

in the exterior yard areas; and

- d) additional on-site parking and/or exterior lighting that may be required by the home-based business will be in keeping with the normal parking and lighting requirements within the residential neighbourhood.
- viii) Where permanent residential uses are permitted in rural areas, home-based businesses shall be permitted in dwelling units and/or accessory buildings, subject to the policies set out in clause 5.2.6(vi) and the following:
 - a) objectionable noise, vibration, smoke and/or odours as a result of the ancillary business occupancy will not be evident at the property lines;
 - b) emissions to air, water and/or land shall meet the requirements of the Province;
 - c) adequate water supply and sewage disposal facilities shall be provided in compliance with regulations made under the *Building Code Act*;
 - d) the business occupancy will not create an increase in the volume or nature of traffic on public access roads that would be inconsistent with normal levels of traffic experienced on such roads, nor necessitate the upgrading or enhancement of existing public access roads or road maintenance practices;
 - e) the outdoor storage and/or display of materials and/or products on the property is not visible from public access roads or neighbouring properties; and
 - f) additional exterior lighting that may be required as a result of the home-based business will not be directed towards nor interfere with adjacent land uses.
- viii) The implementing Zoning By-law shall identify and prohibit certain industrial and commercial uses as home-based businesses, which by their very nature are incompatible or have the potential of becoming incompatible with adjacent residential land uses and/or the surrounding urban residential neighbourhood or rural area.

5.3 COMMUNITY IMPROVEMENT POLICIES

5.3.1 POLICY OBJECTIVES

- i) The entire Town of Hearst and the whole of the Township of Mattice-Val Côté shall be designated as “Community Improvement Project Areas”, as shown on Schedule ‘E’ Hearst Planning Area – Designated Community Improvement Project Areas, to this Official Plan.
- ii) Within each of the designated “Community Improvement Project Areas”, the Community Improvement provisions of the *Planning Act* give the Town of Hearst and the Township of Mattice-Val Côté a range of tools to proactively stimulate investment/reinvestment and revitalization in specific sectors of the communities, such as the project which has already been initiated in the Downtown and Front Street Corridor areas of Hearst and the potential project for the King Street/Highway 11 Corridor of Mattice. In designated “Community Improvement Project Areas”, the preparation of a “Community Improvement Plan” will provide the Town of Hearst and the Township of Mattice-Val Côté with various powers to address infrastructure deficiencies and facilitate beautification projects and other identified community improvements. These include incentives to stimulate or encourage other private and/or public investments where they advance the public interest. It shall be the objective of the Town of Hearst and the Township of Mattice-Val Côté to achieve functional, attractive and well-maintained living and working environments for residents and businesses in Hearst and Mattice.

5.3.2 STRATEGIC POLICIES

- i) The overall quality of life and well-being of residents and businesses within the downtowns and highway commercial corridors of Hearst and Mattice, and the older residential neighbourhoods and older commercial and industrial areas of these two urban centres shall be enhanced by promoting the:
 - a) ongoing maintenance and conservation of functional, well established areas;
 - b) rehabilitation and/or redevelopment of areas characterized by deficient, underutilized and/or vacant lands and buildings, land use conflicts, economic instability or deficient municipal hard services;
 - c) encouragement of private sector participation in community improvement; and
 - d) economic growth and development/redevelopment in the

downtown, main streets and underutilized or older commercial and industrial areas.

- ii) Community improvement shall strive to:
 - a) encourage the renovation, rehabilitation and where appropriate, the residential intensification of obsolete buildings and/or underutilized lands by the private sector;
 - b) provide, upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
 - c) encourage the rehabilitation, adaptive reuse and maintenance of buildings of cultural heritage value or interest;
 - d) inform property owners through such organizations as Business Improvement Associations of various municipal initiatives which are designed to encourage improvement of the area or structures;
 - e) improve traffic circulation within the Community Improvement Project Areas;
 - f) encourage off-street parking and provide municipal parking facilities where feasible;
 - g) encourage streetscape and building façade improvements based on coordinated standards;
 - h) promote the development and revitalization of the downtowns and mainstreets in urban centres such as Hearst and Mattice as the focus of pedestrian oriented retail, civic, cultural, entertainment and government uses; and
 - i) encourage the revitalization, conversion and redevelopment of obsolete 'brownfield' and 'greyfield' lands, and where appropriate, the relocation of existing businesses whose operations are in conflict with adjacent land uses to appropriate sites.
- iii) The selection of specific "Community Improvement Project Areas" shall be based on the following criteria:
 - a) Residential Improvement Project Areas
 - age and exterior condition of existing housing stock;
 - need for sanitary and storm sewers, watermains and

- sidewalk reconstruction and road resurfacing and reconstruction;
 - need to widen existing rights of way; and
 - need to upgrade social/recreational facilities, day care centres, public parks and open spaces.
- b) Downtown, Main Street, Commercial and Industrial Improvement Project Areas
- need for water, sanitary and storm sewer infrastructure and/or upgrading;
 - deficiencies in off-street parking;
 - need for maintenance, rehabilitation, intensification, reuse/ conversion or redevelopment of building stock;
 - need for improvements to the streetscape and building façades; and
 - need for development/redevelopment of unused or under-utilized lands including ‘brownfield’ and ‘greyfield’ sites.
- iv) Specific “Community Improvement Project Areas” shall be identified on Schedule ‘E.1’ – Priority Community Improvement Project Areas – Town of Hearst and Schedule ‘E.2’ – Priority Community Improvement Project Areas – Village of Mattice, to this Official Plan.
- v) Priority for the phasing of improvements shall be given to those areas where the deficiencies related to the criteria established in this section are the greatest.
- vi) In order to achieve the proposed community improvements, a range of initiatives may be implemented pursuant to provisions in the *Planning Act* and other Provincial legislation, including:
- a) preparing “Community Improvement Plans” including designating “Community Improvement Project Areas”;
 - b) acquiring land and/or buildings within “Community Improvement Project Areas”;
 - c) clearing, grading or preparing lands for community improvement;

- d) utilizing all appropriate senior level government programs for funding improvements to municipal facilities, lands, roads, streetscapes and services;
 - e) encouraging the rehabilitation and/or revitalization of property by the private sector through the provision of information on government programs as well as financial/property tax incentives;
 - f) continuing enforcement of maintenance and property standards by-laws;
 - g) continuing support for heritage conservation through the *Ontario Heritage Act*;
 - h) supporting the efforts of business communities, including the Chamber of Commerce and Business Improvement Association to revitalize the Downtown and Front Street Corridor of Hearst and the King Street/Highway 11 Corridor of Mattice through the implementation of various programs;
 - i) where appropriate, encouraging/supporting intensification and infill development/redevelopment; and
 - j) encouraging/supporting zoning approaches that facilitate community improvement initiatives.
- vii) The “Community Improvement Plan” shall include the following basic components:
- a) Part A – Preamble describing the background, purpose of the Plan, planning process and strategic priorities.
 - b) Part B – “Community Improvement Plan” describing the goals and objectives , scope of the Plan and the implementation strategy (tools/incentive programs to be offered to stimulate private sector investment in revitalization efforts).
- viii) The Implementation Strategy shall establish:
- a) Phase 1: the incentive programs that can be launched immediately.
 - b) Phase 2: the implementation plans for the identified priority projects, which shall include the preparation of “Master Urban Design Plans” to establish guidelines for the design and development-based incentive programs.

- ix) A “Master Urban Design Plan” shall include a corridor and precinct level design framework that addresses such matters as:
- a) cultural heritage design themes for buildings and streetscapes;
 - b) infrastructure servicing upgrades;
 - c) new and/or upgraded public spaces;
 - d) land use precincts (Downtown and Front Street East, Central and West areas in Hearst and the King Street/Highway 11 Corridor in Mattice);
 - e) built form/urban design guidelines;
 - f) streetscape/façade improvement guidelines;
 - g) signage guidelines;
 - h) intensification, development and/or redevelopment guidelines;
 - i) pedestrian linkages;
 - j) vehicular and parking systems;
 - k) public land investments; and
 - l) incentive programs to encourage private sector investment.
- x) When identifying community improvement project areas and specific projects for inclusion in the “Community Improvement Plan”, Council shall have regard for the projects identified through public consultation:
- a) Town of Hearst:
 - continuation of Downtown and Front Street Corridor beautification program to provide private sector incentives for revitalization and streetscape improvements, etc.;
 - upgraded bus and recreational vehicle (RV) ingress and egress at tourist information centre;
 - greening of brownfield sites;
 - development of civic plaza on 10th Street in the educational sector (from Parks and Recreation master Plan 2005-2015);

and

- trail and pedestrian/cycling path improvements.

b) Township of Mattice-Val Côté:

- Missinaibi Provincial park interpretive/ welcome centre in Mattice adjacent to the Missinaibi River;
- King Street/Highway 11 Corridor beautification program;
- points of interest on King Street.

5.4 HERITAGE POLICIES

5.4.1 POLICY OBJECTIVES

- To support and encourage the preservation of the rich cultural heritage resources in the Hearst Planning Area.
- To encourage the documentation, display, interpretation and celebration of the community's cultural heritage.
- To support and encourage the identification of lands with archaeological potential and lands containing archaeological resources, and to ensure such resources are preserved in situ or conserved in a manner in accordance with Provincial requirements.
- To ensure that the interests of indigenous communities are considered and protected in the conservation of cultural heritage and archaeological resources.

5.4.2 STRATEGIC POLICIES

- Council of the Town of Hearst or the Township of Mattice-Val Côté may seek the advice of local historical societies, genealogical societies, etc., in addressing complex cultural and heritage matters.
- Council shall support outreach and educational programs that promote heritage conservation in the community.
- A register of designated heritage properties shall be maintained. Council shall also maintain an inventory of properties worthy of designation under the *Heritage Act* and endeavour to have these properties so designated. Signs shall be erected to indicate that a property is a designated heritage property.

- iv) Council shall encourage the recognition of sites of national significance as national historic sites.
- v) Council shall encourage the use of conservation easements registered on title under the *Heritage Act*.
- vi) Council shall encourage its citizens to voluntarily register conservation easements on their property.
- vii) Where a heritage attribute is part of a development proposal and the attribute is not being dedicated to the Municipality, the requirement for a conservation easement may be included as a condition of approval for consent, Site Plan Control or plan of subdivision.
- ix) Adaptive reuse of heritage properties shall be promoted, such as but not limited to the conversion of a historic building to a museum or community meeting space.
- ix) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures shall be discouraged.
- x) Council may establish heritage conservation districts pursuant to the *Heritage Act* to control the erection, demolition or alteration of buildings. The boundaries of the heritage conservation district shall be established in consultation with the affected property owners and the surrounding community. In addition to the Provincial criteria, the following criteria shall be used to guide the establishment of a heritage conservation district:
 - a) buildings, structures and/or streetscapes that are representative of a certain historic period;
 - b) buildings and/or structures that are of a particular architectural style or have unique architectural features; and/or,
 - c) buildings, structures and/or streetscapes that are related to a unique local event or period that shaped the development of the neighbourhood/community.
- xi) Council may prepare urban design guidelines for heritage conservation districts to guide the erection or alteration of buildings.
- xii) A “Community Improvement Project Area” may encompass all or part of a heritage conservation district so that grants, loans and/or tax incentives may be made available for the preservation and enhancement of heritage buildings.

- xiii) On lands adjacent to designated heritage properties, development and site alteration may take place provided the proposed work has been evaluated and it is demonstrated by a heritage impact assessment undertaken by a qualified heritage consultant that the heritage attributes of the designated property will be conserved, or mitigating measures and/or alternative development approaches will be undertaken to conserve the attributes at risk.
- xiv) The preservation of cultural landscapes in the rural area such as hedgerows, stone fences or tree lines shall be encouraged.
- xv) In considering proposals for waterfront development, Council and the Planning Board shall ensure that cultural heritage resources that may be located along shorelines and within waterbodies will not be adversely affected. Council and the Board shall require satisfactory measures to be implemented to mitigate any potential negative impacts on the cultural resources.
- xvii) Council shall maintain information regarding areas of archaeological potential in the Town of Hearst and Township of Mattice-Val Côté. Where a development is proposed on lands of archaeological potential, an Archaeological Assessment carried out by a licensed consultant archaeologist shall be required.
- xvii) Development shall not be permitted on lands containing archaeological artifacts or in areas of archaeological potential unless such significant archaeological resources have been conserved and protected in a manner that ensures their cultural heritage values and interests are maintained.
- xviii) Where significant archaeological resources must be preserved in situ, alteration that changes the heritage characteristics of the site and its features shall not be permitted.
- xvii) Pioneer and other cemeteries shall remain in their original location and relocation to accommodate private development shall not be permitted.

5.5 HUMAN SERVICES POLICIES

5.5.1 POLICY OBJECTIVES

- i) To ensure that the needs of all socio-economic groups within the Hearst Planning Area are adequately served.

5.5.2 STRATEGIC POLICIES

- i) The provision of adequate housing for all residents of the community shall be encouraged.
- ii) In particular, Council shall encourage the provision of social housing to meet the special housing needs of groups such as the elderly, the disabled and the disadvantaged and shall continue to advocate the needs of both public and private sectors to senior levels of government, for the development of new housing programmes and/or the continuation of existing programmes.
- iii) Council shall encourage and assist community groups and the private sector to utilize available government housing programmes to facilitate the creation or rehabilitation of suitable housing for the community.
- iv) Council shall make provision for social infrastructure (e.g. day care centres).
- v) Aging-in-place for seniors shall be encouraged in order that:
 - a) individuals living in a non-healthcare environment, will have access to municipal services and amenities, to carry out their daily lives without having to relocate as their circumstances change;
 - b) where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing shall be available in residences for seniors, to provide for continuing care during retirement.
- vi) Long-term care facilities that meet the needs of the community shall be encouraged.
- vii) Council shall have regard for the requirements of the *Ontarians With Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005* and shall:
 - a) prepare an Accessibility Plan in accordance with Provincial

- requirements to address the identification, removal and prevention of barriers to persons with disabilities in municipal by-laws and policies, programs, practices and services;
- b) consult with persons with disabilities in the community in addressing accessibility issues for the Municipality;
 - c) seek the advice of persons with disabilities on the accessibility of all existing and new municipal facilities, and if deemed advisable, on the accessibility of development proposed in Site Plan Approval applications; and,
 - d) consult with persons with disabilities about the preparation, implementation and effectiveness of the Accessibility Plan.
- viii) Council shall endeavour to provide a barrier-free environment wherever possible.
- x) Council may seek the advice of the Conseil des Arts on the need and adequacy of public art in the municipality. Public art in the municipality may incorporate themes reflecting the francophone, aboriginal and forestry heritage of the Hearst Planning Area.
- x) The provision of public art in the Downtown and Front Street area of Hearst and the Downtown and King Street area of Mattice shall be encouraged. Public buildings shall also incorporate public art.
- xi) In consultation with the School Boards, where the closure and sale of a school is proposed, the open space component of the school site may be retained or incorporated in a redevelopment proposal as a community hub.
- xii) A wide range of alternative educational opportunities shall be encouraged to support life-long learning and skills development, including apprenticeship, cooperative learning and adult education.
- xiii) Cultural facilities, places of worship, health care facilities and recreation facilities in the Town of Hearst and Township of Mattice-Val Côté shall be encouraged.
- xiv) The programming of recreational facilities and activities shall be designed to meet the needs of the community and to promote health and physical activity amongst all residents.
- xv) New development shall be served with adequate emergency services.

- xvi) The Town of Hearst and Township of Mattice-Val Côté shall adopt parks and open space standards that support the social, recreational and cultural needs of their communities and which are sustainable. The parkland standards and parks hierarchy shall be evaluated through a Parks and Recreation Master Plan.
- xviii) Natural heritage areas shall not be accepted as parkland dedication under the *Planning Act*.
- xviii) Council may accept cash-in-lieu of lands dedicated for parkland purposes.
- xix) A hierarchy of parkland shall be in place so that:
 - a) community parks will serve the Urban Centres; and
 - b) neighbourhood parks will serve the immediate neighbourhood.
- xx) Open space linkages shall be provided to link parks and neighbourhoods.
- xxi) Active transportation (walking and cycling) shall be promoted through the continued development of trails throughout the communities and the improvement of existing trail networks.

5.6 COMMUNITY INFRASTRUCTURE POLICIES

5.6.1 INFRASTRUCTURE AND PUBLIC FACILITIES

5.6.1.1 POLICY OBJECTIVES

- i) To provide infrastructure and public facilities in a coordinated, efficient and cost-effective manner that will accommodate existing and projected needs, while having regard for the potential impact of climate change and frequency of severe weather events.

5.6.1.2 STRATEGIC POLICIES

- i) Infrastructure shall be coordinated and integrated with land use planning in order to be financially viable over the life cycles of such infrastructure.
- ii) The Town of Hearst and the Township of Mattice-Val Côté shall undertake and practice municipal asset management planning in accordance with Provincial requirements.
- iii) Green infrastructure shall be incorporated in new development and redevelopment of physical assets where feasible.

- iv) Consideration shall be given to the use or adaptive reuse of existing infrastructure and public facilities before developing new infrastructure and public facilities.
- v) Infrastructure and public facilities shall be strategically located to support the effective and efficient delivery of emergency services.
- vi) Development on lands adjacent to infrastructure corridors shall support the long-term purpose and functions of the corridors and any potential adverse impact on such corridors shall be mitigated.
- vii) Municipal work carried out on infrastructure shall be subject to the requirements of the *Environmental Assessment Act* and the Municipal Engineers' Association Class Environmental Assessment.

5.6.2 TRANSPORTATION POLICIES

5.6.2.1 POLICY OBJECTIVES

- i) To plan and protect road corridors to make provision for the future urban and rural road system in the Hearst Planning Area.
- ii) To promote and support all forms of transportation including automobile, walking and bicycling.
- iii) To base land use patterns within settlement areas on active transportation and the efficient movement of people and goods by vehicle or rail.

5.6.2.2 STRATEGIC POLICIES

- i) Transportation facilities shall generally be planned and developed to comply with the following general road classification and function and design requirements:
 - a) Provincial Highways
 - serve mainly inter-regional and regional travel;
 - right of way widths and the number of travel lanes shall be determined by the Province;
 - high degree of access control along rural sections.
 - b) Arterial Roads

- serve mainly regional and local travel;
 - some degree of access control;
 - two travel lanes and a 30 metres (98 feet) right of way;
 - provision for some on-street parking in urban areas.
- c) Collector Roads
- serve local travel;
 - connect collector and local roads to arterial roads;
 - minor access controls;
 - two travel lanes and a 20-30 metres (66-98 feet) right of way;
 - provision for some on-street parking in urban areas.
- d) Local Roads
- serve a residential, seasonal residential, recreational or employment area;
 - connect individual properties to collector and arterial roads;
 - minor access controls;
 - two travel lanes and up to 20 metres (66 feet) right of way.
- e) Summer Roads
- same right of way as local roads but do not need to be constructed to the same standard;
 - maintained by occasional grading during summer months only;
 - not intended to provide access on a year-round basis.
- ii) The location and classification of the major roadways in the Hearst Planning Area are identified on Schedule 'C' – Settlement Area Plans for the hamlets and Schedule 'D' - Roads Plans for the incorporated and

unincorporated townships, to this Official Plan.

- iii) The opening, closing or diverting of a road, and a change in classification of a roadway or change in maintenance schedule of an existing public road shall not require an amendment to this Official Plan, but shall be subject to the approval of the authority having jurisdiction.
- iv) Individual roads shall be designed in accordance with the specific right of way widths established by Provincial and municipal authorities. Right of way widths shall provide for cut and fill slopes to accommodate the road cross-section and drainage features.
- v) In general, road widenings shall be taken equally from the centre line of the roadway. Landowners may be required to provide land to the Municipality or the Province for road widenings based on the following:
 - a) land shall be conveyed at no expense to the Municipality or the Province for road widenings necessitated by new development, changes in use that generate significant traffic volumes, or additions that substantially increase the size or use of buildings or structures. Land may be reserved for future purchase by the Municipality or Province as a result of additions that do not substantially increase the existing size or use of buildings or structures;
 - b) unequal widenings may be required where topographic features, public lands, historic buildings or other cultural heritage resources, significant environmental concerns or other unique conditions necessitate taking a greater widening or the total widening on one side of the existing municipal road right of way; and
 - c) the rights of way width requirement indicated on Schedule 'D.10' may be reduced for a specific section where special circumstances warrant and the long-term urban structure requirements will not be jeopardized.
- vi) Where existing development or natural features preclude the achievement of the design right of way width, the Municipality or Province shall undertake an analysis to determine the practical right of way width that serves the anticipated traffic while minimizing the impacts on the streetscape, natural features and/or the abutting development.
- vii) Additional land takings may also be required for sight triangles, road cuts and fills, extra lanes at intersections and for accommodating bicycle lanes, sidewalks and landscaping where appropriate.

- viii) Council may allow rights of way of less width than the standards in order to:
 - a) make provision for additional affordable housing within a project, through reduced road rights of way and resultant higher lot/unit counts;
 - b) recognize existing roadways that were built to a lower standard; or,
 - c) facilitate the preservation of the cultural heritage of a streetscape within a community or neighbourhood.
- ix) Council may accept a level of service which is less than optimum in return for a more pedestrian oriented environment in the Downtown and Front Street Corridor of Hearst and the Downtown and King Street Corridor of Mattice. To achieve this environment, Council may apply a variety of traffic calming techniques such as the following:
 - a) reduced lane width;
 - b) provision for on-street parking; and
 - c) provision for widened sidewalks and road cutouts.
- x) Priority shall also be given to protecting existing heritage streetscapes using techniques such as variable rights of way, road by-passes and innovative road cross-section standards.
- xi) The right of way widths for roads are intended to serve pedestrians and cyclists, as well as motorized vehicles.
- xii) Except as provided in clauses (xiii) and (xiv) of this subsection, new development and/or redevelopment shall not be permitted unless such lands are accessible by means of an improved public road which is built to the standard of the Municipality or the Province, and which is able to accommodate the proposed development.
- xiii) In “Seasonal Residential Districts” only, new seasonal residential development on existing lots of record as of the date of adoption of this Official Plan and existing seasonal residential development with frontage on waterbodies having public boat access may also be accessed by private roads which are neither owned, constructed nor maintained by a public agency, provided such development and associated roads satisfy the conditions set out in Section 6.4.3.(viii) of this Official Plan.
- xiv) New aggregate and mineral resource development and development related to natural resource-based activities may also be permitted along

unopened road allowances which the proponent has constructed to standards adequate for providing exclusive access to the new development, provided such road is constructed to the standards set out in Sections 6.9.3.2 and 6.10.3.2 of this Official Plan and the use of such road is limited to the proponent by by-law passed pursuant to the *Municipal Act*.

- xv) Direct access from adjacent development to provincial highways and arterial roads shall be restricted where the development has suitable access to the collector or local road system. Exceptions may be made in the downtowns, main streets and major business corridors of Hearst and Mattice.
- xv) Development proposals that are likely to generate significant traffic shall prepare a traffic impact study to determine their impact on the surrounding road system and adjacent land uses as well as to identify appropriate mitigation measures including road improvements. The traffic impact study shall be prepared to the satisfaction of Council or the Province. As a condition of development approval, developers shall either be required to make the necessary improvements to the existing transportation system or make a contribution to the Municipality for the cost of such improvements.
- xix) In addition to all applicable requirements of local authorities having jurisdiction, all proposed development located adjacent to and in the vicinity of a Provincial highway within the Province's permit control area under the *Public Transportation and Highway Improvement Act* will also be subject to Provincial approval. Early consultation with the Province is encouraged to ensure the integration of local planning initiatives with Provincial transportation planning. New areas identified for future development that are located adjacent to or in the vicinity of a Provincial highway or intersection within the Province's permit control area will be subject to Provincial policies, standards and requirements. Direct access shall be discouraged and often prohibited.
- xx) Entrances serving home occupations, industry or businesses located adjacent to Provincial highways require the approval of the Province. Such property owners will be required to obtain an entrance permit and a sign permit if necessary, which may be conditional upon the property owners acknowledging that the use of their existing entrance cannot be converted to a commercial entrance at some future date and that an additional entrance will not be permitted to accommodate the home occupation, industry or business. The Province will not support a future severance which would result in a separate entrance to a business and one for the retained parcel.
- xix) Traffic volumes on existing roads shall be monitored by the Municipality

and improvements to roads and intersections within the existing road network shall be undertaken on a priority basis. Only one highway entrance for each lot of record is permitted in accordance with the requirements of the Ministry of Transportation.

- xx) Council, where appropriate, shall encourage the development of a linked system of cycling/pedestrian trails comprising a combination of dedicated off-road trails and road rights of way. The system could include linking downtown sectors, residential neighbourhoods, parks and open spaces and riverfronts. Any proposals for trail crossings of a Provincial highway will require the prior approval of the Ministry of Transportation (MTO). Crossings may be permitted subject to restrictions. Trails running along the MTO right of way will not be permitted. Cycle routes will only be permitted on Provincial highways after an analysis of the impact on safety and traffic operations has been reviewed and approved by MTO.
- xxi) Abandoned railway, utility and other rights of way shall be utilized for cycling and pedestrian trails where appropriate and available.
- xxii) Where deemed advisable, educational programmes shall be implemented to encourage walking and cycling as viable forms of active transportation, to instruct cyclists about appropriate safety precautions and encourage motorists to share the road with cyclists.

5.6.3 UTILITIES, COMMUNICATIONS CORRIDORS, AND TRANSMISSION FACILITIES POLICIES

5.6.3.1 POLICY OBJECTIVES

- i) To encourage the development of modern transmission and communication facilities to serve residents and businesses in the Hearst Planning Area.

5.6.3.2 STRATEGIC POLICIES

- i) Natural gas pipelines and related facilities, electric power generation and supply facilities, telecommunication facilities and local utilities shall be permitted in any land use designation provided the development satisfies applicable Provincial and/or Federal legislation.
- ii) Natural gas pipelines, electric power transmission facilities and telecommunication facilities shall be constructed, maintained and operated to minimize their impact on adjacent land uses and the natural environment. Whenever practicable, such facilities shall be located underground to preserve aesthetic appeal, and the transfer to underground servicing shall be addressed in "Community Improvement

Plans”.

- iii) Adjacent development shall be set back at least 10 metres (33 feet) from the limits of all major pipelines and shall be designed to reflect appropriate safety standards.
- iv) All buildings intended for human occupancy shall be set back 20 metres (66 feet) from the centreline of high pressure natural gas transmission lines. Public buildings such as schools, hospitals and nursing homes shall be set back 200 metres (656 feet) from such lines.
- v) The multiple use of corridors for utility and transportation uses shall be encouraged.
- vi) The development of high volume telecommunication networks serving residents and businesses in the Planning Area shall be encouraged. All telecommunication facilities including satellite dishes should be designed and located to minimize their visual impact on residential areas and natural areas.
- vii) Funding for community access centres and/or high speed Internet service shall pursued through Provincial and Federal Government programs.
- viii) New subdivisions should be encouraged to incorporate telecommunication facilities that support high-speed or broadband Internet. The Municipalities shall encourage public utilities to provide high-speed Internet service to communities where it is not currently available but where sufficient demand exists for the service.
- ix) Appropriate setbacks for development from electrical power, natural gas, telecommunication and utility corridors shall be established in the implementing Zoning By-law.

5.6.4 GOODS MOVEMENT POLICIES

5.6.4.1 POLICY OBJECTIVES

- i) To facilitate the safe and efficient movement of goods in and through the Hearst Planning Area.

5.6.4.2 STRATEGIC POLICIES

- i) Council shall work with other levels of government, non-government agencies and the private sector to minimize the risks and facilitate the safe and efficient movement of goods into and through the Hearst Planning Area.

- ii) Business activities that require heavy truck traffic shall be encouraged to locate in close proximity or adjacent to Highway No. 11 and arterial roads.
- iii) Council shall work with local businesses to ensure the provision of truck routes which meet their needs while having regard for the need to protect residential neighbourhoods from truck noise, pollution and hazards and the cost of maintaining truck routes. Truck routes using local roads through residential neighbourhoods shall be discouraged.
- iv) Council shall direct the location of facilities and/or industries that generate and/or process hazardous waste to areas outside of the urban areas.
- v) Provincial guidelines shall be used in establishing appropriate separation distances between new industrial development and existing sensitive land uses, and also to prevent new sensitive land uses from encroaching upon existing industries.
- vi) Council shall support a safe and efficient railway network by:
 - a) recognizing the importance of rail service to the Hearst Planning Area and encouraging the movement of goods and people by rail; and
 - b) ensuring that appropriate safety measures such as setbacks, berms and security fencing are provided by development proposing to locate adjacent to railway lines.

5.6.5 WATER SERVICING POLICIES

5.6.5.1 POLICY OBJECTIVES

- i) To ensure that a cost-effective and adequate safe potable water supply is provided to support, enhance and sustain existing and future residents and businesses in the Hearst Planning Area.

5.6.5.2 STRATEGIC POLICIES

- i) The Town of Hearst and Village of Mattice are dependent on the Mattawishkwia River and Missinaibi River as the principal water sources for their respective Settlement Areas. Each municipality shall thus monitor the quantity and quality of water that is available from its primary source.
- ii) Local and Provincial authorities shall ensure that no development takes place upstream in or along these rivers that would have an adverse impact on the quantity and/or quality of river water supplying either Settlement

Area. Land use shall be strictly regulated in close proximity to water treatment facilities, water intakes and auxiliary supply wells through zoning provisions and development standards to ensure that only development and redevelopment that will have no negative impact on such infrastructure is approved.

- iii) Water shall be treated and distributed to the public within Settlement Areas of the municipalities in a cost-effective and efficient manner and in accordance with all regulatory requirements.
- iv) Existing water treatment facilities for the Town of Hearst and the Village of Mattice are adequate to serve the needs of anticipated growth over the next 20 years. Both communities however shall continue to encourage water conservation by all users.
- v) The focus of development and redevelopment shall be directed to Settlement Areas where municipal water services are existing and available.
- vi) All development and redevelopment in the designated “Hearst Settlement Area” as shown on Schedule ‘C.3’ Settlement Plan – Hearst and the designated “Mattice Settlement Area” as shown on Schedule ‘C.2’ Settlement Plan – Mattice that are serviced with existing municipal piped water supply shall be connected to such systems.
- vii) Minor extensions to municipal and communal water distribution systems may be permitted by Council, provided the cost of such extension is borne by the proponent and the extension of such municipal piped services is in line with the municipal asset management plan.
- viii) Development and redevelopment in “Rural Residential District” areas and “Hamlet” areas that are proposed to be serviced by private water supply shall require the preparation of a hydrogeological study that demonstrates that the proposed private water supply will be adequate and acceptable.
- ix) The provision of municipal piped water through partial servicing of development on private on-site sewage disposal systems shall only be approved where necessary to address failed individual on-site water services in existing development or within settlement areas or hamlets to allow infilling and minor rounding out of existing development on partial services, provided sufficient reserve capacity is available within the municipal water system and site conditions are acceptable for long-term servicing by individual sewage disposal systems with no negative impacts.
- x) Rural lots shall be of sufficient size in accordance with the Ministry of the Environment and Climate Change’s D-Series Guidelines to ensure a

continuous and adequate supply of potable water from individual on-site water sources with no negative impacts and to prevent contamination from adjacent private on-site sewage disposal systems.

- xi) Servicing by means of private communal water services shall only be approved where the existing water supply from individual private on-site water systems is found to be inadequate with respect to quantity and/or quality, municipal piped water services are not available, and the communal water service is monitored and complies with all regulatory requirements.
- xii) New multiple lot development and residential subdivisions that will be reliant upon water servicing by private communal means shall not be approved.

5.6.6 WASTEWATER SERVICING POLICIES

5.6.6.1 POLICY OBJECTIVES

- i) To ensure that cost effective and adequate sewage treatment is provided to support, enhance and sustain existing and future residents and businesses in the Hearst Planning Area.

5.6.6.2 STRATEGIC POLICIES

- i) Municipal sanitary sewage disposal systems have sufficient capacity to sustain anticipated growth over a 20-year planning horizon, however both the Town of Hearst and the Village of Mattice shall continue to investigate and implement means of providing public sewage disposal services with greater cost efficiencies and environmental harmony.
- ii) The focus of development and redevelopment shall be directed to Settlement Areas where municipal sewage disposal systems are existing and available.
- iii) All development and redevelopment in the designated “Settlement Area” for the Town of Hearst as shown on Schedule ‘C.3’ Settlement Area Plan – Hearst, and the designated “Settlement Areas” for the Village of Mattice and the Hamlet of Val Côté, as shown on Schedules ‘C.1’ and ‘C.2’ Settlement Area Plans respectively to this Official Plan, that are serviced with a municipal or communal sewage treatment system shall be connected to that system.
- iv) All infill development and redevelopment in the designated “Hamlet” areas of Hallébourg and Jogues, as shown on Schedules ‘C.4’ and ‘C.5’ Servicing Plans for said Hamlets, shall be connected to the existing

communal sewage treatment systems, subject to available capacities of such systems.

- v) Minor extensions to municipal and communal piped sewage services may be permitted, provided the cost of such extension is borne by the proponent, servicing capacities are available for the connection of the new development or redevelopment, and the extension of such municipal piped services is in line with the municipal asset management plan.
- vi) Development and redevelopment in the “Hamlet” and “Rural Residential District” areas that are proposed to be serviced by private individual sewage disposal systems shall require the approval of the Health Unit.
- vii) Rural lots shall be of sufficient size as recommended in the Ministry of the Environment and Climate Change’s D-Series guidelines and adequate soil composition to ensure that effluent from private on-site sewage disposal systems are treated and assimilated properly on-site with no negative impacts and that adjacent private water sources will not be contaminated.
- viii) Servicing by means of private communal sewage disposal systems shall only be approved where existing individual private on-site services are found to be inadequate, where municipal services are not available and where lots are of insufficient size to support the installation of new private individual on-site systems. Such private communal sewage disposal systems shall be regularly monitored and shall comply with all regulatory requirements (see Ministry of the Environment and Climate Change’s D-Series Guidelines).
- ix) New multiple lot development and residential subdivisions that are reliant upon private communal means for sewage disposal shall not be approved.

5.6.7 STORMWATER MANAGEMENT POLICIES

5.6.7.1 POLICY OBJECTIVES

- i) To apply a Best Management Practices approach to stormwater management, thereby reducing risks to public health and safety and reducing risks of property damage.
- ii) New stormwater management facilities shall be designed and developed to accommodate anticipated flows that may result from severe weather events due to climate change, to minimize or prevent increases in contaminant loads, and to minimize changes in water balance and erosion.
- iii) Existing stormwater management facilities shall be upgraded and enhanced where practicable to provide greater resiliency to severe weather events resulting from climate change.

5.6.7.2 STRATEGIC POLICIES

- i) All stormwater shall be managed on-site for new development. No new development shall have a negative impact on the drainage characteristics of adjacent lands.
- ii) Stormwater management facilities for new development shall be designed to manage stormwater quality and quantity. The integration of natural vegetative features in new facilities shall be required and the naturalization of existing stormwater management facilities shall be encouraged.
- iii) Low impact development shall be promoted that maximizes the extent and function of vegetative and pervious surfaces in accommodating stormwater flows.
- iv) Prior to the approval of a development application, Council shall require a stormwater management plan to be prepared and approved.
- v) Where drainage flow from a proposed development located adjacent to or in the vicinity of a Provincial highway may impact the highway downstream, a stormwater management plan shall be prepared for review and approval by the Ministry of Transportation.

5.6.8 ENERGY POLICIES

5.6.8.1 POLICY OBJECTIVES

- i) To promote energy conservation and provide opportunities for increased

energy supply through the use of renewable energy and alternative energy systems.

5.6.8.2 STRATEGIC POLICIES

- i) The development of alternative energy systems and renewable energy systems shall be permitted in all Settlement Areas and rural areas in accordance with the requirements of the *Green Energy Act*.
- ii) Passive energy conservation shall be accomplished through the promotion of vegetation retention and pervious surfaces, and active support for tree planting programs.

6. LAND USE POLICIES

6.1 VILLAGE

6.1.1 PRINCIPLES

- i) The Village of Mattice shall continue to be recognized as a significant community within the Hearst Planning Area. It shall provide a vibrant residential alternative to Hearst with its inventory of affordable housing and recreational, educational, cultural and infrastructure services.
- ii) The Village of Mattice shall be the focal point for the establishment of the Township of Mattice-Val Côté as a destination tourism centre based on a targeted diversification program.
- iii) Detailed land use policies for guiding development and redevelopment in the Village of Mattice shall be set out in the Mattice Secondary Plan contained in Part A of this Official Plan. These policies shall be based on the principles and general policies contained in this Plan.

6.1.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Village” are:
 - a) to provide suitable areas to accommodate limited population growth and residential development in an orderly and efficient land use pattern;
 - b) to provide suitable areas to accommodate the development of tourism and recreation projects on the Missinaibi River waterfront and along the Highway 11 Corridor.

- c) to ensure that adequate water supply and sewage disposal facilities are available and provided to service present and future development; and
- d) to safeguard the economic well-being and future viability of the community as a whole while maintaining the character of the Village.

6.1.3. GENERAL DEVELOPMENT POLICIES

6.1.3.1 Permitted Uses

- i) Where land is designated “Village” on Schedule ‘B.1’ Land Use Plan – Township of Mattice-Val Côté (Eilber Section), to this Official Plan, the predominant use shall be for low and medium density residential, commercial, tourist, recreational and industrial uses serving the Village of Mattice, surrounding areas and the travelling public. Complementary uses, such as health clinics, churches, parks, other institutional uses and public buildings, shall also be permitted. The detailed planned land uses for the Village of Mattice shall be designated on Schedule “B.9” Land Use Plan – Village of Mattice, to this Official Plan.

6.1.3.2 Development and Redevelopment Within the Mattice Settlement Area

- i) The “Mattice Settlement Area” shall be designated on Schedule ‘C.2’ Settlement Area Plan - Mattice, to this Official Plan. Lands within the designated “Mattice Settlement Area” shall have access to municipal water and sanitary sewage services and frontage on year-round maintained public roads, as shown on Schedule ‘D.12’ Roads Plan - Mattice, to this Official Plan.
- ii) New development and redevelopment activities in the Township of Mattice-Val Côté shall be encouraged to locate within the “Mattice Settlement Area”. Residential intensification may be permitted where appropriate.
- iii) When reviewing applications for development or redevelopment in the “Mattice Settlement Area”, Council shall give consideration:
 - a) to the accessibility and capacity of existing municipal services; and
 - b) to the potential impact of the proposed development on the established neighbourhood.

Preference shall generally be given to small-scale development and/or

residential intensification projects that are compatible with the surrounding neighbourhood.

- iv) Within the designated “Downtown and Main Street District” or “Urban Residential District” areas, other types of uses may be permitted, provided these uses do not conflict with the nature and character of existing development in the immediate vicinity of the proposed use.
 - a) Within designated “Urban Residential District” areas, new commercial and light industrial activities shall generally be limited to home-based businesses that are compatible with the surrounding neighbourhood. These uses shall also conform to the home-based business policies set out in Section 5 of this Plan.
 - b) Within the designated “Downtown and Main Street District”, residential intensification and new industrial activities may be permitted, provided those uses do not detract from the principal commercial uses and character of those areas.
- v) New development within the “Mattice Settlement Area” shall only be approved if municipal water and sanitary sewer services are available, and the development shall be connected to such services.

6.1.3.3 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies contained in this Section and the specific policies set out in the Mattice Secondary Plan. For adequate control, the Zoning By-law shall recognize existing development and make provision for infilling. Expansions of the Mattice “Village” boundary shall require an amendment to the Zoning By-law and an official plan amendment. A comprehensive review in accordance with Section 5.1.4.2 v) shall also be required.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Individual medium density residential buildings may be located throughout the “Village”. Groupings of medium density residential buildings shall preferably be located close to the existing community core. New medium density residential uses may be permitted to a maximum density of approximately fifty-one (51) dwelling units per gross hectare (21 units per acre), subject to specific amendments to the Zoning By-law.
- iv) Commercial and industrial uses shall be included in separate zoning categories in the implementing Zoning By-law and shall comprise the following:

- a) general commercial uses;
 - c) highway commercial uses; and
 - c) industrial uses.
- v) In addition, separate zoning categories shall be established for:
 - a) institutional or public uses;
 - b) parklands or open space;
 - c) hazard lands; and
 - d) rural uses.
- vi) Council may also designate certain lands as holding zones pursuant to the *Planning Act*, by the use of the symbol 'H' in conjunction with any of the aforementioned zones, provided that:
 - a) the future use of such lands, buildings or structures is specified in the implementing Zoning By-law; and
 - b) the symbol shall not be removed until services, whether municipal or private, are provided to the satisfaction of Council.
- vii) Within the "Village", all commercial and/or industrial lands shall be subject to Site Plan Control in accordance with the policies set out in Section 7 of this Official Plan. The Council may also pass by-laws pursuant to the *Planning Act* to:
 - a) designate Site Plan Control areas;
 - b) define classes of development that may be subject to Site Plan Control;
 - c) require plans and drawings to be submitted for approval; and
 - d) delegate Council's authority under the *Planning Act* to an appointed officer of the Municipality.

6.2 HAMLET

6.2.1 PRINCIPLES

- i) The community of Val Côté shall be designated “Hamlet” on Schedule ‘B.2’ Land Use Plan - Township of Mattice-Val Côté (Devitt Section), to this Official Plan, and development policies shall be based on:
 - a) its status as a Hamlet within an incorporated municipality;
 - b) the existence of municipal sewage disposal services, owned and operated by the Township of Mattice-Val Côté; and
 - c) the boundaries of the Hamlet which reflect the pattern of existing development, the location of existing municipal communal servicing systems and the provision of lands for future development and growth.
- ii) The communities of Hallébourg and Jogues shall be designated “Hamlet” on Schedule ‘B.5’ Land Use Plan – Township of Kendall and Schedule ‘B.7’ Land Use Plan – Township of Way respectively, to this Official Plan, and development policies shall be based on:
 - a) their status as Hamlets without municipal organization;
 - b) the presence of public communal sewage disposal services owned and operated by the Local Services Boards of each respective area; and
 - c) the boundaries of the Hamlets which reflect the pattern of existing development and the location of existing public communal servicing systems.
- iii) The community of Lac Ste. Thérèse shall be designated “Hamlet” on Schedule ‘B.3’ Land Use Plan – Township of Casgrain, to this Official Plan and the development policies shall be based on:
 - a) its status as a Hamlet without municipal organization, although a Local Services Board is present and has jurisdiction within the area;
 - b) existing sewage disposal and water services which are based on individual private on-site systems; and
 - c) the boundaries of the Hamlet which reflect the pattern of existing development.

6.2.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Hamlet” of Val Côté are:
 - a) to provide suitable areas to accommodate projected population growth and development in an orderly and efficient land use pattern;
 - b) to ensure that adequate water supply and sewage disposal facilities are available to service present and future development within the “Val Côté Settlement Area”; and
 - c) to safeguard the economic well-being and future viability of the community as a whole, while maintaining the character of the Hamlet.
- ii) The objectives of the development policies for the “Hamlets” of Hallébourg and Jogues are:
 - a) to provide suitable areas to accommodate limited population growth and development;
 - b) to limit development to the existing capacities of public communal servicing systems; and
 - c) to safeguard the economic well-being and future viability of each community as a whole.
- iii) The objectives of the development policies for the “Hamlet” of Lac Ste. Thérèse are:
 - a) to generally restrict development to the replacement of existing buildings and structures; and
 - b) to ensure that existing development has sufficient water supply and sewage disposal facilities, provided and adequately maintained by individual owners.

6.2.3 GENERAL DEVELOPMENT POLICIES - HAMLET OF VAL CÔTÉ

6.2.3.1 Permitted Uses

- i) Where land is designated “Hamlet” on Schedule ‘B.2’ Land Use Plan - Township of Mattice-Val Côté (Devitt Section), to this Official Plan, the predominant use shall be for low density residential uses and retail and

service commercial uses, serving the Hamlet of Val Côté and surrounding rural areas. Complementary uses, such as churches, parks, and public buildings, shall also be permitted.

6.2.3.2 **Development and Redevelopment Within the Val Côté Settlement Area**

- i) Within the Hamlet of Val Côté, the “Val Côté Settlement Area” shall be defined as those lands having access to municipal sanitary sewage services and frontage on year-round maintained public roads, as shown on Schedule ‘C.1’ Settlement Area Plan – Val Côté, to this Plan.
- ii) Development and redevelopment shall be encouraged to locate within the “Val Côté Settlement Area”. Residential intensification may also be permitted where appropriate.
- iii) When reviewing applications for development or redevelopment in the “Val Côté Settlement Area”, Council shall give consideration:
 - a) to the accessibility and capacity of existing municipal services, and
 - b) to the potential impact of the proposed development on the existing community.
- iv) Mixed uses may be permitted on existing commercial and residential lands, provided those uses do not conflict with the nature and character of existing development within the immediate vicinity of the proposed uses. Before such development is approved, all land use compatibility concerns related to the close proximity of sensitive land uses and industrial activities shall be addressed and mitigated in accordance with Provincial guidelines.
 - a) On existing residential lands, new commercial and light industrial activities shall generally be limited to home-based businesses that are compatible with the surrounding neighbourhood.
 - b) On existing commercial lands, new residential development and industrial activities may be permitted, provided that those uses do not detract from the principal commercial use and character of the site.
- v) New development within the “Val Côté Settlement Area” shall only be approved if municipal sanitary sewer services are available, and the development shall be connected to those services.
- vi) Infilling and rounding out of existing development on partial services shall be permitted within the “Val Côté Settlement Area”. Any extension of such partial services beyond the designated “Val Côté Settlement Area”

boundaries shall not be approved.

6.2.3.3 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies contained in this Section and shall recognize existing development and make provisions for infilling. Any expansion to the Hamlet designation shall require an amendment to this Official Plan as well as its implementing Zoning By-law.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Commercial and industrial uses shall be included in separate zoning categories in the implementing Zoning By-law and shall comprise the following:
 - a) general commercial uses; and
 - b) industrial uses.
- iv) In addition, separate zoning categories shall be established for:
 - a) institutional or public uses;
 - b) parklands or open space;
 - c) hazard lands; and
 - d) rural uses.

6.2.4 **GENERAL DEVELOPMENT POLICIES - HAMLETS OF HALLÉBOURG AND JOGUES**

6.2.4.1 **Permitted Uses**

- i) Where land is designated “Hamlet” on Schedule ‘B.5’ Land Use Plan – Township of Kendall and ‘B.7’ Land Use Plan – Township of Way, to this Official Plan, the predominant use shall be for low density residential uses and some limited commercial uses, serving the day to day needs of the local residents in the Hamlets of Hallébourg and Jogues and immediate rural areas. Some complementary uses, such as a church, park and public buildings shall also be permitted in each Hamlet.

6.2.4.2 **Development and Redevelopment Within the Hamlet Serviced Area**

- i) Within the Hamlets of Hallébourg and Jogues, each “Hamlet Serviced

Area” shall be defined as those lands having frontage on public communal sanitary sewage services and on year-round maintained public roads, as shown respectively on Schedule ‘C.4’ Servicing Plan – Hallébourg and Schedule ‘C.5’ Servicing Plan – Jogues, to this Official Plan.

- ii) Development shall be encouraged to locate within the “Hamlet Serviced Area” and shall generally take place through infilling. Residential intensification of existing residential land uses shall generally not be permitted.
- iii) When reviewing applications for development or redevelopment in the “Hamlet Serviced Area”, the Planning Board shall give consideration:
 - a) to the accessibility and capacity of existing public communal services, and
 - b) to the potential impact of the proposed development on the established community.
- iv) Mixed uses within the “Hamlet Serviced Area” shall be permitted, provided those uses do not conflict with the nature and character of existing development within the immediate vicinity of the proposed use. Those uses shall generally be limited to home-based businesses that are compatible with the surrounding community.
- v) New development within the “Hamlet Serviced Area” shall only be approved if public communal sanitary sewer services are available, and the development shall be connected to such services. New development shall not exceed the carrying capacity of the existing public communal sewage disposal system.

6.2.4.3 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies contained in this Section and for adequate control, shall recognize existing development and make provisions for infilling.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Commercial and industrial uses shall be included in separate zoning categories in the implementing Zoning By-law and shall comprise the following:
 - a) local commercial uses; and
 - b) industrial uses.

- iv) In addition, separate zoning categories shall be established for:
 - a) institutional or public uses;
 - b) parklands or open space; and
 - c) hazard lands.

6.2.5 GENERAL DEVELOPMENT POLICIES - HAMLET OF LAC STE. THÉRÈSE

6.2.5.1 Permitted Uses

- i) Where land is designated “Hamlet” on Schedule ‘B.3’ Land Use Plan – Township of Casgrain, to this Official Plan, the predominant use shall be for low density residential uses and limited commercial uses, serving the day to day needs of the residents of the Hamlet of Lac Ste. Thérèse and adjacent rural and seasonal residential areas. Certain complementary uses, such as a church, park and public buildings may also be permitted.

6.2.5.2 Development and Redevelopment Within the Hamlet Built-up Area

- i) Within the Hamlet of Lac Ste. Thérèse, the “Hamlet Built-up Area” shall be defined as the existing developed lands having frontage on year-round maintained public roads, as shown on Schedule ‘D.5’ Roads Plan - Lac Ste. Thérèse, to this Plan.
- ii) Development within the existing “Hamlet Built-up Area” of Lac Ste. Thérèse shall be restricted to the replacement including adaptive reuse or redevelopment of existing buildings and structures only. Intensification of existing residential land uses shall not be permitted, unless communal sanitary sewer and/or water services become available.
- iii) When reviewing applications for redevelopment in the “Hamlet Built-up Area”, the Planning Board, in consultation with the appropriate authorities having jurisdiction, shall give consideration:
 - a) to the suitability of site conditions for the long-term provision of individual private on-site services for sewage disposal and potable water supply with no negative impacts, and
 - b) to the potential impact of the proposed development on the established community.
- iv) Mixed uses within the existing “Hamlet Built-up Area” shall be permitted, provided such uses do not conflict with the nature and character of

existing development within the immediate vicinity of the proposed use. Those uses shall generally be limited to home-based businesses that are compatible with the surrounding community.

- v) New development within the “Hamlet Built-up Area” of Lac Ste. Thérèse may be permitted on existing vacant lots of record, provided such lots are determined suitable for the installation of private wells and on-site sewage disposal systems.

6.2.5.3 General Principles for Development and Zoning

- i) The Zoning By-law shall implement the general policies contained in this Section for the Hamlet of Lac Ste. Thérèse and shall only recognize existing development.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Commercial uses shall be included in a separate zoning category restricted to local commercial uses.
- iv) In addition, separate zoning categories may also be established for:
 - a) institutional or public uses;
 - b) parklands or open space; and
 - c) hazard lands.

6.3 RURAL RESIDENTIAL DISTRICT

6.3.1 PRINCIPLES

- i) Within the Hearst Planning Area, existing housing clusters which have good access to a Provincial highway or direct access to a secondary road or a municipal public road, shall be designated as “Rural Residential District”.
- ii) The built-up and adjacent areas along the shoreline of Shallow Lake in the Township of Mattice-Val Côté shall be designated “Rural Residential District” on Schedules ‘B.1’ and ‘B.2’ Land Use Plans - Township of Mattice-Val Côté (Eilber and Devitt Sections), to this Official Plan, having development policies based on:
 - a) its status as a rural residential neighbourhood within the Township of Mattice-Val Côté;

- b) its close proximity to the Village of Mattice which has resulted in the gradual conversion of seasonal residential land uses to predominantly permanent residential land uses; and
 - c) existing water and sewage disposal services being provided by individual private on-site systems.
- iii) The built-up area of Coppell in the Township of Lowther shall be designated “Rural Residential District” on Schedule ‘B.6’ Land Use Plan – Township of Lowther, to this Official Plan, having development policies based on:
 - a) its location in a township without municipal organization; and
 - b) existing water and sewage disposal services being provided by individual private on-site systems.
- iv) The built-up areas along Highway No. 11 west of the Algoma Central Railway line, Lacroix Road, and along Cloutier Roads North and South in the Town of Hearst shall be designated “Rural Residential District” on Schedule ‘B.8’ – Land Use Plan – Town of Hearst, to this Official Plan, having development policies based on:
 - a) their status as rural residential neighbourhoods within the Town of Hearst; and
 - b) existing water and sewage disposal services being provided by individual private on-site systems.

6.3.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Rural Residential District” around Shallow Lake shall be:
 - a) to ensure that development does not exceed the lake capacity of Shallow Lake, as determined through the completion of a Lakeshore Capacity Assessment prepared in accordance with the *Lakeshore Capacity Assessment Handbook (2010)*, as amended from time to time;
 - b) to ensure that private on-site services are adequately separated from each other and from the shoreline and are maintained to protect ground water and lake resources;
 - c) to protect existing commercial development related to recreation and tourism; and

- d) to encourage the settlement area to be viewed as a neighbourhood for both permanent and seasonal residents.
- ii) The objectives of the development policies for the “Rural Residential District” of Coppel shall be:
 - a) to restrict development to the replacement of existing buildings and structures and/or to the minor expansions or extensions of existing buildings; and
 - b) to ensure that adequate water supply and private on-site sewage disposal facilities are provided and adequately maintained to service existing development.
- iii) The objectives of the development policies for the “Rural Residential District” along Highway No. 11 west of the ACR railway line, Cloutier Roads North and South, and Lacroix Road within the Town of Hearst shall be:
 - a) to generally limit new development to infilling;
 - b) to ensure that private on-site services are adequately separated and maintained to protect ground water resources; and
 - c) to strengthen the image of the neighbourhood as an integral part of the Town of Hearst.

6.3.3 GENERAL DEVELOPMENT POLICIES - SHALLOW LAKE AREA

6.3.3.1 Permitted Uses

- i) Where land is designated “Rural Residential District” on Schedules ‘B.1’ and ‘B.2’ Land Use Plans - Township of Mattice-Val Côté (Eilber and Devitt Sections), to this Official Plan, the predominant use shall be for low density permanent and seasonal residential uses and complementary commercial and public uses related to recreation and tourism.

6.3.3.2 Development and Redevelopment Within the Rural Residential Built-up Area

- i) Along the shoreline of Shallow Lake, the “Rural Residential Built-up Area” shall be defined as those developed and vacant lands having frontage on year-round maintained public roads, and which are reliant upon individual private on-site servicing, as shown on Schedule ‘D.3’ Roads Plan – Shallow Lake, to this Plan.

- ii) Development shall generally take place by minor expansions or extensions to existing buildings and structures or redevelopment on existing lots. Major expansions or additions for existing buildings may be permitted provided the zoning requirements with respect to lot coverage are not exceeded.
- iii) Development may take place as infilling on existing vacant lots within the “Rural Residential Built-up Area”, subject to the satisfactory location and installation of private on-site sewage disposal systems in compliance with Provincial regulations.
- iv) Approvals for development, redevelopment and residential intensification within 300 metres (984 feet) of Shallow Lake shall only be given where it is confirmed through a Lakeshore Capacity Assessment that there is sufficient capacity available to accommodate the proposed development or redevelopment.
- v) Intensification of existing permanent or seasonal residential uses shall not be permitted.
- vi) Consents may only be given for lot additions within the “Rural Residential Built-up Area”. No consent shall be given which has the effect of reducing the frontage or lot area of another existing developed lot below the minimum standards established in the implementing Zoning By-law and the land required for private on-site sewage disposal and water systems.

6.3.3.3 **General Principles for Development and Zoning**

- i) The Zoning By-law of the Township of Mattice-Val Côté shall implement the general policies contained in this Section and shall recognize existing development in Shallow Lake and shall make provision for infilling where possible.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Mobile home parks for permanent residential occupancies shall not be permitted. However trailer parks for seasonal residential uses and/or recreation and tourism related uses shall be permitted and shall be recognized in a separate zoning category in the implementing Zoning By-law.
- iv) Local commercial uses may be recognized in a separate commercial zone in the Township's implementing Zoning By-law.

- v) Limited commercial uses may also be permitted as home-based businesses in accordance with the policies set out in Section 5 of this Official Plan, provided those uses are not of an industrial nature.
- vi) Commercial uses related to tourism and recreation may be recognized in separate zoning categories in the implementing Zoning By-law.
- vii) New industrial and institutional uses shall not be permitted within the Shallow Lake “Rural Residential District”.

6.3.4 **GENERAL DEVELOPMENT POLICIES - COPPELL**

6.3.4.1 **Permitted Uses**

- i) Where land is designated “Rural Residential District” on Schedule ‘B.6’ Land Use Plan – Township of Lowther, to this Official Plan, the predominant use shall be for low density residential uses existing on January 1, 1980 and complementary commercial uses, serving the daily needs of local residents and the surrounding rural area.

6.3.4.2 **Development and Redevelopment Within the Rural Residential Built-up Area**

- i) The “Rural Residential Built-up Area” of Coppel shall be defined as the existing developed lands having frontage on year-round maintained public roads, as shown on Schedule ‘D.9’ Roads Plan – Coppel, to this Plan.
- ii) Development shall be restricted to minor expansions or extensions to existing buildings and structures or the replacement of existing buildings and structures.
- iii) When reviewing applications for redevelopment in the “Rural Residential Built-up Area”, the Planning Board shall give consideration to the suitability of the site for individual private on-site services for sewage disposal and potable water.
- iv) Intensification of existing residential uses shall not be permitted.
- v) Consents shall only be given for lot additions. No consent shall be given which has the effect of reducing the frontage or lot area of an existing developed lot within the “Rural Residential Built-up Area”.
- vi) Existing lots within the subdivision plans M-131 Cochrane and M-132 Cochrane do not have sufficient lot areas and dimensions for the proper location and installation of private on-site sewage disposal systems and wells. The absence of communal sewage disposal and water systems within this unincorporated community renders both plans deficient, and

pursuant to the *Planning Act*, the Planning Board shall endeavour to have these plans deemed not to be registered plans of subdivision within the meaning of the *Act*.

- vii) Mixed uses within the “Rural Residential Built-up Area” shall be permitted, provided such uses do not conflict with the nature and character of existing development adjacent to the proposed mixed use. Such uses shall generally be limited to home-based businesses.

6.3.4.3 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies contained in this Section and shall only recognize existing development.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Limited local commercial uses may be recognized in a separate commercial zone in the implementing Zoning By-law.

6.3.5 **GENERAL DEVELOPMENT POLICIES - HIGHWAY NO. 11 WEST, CLOUTIER ROAD NORTH AND CLOUTIER ROAD SOUTH, AND LACROIX ROAD (HEARST AREA)**

6.3.5.1 **Permitted Uses**

- i) Where land is designated “Rural Residential District” on Schedule ‘B.8’ Land Use Plan – Town of Hearst, to this Official Plan, the predominant use shall be for low density residential uses existing on January 1, 1989 and complementary commercial uses.

6.3.5.2 **Development and Redevelopment Within the Rural Residential Built-up Area**

- i) The “Rural Residential Built-up Area” within the vicinity of Highway No. 11 West, North and South Cloutier Roads, and Lacroix Road shall be defined as those developed lands having frontage on year-round maintained public roads and reliance upon individual private on-site servicing, as shown on Schedule ‘B.8’ Land Use Plan – Town of Hearst, to this Plan.
- ii) Development shall generally be limited to minor expansions or extensions to existing buildings and structures or redevelopment.
- iii) Intensification of existing residential uses shall generally not be permitted.
- iv) Consents may only be given for lot additions. No consent shall be given which has the effect of reducing the essential frontage or lot area of an

existing developed lot within the “Rural Residential Built-up Area”.

6.3.5.3 General Principles for Development and Zoning

- i) The Zoning By-law of the Town of Hearst shall implement the general policies contained in this Section and shall recognize existing development and make provisions for infilling where possible.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law.
- iii) Existing local commercial uses may be recognized in a separate commercial zone in the Town's implementing Zoning By-law.
- iv) New institutional uses shall not be encouraged to locate within the “Rural Residential District”. Existing uses may however be recognized in a separate institutional zone in the implementing Zoning By-law.
- v) New industrial uses may only be considered if:
 - a) the use is a home-based businesses associated with rural residential land uses;
 - b) the use will not have adverse effects from noise, smoke, odours, vibrations, dust and fumes on adjacent lands;
 - c) the use will be located on a lot having sufficient size to ensure that adequate water supply and sewage disposal facilities can be provided and that existing services can be maintained; and
 - e) the new use is a permitted use in the implementing Zoning By-law or an amendment to the Zoning By-law is approved.
 - f) separation distances shall apply to ensure land use compatibility with adjacent land uses in accordance with the Ministry of the Environment and Climate Change’s D-Series Guidelines.

6.4 SEASONAL RESIDENTIAL DISTRICT

6.4.1 PRINCIPLES

- i) Existing seasonal residential development and commercial development related to recreation and tourism within the Hearst Planning Area shall be designated “Seasonal Residential District” on the Schedule “B” Land Use Plans of this Official Plan.

- ii) The built-up areas along the lakefronts and islands of Lac Ste. Thérèse, Hanlan Lake, Wolverine Lake, Pivabiska Lake and Coppell Lake shall be designated “Seasonal Residential Districts” on Schedules ‘B.3’ Land Use Plan – Township of Casgrain, ‘B.4’ Land Use Plan – Township of Hanlan and ‘B.6’ Land Use Plan – Township of Lowther respectively, having development policies based on:
 - a) access for the most part being limited to the months without snow;
 - b) absence of many public services, such as school bussing, fire protection, etc.;
 - c) water services provided by individual on-site systems; and
 - d) sewage disposal services provided by individual private on-site systems.
- iii) The lands designated “Seasonal Residential District” are recognized both as areas of important natural heritage and significant opportunities for economic growth. Development policies shall therefore be aimed at achieving a balance between the preservation of the natural environment and the encouragement of economic development. At no time however, shall policies be established which favour economic growth to the detriment of natural heritage features and areas or the environmental carrying capacity of the aforementioned lakes.

6.4.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the “Seasonal Residential District” designation shall be:
 - a) to preserve the quality of the environment, including wildlife and fish habitats and environmental lake capacity, for the benefit of existing and future generations;
 - b) to identify areas having habitats for endangered and threatened species, significant wetlands, significant fish and wildlife habitats and areas of natural and scientific interest in consultation with the Province, and to recognize those areas on Schedule ‘B’ – Land Use Plans to this Official Plan;
 - c) to ensure that development is only permitted where it will not harmfully alter, disrupt or destroy fish habitat and will not have a negative impact on significant wildlife habitat;
 - d) to ensure that development will not adversely affect any natural

features and/or ecological functions that are particular to an area and which have been identified as significant;

- e) to ensure that private on-site services are adequately separated from each other and from the shoreline and maintained to protect ground water resources and surface water quality;
- f) to limit conversions of seasonal dwelling units to permanent residential to appropriate locations within the Hearst Planning Area, where year-round services are available and where lots are of sufficient size in accordance with the Ministry of the Environment and Climate Change's D-Series Guidelines to accommodate year-round use of individual private on-site water and sewage disposal facilities with no negative impacts; and
- g) to ensure that sufficient areas of undeveloped lake frontage and river shorelines are retained for public use and enjoyment.

6.4.3 GENERAL DEVELOPMENT POLICIES

6.4.3.1 Permitted Uses

- i) Where land is designated "Seasonal Residential District" on Land Use Plan Schedules 'B.3' - Township of Casgrain, 'B.4' - Township of Hanlan and 'B.6' - Township of Lowther, to this Official Plan, the predominant uses shall be for seasonal residential accommodations and commercial and public uses related to recreation and tourism.

6.4.3.2 Development and Redevelopment Within the Seasonal Residential Built-up Area

- i) Within the "Seasonal Residential District" designation, the "Seasonal Residential Built-up Area" shall be defined as those lands containing existing seasonal residential, recreational and tourism uses, as well as existing vacant lots within approved plans of subdivision or lots that may be conveyed or have been given consent pursuant to the *Planning Act*.
- ii) Development shall generally be limited to minor expansions or extensions to existing buildings and structures, redevelopment or to infilling on existing vacant lots.
- iii) Intensification of existing seasonal residential uses shall not be permitted. However one (1) guest cabin ancillary to an existing seasonal dwelling unit may be erected or installed on a property, provided that:

- a) the existing lot is of sufficient size to enable the proper siting of the ancillary building; and
 - b) existing on-site services will have sufficient capacity to accommodate additional occupants.
- iv) The conversion of seasonal dwelling units to permanent residential occupancies shall only be permitted where:
 - a) the lot is of sufficient area to meet the requirements of the Province for year-round private on-site sanitary sewage disposal and water supply;
 - b) the existing private on-site sewage disposal system is examined and determined to be functioning properly or such system is repaired and/or replaced to the satisfaction of the Health Unit;
 - c) the lot is located on and/or has access to an existing year-round maintained public road;
 - d) the conversion to a permanent residential use will not necessitate the undue expansion of services such as school bussing, snow removal, etc.;
 - e) the conversion to a permanent residential use is approved by the Council or the Planning Board having jurisdiction; and
 - f) it has been determined through the completion of a Lakeshore Capacity Assessment that there is remaining lake capacity available to support the conversion to a permanent residential use.
- v) Consents shall generally be limited to lot additions for existing lands within the built-up area. No consent shall be given which has the effect of reducing the lot frontage or area of an adjacent existing developed lot below the minimum dimensions and/or area required for locating and installing private on-site sewage disposal and water systems.
- vi) The creation of new seasonal residential lots within the built-up areas of the designated "Seasonal Residential Districts" at Lac Ste. Thérèse and Coppel Lake shall not be permitted, except that small ancillary lots may be created adjacent to or across from existing seasonal residential properties to serve only the domestic storage needs of the associated seasonal residence.
- vii) Shoreline reserves may be transferred under the following conditions:

- a) shoreline reserve transfers shall be for lot addition purposes for abutting lands, with a parcel consolidation taking place as soon as is practicable following the transfer of such reserve;
 - b) the length of shoreline reserve to be transferred shall not exceed the existing length of lake frontage of its abutting lot;
 - c) where abutting lots are acutely pie-shaped or are located on promontories, the end boundaries of the reserves to be transferred shall be determined by establishing lot lines for such reserve at right angles to the front lot line of the abutting land having the least lake frontage, commencing from the points of intersection of the side and front lot lines of said abutting land and extending across the reserve to the normal water's edge; and
 - d) development on privately owned shoreline reserves shall generally be restricted to docks, boat houses and other ancillary buildings and structures related to the principal seasonal residential use.
- viii) Public agencies responsible for the provision of public services shall not be held responsible for the provision of such services to seasonal residential development during the months with snow cover.
- ix) School board authorities shall be supported in their endeavours to reduce and consolidate school bus routes and costs.

6.4.3.3 Development of New Seasonal Residential Districts

- i) The establishment of a new "Seasonal Residential District" shall require an amendment to the appropriate Schedule 'B' Land Use Plan to this Official Plan.
- ii) Development of new "Seasonal Residential Districts" shall take place by registered plans of subdivision, designed in accordance with current planning principles and standards.
- iii) New "Seasonal Residential Districts" shall not be approved for Lac Ste. Thérèse or Coppel Lake.
- iv) In considering plans of subdivision, Council and the Planning Board shall ensure that:
 - a) adequate provision has been made to maintain public access to the shoreline where appropriate, as it is an objective of this Plan to retain sufficient areas of unoccupied shoreline open for public use,

- as well as use by seasonal residents who do not have road access;
- b) development shall only be permitted where it will not have an adverse effect, or alter, disrupt or destroy fish habitat and significant wildlife habitat or significant natural heritage features or significant ecological functions of the proposed site;
 - g) lot sizes shall be sufficient to provide for the proper location of private on-site sewage disposal systems, and to ensure that the private sewage disposal systems within the proposed development are adequately separated to protect the quality of ground and surface waters;
 - d) it is demonstrated through the completion of a Lakeshore Capacity Assessment that there is sufficient environmental lake capacity to support the proposed development;
 - e) government expenditures are not required for the establishment and construction of any new internal or external access roads; and
 - h) all agencies having jurisdiction have been consulted during the subdivision application review process.
- v) Official Plan amendments and other planning approvals to facilitate development of new seasonal residential districts on lakes in the planning area shall only be supported where it has been demonstrated, through the completion of a lakeshore capacity assessment in accordance with the *Lakeshore Capacity Assessment Handbook*, that there is sufficient environmental lake capacity to support the proposed development. Where the boundaries and area of the watershed for a lake cannot be clearly identified, Crown Land may be developed for new “Seasonal Residential Districts”, provided the proposed development shall satisfy the requirements of all approval agencies.
- vi) As a condition of the approval of a plan of subdivision for seasonal residential development, the proponent may be required to enter into an agreement with Council or the Planning Board with respect to the provision of certain works, services and facilities as may be deemed advisable, and the agreement may address but not necessarily be limited to the following matters:
- a) internal roads, including construction, maintenance and maintenance agreements;
 - b) external public roads providing access to the development area, including the upgrading of such roads to accommodate increased

- traffic volumes generated by the development;
 - c) utilities such as electricity, including the installation of utility lines;
 - d) shoreline reserves, including the use and disposition;
 - e) preservation of existing trees and other natural vegetation;
 - f) lot grading and landscaping;
 - g) drainage; and
 - h) public access points and facilities.
- vii) Public agencies that may be responsible for the provision of public services shall not be held responsible or liable for the provision of those services to seasonal residential development at any time during the year.
- viii) Development may be permitted on private roads, provided that :
 - a) The development does not necessitate the expansion of existing public services;
 - b) agreements with respect to use, liability indemnification, access and up-keep of such private roads are properly registered on the related land titles;
 - c) neither the Council nor the Province shall be obligated to assume such roads for the purpose of maintenance and/or repair at some later date.
 - d) The road is built to a standard that provides for year-round access by emergency vehicles;
 - e) Legal right-of-way is established and registered and that obligations run with the land and are binding on future owners;
 - f) The holding of financial securities may be secured by the municipality or public body having authority to ensure maintenance is undertaken; and
 - g) Long term financial implications to the municipality or responsible authority must be considered.
- ix) Assumptions of private roads may take place by authorities having jurisdiction, provided:

- a) the private road is laid out and surveyed in accordance with municipal and/or Ministry of Transportation standards;
 - b) the private road is constructed to a standard acceptable to the municipality and/or the Ministry of Transportation and the Local Roads Board;
 - c) the long term costs for maintenance and repair of such roads have been evaluated and determined to be acceptable by the local authority having jurisdiction; and
 - d) the proponents bear all costs associated with the surveying and constructing such roads to the standards required by the authority having jurisdiction.
- x) Development shall not be serviced by communal water and/or sewage disposal systems.
 - xi) New seasonal residential building lots shall be designed to standards required for permanent residential occupancies, with minimum frontages of 45 metres (147.6 feet) and minimum lot areas of 1 hectare (2.47 acres).

6.4.3.4 **General Principles for Development and Zoning**

- i) Zoning By-laws shall implement the general policies contained in this Section. For adequate control, Zoning By-laws shall only recognize existing development and make provisions for infilling on existing vacant lots within plans of subdivision and registered plans where possible.
- ii) New development for local commercial and other commercial purposes related to recreation and tourism, shall only be permitted by amendment to the implementing Zoning By-law.
- iii) Seasonal residential uses shall be included in a separate zoning category in the implementing Zoning By-law.
- iv) Conversions of seasonal residential uses to permanent residential occupancies shall only be permitted by amendment to the implementing Zoning By-law.
- v) Local commercial uses serving the day to day needs of seasonal residents and tourists and other commercial uses related to recreation and tourism shall be recognized in a separate commercial zone in the implementing Zoning By-law.
- vi) New institutional uses shall not be permitted within the "Seasonal

Residential District” designation. However existing uses may be recognized in a separate institutional zone in the implementing Zoning By-law.

- vi) Industrial uses shall not be permitted within the “Seasonal Residential District” designation.
- viii) Industrial and commercial uses which are home-based businesses shall not be permitted within the “Seasonal Residential District” designation.
- ix) For development on or adjacent to shorelines, the implementing Zoning By-law shall contain adequate provisions for setbacks from the normal water’s edge.
- x) The implementing Zoning By-law shall also contain adequate provisions for on-site parking and buffering of local commercial and other permitted commercial uses.
- xi) Within the “Seasonal Residential District” designation of municipalities, all recreation and tourism related commercial uses shall be subject to Site Plan Control. Plans for development and associated agreements shall be approved and executed in accordance with the policies set out in Section 7 of this Official Plan.

6.5 URBAN RESIDENTIAL DISTRICT

6.5.1 PRINCIPLES

- i) The Town of Hearst shall be recognized as the principal residential area of the Planning Area.
- ii) The policies detailed in this Section apply to urban residential development within the Town of Hearst. Policies relating to urban residential development in the Village of Mattice shall be set out in the Mattice Secondary Plan contained in Part A of this Official Plan.
- iii) Council may establish Secondary Plans as deemed advisable for residential neighbourhoods within the Town of Hearst that are the subject of major development or redevelopment proposals. It is not the intent however for all neighbourhoods within the Town of Hearst to have a Secondary Plan.

6.5.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Urban Residential District” shall be:

- a) to provide suitable areas for a mixture of residential uses to accommodate projected growth over the next twenty (20) years to 2036;
- b) to provide for an orderly and compact urban land use pattern;
- c) to provide and maintain necessary public infrastructure and facilities;
- d) to minimize costly extensions of municipal services;
- e) to encourage infilling of vacant building lots in the existing built-up serviced areas of residential neighbourhoods;
- f) to provide opportunities for residential intensification where appropriate; and
- g) to identify and implement other means of encouraging affordable housing where feasible.

6.5.3 GENERAL DEVELOPMENT POLICIES

6.5.3.1 **Permitted Uses**

- i) Where land is designated “Urban Residential District” on Schedule ‘B.8’ Land Use – Town of Hearst, to this Official Plan, the predominant uses shall be for a variety of permanent dwelling types, as well as ancillary uses which complement the predominant residential land uses within neighbourhoods. Examples of ancillary uses are schools, churches, public buildings and other institutional uses, parks and commercial uses serving the day to day needs of the surrounding residents. For the most part, ancillary uses shall be primarily oriented to serving the local residents.

6.5.3.2 **Development and Redevelopment Within the Hearst Settlement Area**

- i) Within the “Hearst Settlement Area” as shown on Schedule ‘C.3’ Settlement Area Plan – Town of Hearst, the “Urban Residential District” shall be defined as:
 - a) those lands having immediate access to municipal water and sanitary sewage services and frontage on year-round maintained public roads; and
 - b) those lands adjacent to built-up residential areas, where municipal

services can be extended in a reasonable and logical progression to permit new residential development.

- iii) In order that a variety of types of residential units be available to accommodate the housing needs of the community, the following residential development densities shall be permitted on lands designated “Urban Residential District”:
 - a) low density development, including single detached, semi-detached and duplex dwelling units up to a maximum of 20 units per hectare (8 units per acre);
 - b) medium density development, including triplexes, double duplexes, row housing, and low profile apartment buildings of two storeys or less in height containing eight (8) or fewer dwelling units, up to a maximum density of 51 units per hectare (21 units per acre); and
 - c) high density development of apartment buildings of not more than three storeys in height and/or containing more than eight (8) dwelling units, up to a maximum density of 59 units per hectare (24 units per acre), excluding areas required for road allowances, parkland and open space.
- iii) Intensification of residential uses shall be permitted through the provision of second dwelling units within existing and proposed single detached dwellings, semi-detached dwellings and row houses, and in ancillary residential buildings where there is no second dwelling unit in the principal building on the residential property, provided that:
 - a) the existing lot is of sufficient size to accommodate one (1) additional parking space on site for the second unit;
 - b) the intensification is limited to one (1) second unit per existing single detached dwelling, semi-detached dwelling or row house; and
 - c) the proposed second unit will comply with the provisions of the implementing Zoning By-law and building and fire safety regulations.
- iv) Intensification of existing residential uses may also be permitted by the installation of a garden suite on an existing residential lot already occupied by a single detached dwelling unit, provided that:
 - a) the existing lot is of sufficient size to accommodate the garden suite in a rear or side yard area;

- b) municipal services are available and adequate to handle the additional unit;
 - c) the placement of the proposed garden suite in relation to the existing residence will not detract from the visual impact of the existing or adjacent properties;
 - d) the garden suite is portable and can be readily removed from the site;
 - e) no additional access is provided to the lot from public roads;
 - f) the quality and appearance of the garden suite is in keeping with the nature and character of the surrounding neighbourhood;
 - g) the occupants of the garden suite are reliant upon the resident property owner for assistance in maintaining an independent lifestyle; and
 - h) the installation is for a temporary period of time not exceeding up to twenty (20) years in duration, although Council may approve subsequent renewals of the installation period for three year increments.
- v) No mobile homes shall be permitted within the “Urban Residential District” designation, unless such homes are located in mobile home parks which are developed and operated for permanent year-round residential occupancy. Council shall give consideration to the following matters in reviewing proposals for new mobile home parks or extensions to existing parks:
- a) the availability and adequacy of municipal and private services, including utilities, roads and parkland facilities;
 - b) the character of the proposed development in relation to the density and character of adjacent properties;
 - c) the promotion of amenities that are typical of urban residential neighbourhoods through the arrangement of the proposed development, lot sizes, off-street parking requirements, landscaping and buffering standards;
 - d) development should not exceed maximum densities of 20 units per hectare (8 units per acre), exclusive of road allowances, parkland and open space areas;

- e) a minimum area of not less than 5% of the total area of the mobile home park shall be designated for parkland purposes;
 - f) a minimum area of 1.6 hectares (4 acres) shall be required for the development of new mobile home parks; and
 - g) development shall be encouraged to conform to municipal semi-urban standards to permit the eventual assumption of services by the Town where feasible. New lots within mobile home parks should therefore conform to Municipal policies and requirements for residential consents so that such lots may eventually be conveyed pursuant to the *Planning Act*.
- vi) Local neighbourhood park facilities shall be provided to serve both existing and future residential developments. In keeping with this policy, the Council shall continue to:
- a) require a 5% parkland dedication or cash in lieu thereof for parkland purposes for all residential lots created by consent or plan of subdivision; and
 - b) monitor on an ongoing basis, the requirements for additional parklands, the type of parkland facilities best suited to meet the needs of the surrounding neighbourhood as well as the community as a whole, and current and future park maintenance requirements.
- vii) Where medium or high density residential development is not preceded by a plan of subdivision or is part of a redevelopment project, the Municipality may adopt by-laws pursuant to the *Planning Act* to calculate requirements for parkland conveyance. The general intent of this Official Plan is to provide a balanced park system, catering to a wide range of uses and user age groups. Alternately, the Municipality may require a payment of cash in lieu of such conveyance for park or other recreational purposes.
- viii) Consents may be given for new residential lots and for lot additions. No consent shall be given which has the effect of reducing the essential frontage or lot area of an existing developed lot within the "Urban Residential District".
- ix) Local commercial uses serving the day to day needs of the residential neighbourhood shall be permitted, subject to:
- a) compatibility with adjacent development;
 - b) appropriateness of the location in serving the neighbourhood while minimizing the problems of traffic generation; and

- c) adequacy of off-street parking, loading facilities and buffering from adjacent residential development.
- x) Existing commercial and industrial uses within the “Urban Residential District” designation shall be permitted. However over the long term, Council shall endeavour to encourage such uses to relocate to more appropriate areas. Existing uses that are incompatible with residential uses shall be considered “non-conforming” and shall be subject to the policies set out in Section 4 of this Official Plan.
- xi) New industrial uses shall not be permitted within the “Urban Residential District” designation.
- xii) Ancillary public and institutional uses shall be permitted where the general character and amenities of the adjoining residential area can be preserved through the provision of adequate buffering or landscaping, off-street parking and proper vehicle access.
- xiii) Group homes shall be permitted on lands designated as Urban Residential District as of right, subject only to applicable requirements of the Province.

6.5.3.3 **General Principles for Development and Zoning**

- i) The Zoning By-law of the Town of Hearst shall implement the general policies contained in this Section. For adequate control, the Zoning By-law shall recognize existing development, establish provisions for infilling on existing vacant lots in plans of subdivision and registered plans, and make provisions for future development on lands adjacent to built-up residential areas that are targetted for residential growth within the designated “Hearst Settlement Area”.
- ii) Residential uses shall be included in separate zoning categories in the implementing Zoning By-law, with separate zones to be established as follows:
 - a) low density development of single detached dwelling units;
 - b) low density development such as semi-detached dwellings and duplexes;
 - c) medium density development of three or four units within a building;
 - d) medium density development consisting of attached units in the form of row housing;

- e) medium density development having eight or fewer units in a building of two storeys or less in height; and
 - f) high density development of more than eight units in a building having height of not more than three storeys.
- iii) For medium density development consisting of row housing or more than four dwelling units and high density development, the Zoning By-law shall only reflect existing multiple unit residential development. New development shall require amendments to the Zoning By-law. In reviewing those amendment applications, Council shall give consideration to the following matters:
- a) the density and character of adjacent development;
 - b) the adequacy of existing municipal services, including water, sanitary sewers and parkland facilities, to serve the proposed development;
 - c) the ability of the local street network to accommodate increased traffic that may result from the development;
 - d) the adequacy of proposed on-site parking facilities;
 - e) the adequacy of proposed landscaping and buffering for the development;
 - f) the sufficiency of garbage collection facilities; and
 - g) the need for private outdoor yard areas integrated with individual dwelling units.
- iv) Medium density development comprised of more than four dwelling units and high density development should locate in close proximity to collector or arterial roads, public parkland or open spaces, neighbourhood or community shopping facilities, and within reasonable walking distance of schools.
- v) Medium density residential development of more than four units and high density residential development shall be subject to Site Plan Control.
- vi) Only existing mobile home parks shall be recognized in a separate zoning category in the implementing Zoning By-law, and:
- a) provisions shall be set out in the By-law for building setbacks, lot coverage of accessory buildings and structures, on-site parking, landscaping and buffering, and private parkland or recreational

facilities; and

- b) any expansion or redevelopment of existing mobile home parks shall be subject to Site Plan Control. In considering applications for expansion or redevelopment, Council shall consider the policies in Section 6.5.3.2 (v) of this Plan.
- vii) New mobile home parks may only be developed by amendments to the implementing Zoning By-law and shall be subject to Site Plan Control and Council's consideration of the matters listed in Section 6.5.3.2 (v) hereto.
- viii) Intensification by the installation of garden suites on existing residential properties shall require amendments to the Zoning By-law, which shall be in the form of temporary zoning by-laws pursuant to Section 7 of this Official Plan and shall be further subject to:
 - a) effective periods of time of up to twenty (20) years in duration, although such by-laws may be subsequently renewed by the Council; and
 - b) Site Plan Control and the registration of agreements with respect to occupancy and other matters against the land titles.
- ix) Local commercial uses shall be identified in a separate commercial zone in the implementing Zoning By-law.
- x) Subject to compatibility with surrounding residential development, existing commercial and industrial uses may be recognized by specific exceptions in the Zoning By-law, which shall place those uses in an appropriate zoning category.
- xi) Limited commercial uses may also be permitted within dwelling units as home-based businesses in accordance with the policies set out in Section 5 of this Official Plan. Certain uses may require amendments in the form of temporary zoning by-laws in accordance with the policies in Section 7 of this Official Plan.
- xii) Industrial uses as home-based businesses shall not be permitted in residential zones. Uses requiring outdoor storage or the outdoor display of materials and/or products shall also not be permitted in residential zones.
- xiii) Existing ancillary public and institutional uses shall be placed in separate zoning categories. Existing uses shall be encouraged to blend in with adjacent residential development through the use of landscaping, fences and façade improvements.

- xiv) New ancillary institutional uses shall require amendments to the implementing Zoning By-law. In reviewing those proposals the Council shall consider:
 - a) the nature and character of properties surrounding the proposed development site;
 - b) the compatibility of the proposed use in relation to the existing neighbourhood;
 - c) the ability of the local street network to accommodate increased volumes of traffic that may result from the proposed institutional development;
 - d) the adequacy of proposed on-site parking facilities;
 - e) the adequacy of proposed landscaping and buffering for the development; and
 - f) the visual impact of the proposed development on adjacent properties and the surrounding neighbourhood.
- xv) New public uses within the “Urban Residential District” designation shall not require amendments to the implementing Zoning By-law, but in all cases, consideration shall be given to those matters identified in clause 6.5.3.4(xiv) and to the mitigation of any potential adverse effects.
- xvi) Parklands shall be recognized in a separate zoning category in the implementing Zoning By-law.

6.6 INSTITUTIONAL DISTRICT

6.6.1 PRINCIPLES

- i) The Town of Hearst shall be a regional centre for education and health services.
- ii) The provision of community services, including health, protection, educational, cultural, recreational and social services, on an equitable basis to residents regardless of their abilities, ages, incomes and cultures is fundamental to promoting and sustaining a healthy community.
- iii) The Town of Hearst shall function as the principal community service centre for the Hearst Planning Area. All efforts shall be made to maintain and enhance existing services for the benefit of residents in the Planning

Area, and to take advantage of opportunities for introducing new services in response to the needs of residents within the catchment area.

- iv) The Village of Mattice shall serve as both a primary and ancillary community service centre for its residents.
- v) Institutional and public facilities serving the daily needs of local residents may be located within Hamlets. However services and facilities shall generally be limited to those already in existence.

6.6.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the "Institutional District" shall be:
 - a) to designate suitable lands for public and institutional land uses to ensure that the needs of residents within the Hearst Planning Area are adequately and equitably served;
 - b) to protect existing public and institutional lands from encroachment by uses that are not in the best interests of the community at large;
 - c) to ensure that necessary public infrastructure for these facilities is available and maintained; and
 - d) to establish guidelines and requirements for the development of new institutional and public uses and the expansion or redevelopment of existing uses.

6.6.3 **GENERAL DEVELOPMENT POLICIES**

6.6.3.1 **Permitted Uses**

- i) Where land is designated "Institutional District" on Schedule 'B.8' Land Use Plan – Town of Hearst and on Schedule 'B.9' Land Use Plan – Village of Mattice, to this Official Plan, the predominant use shall be for major public and institutional land uses. Uses permitted shall include hospitals, clinics, long-term care facilities, supportive housing, universities, colleges, schools, places of worship, cemeteries, governmental facilities, civic facilities, community centres, and institutions. Ancillary uses such as offices, personal service shops, retail outlets, etc. may also be permitted.

6.6.3.2 **Development and Redevelopment Within Institutional Districts**

- i) In reviewing a proposal for a public facility or institutional use, Council shall consider:

- a) its location with respect to collector or arterial roads;
 - b) the availability and adequacy of municipal services to accommodate the proposed development;
 - c) the adequacy of off-street parking provisions, including entrances and exits for the site, to ensure proper and safe traffic flow; and
 - d) buffering and landscaping provisions to protect adjacent built-up residential areas.
- ii) Development of non-institutional uses within the designated “Institutional District” may be permitted by site-specific amendments to the Zoning By-law. In considering a request for an amendment, the Council shall be satisfied that:
- a) the proposed development will not adversely affect adjacent established institutional land uses and facilities;
 - b) the character of the proposed development is in keeping with the scale and character of adjacent land uses;
 - c) the proposed development will not increase the volume of traffic and/or alter the nature of traffic which is normally experienced within an institutional area;
 - d) the proposed development will not pose a safety hazard for public uses; and
 - e) alternate sites for the proposed development have been examined and eliminated for sound reasons, or the proposed development represents good reuse of an institutional facility that has been deemed surplus.
- iii) No development shall be permitted on a known or suspected cemetery or burial site. Where development on lands adjacent to a known or suspected cemetery or burial site may adversely impact such cemetery or burial site, an archaeological assessment shall be carried out by a licensed consultant archaeologist. The provisions of the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply in all cases.

6.6.3.3 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies set out in this Section of the Official Plan.

- ii) The implementing Zoning By-law shall establish permitted uses, including ancillary uses, and contain adequate setbacks to promote public safety and accessibility and adequate on-site parking standards to reduce traffic hazards and parking inconveniences.
- iii) An amendment to this Plan shall not be required for small-scale institutional development located outside of the “Institutional District” designation. That development shall require a site-specific amendment to the implementing Zoning By-law.
- iv) An amendment to this Official Plan shall not be required for non-institutional development or redevelopment within the “Institutional District” designation, but such development shall be subject to site-specific amendments to the implementing Zoning By-law.
- v) New institutional uses and the expansion or redevelopment of existing institutional facilities shall be subject to Site Plan Control.

6.7 DOWNTOWN AND MAIN STREET DISTRICT

6.7.1 PRINCIPLES

- i) The Town of Hearst shall be the principal centre of commerce and business within the Hearst Planning Area.
- ii) The broad range of commercial, business and employment activities in the Town of Hearst shall be essential to the economic vitality of the Hearst Planning Area.
- iii) The upgrading and beautification of Hearst’s Downtown and Front Street Corridor shall continue, enhancing the appearance and image of the community as a place that compels the travelling public and business visitors to “stop and shop”.
- iv) The Village of Mattice shall serve as a secondary commercial centre for the Hearst Planning Area and a niche tourist market destination.
- v) Commercial activities within Hamlets shall generally be limited to those serving the day to day needs of local residents.

6.7.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Downtown and Main Street District” shall be:

- a) to designate suitable and sufficient lands for a range of retail, tourist, entertainment, restaurant, service and office commercial and business land uses;
- b) to protect and promote Hearst's Downtown and Front Street Corridor as the primary focus for commercial activity within the Hearst Planning Area;
- c) to encourage the upgrading and beautification of building façades and streetscapes in Hearst's Downtown and Front Street Corridor;
- d) to encourage infill development and/or redevelopment of vacant or underutilized lots and/or buildings in Hearst's Downtown and Front Street Corridor;
- e) to encourage the redevelopment of 'brownfield' sites in the Front Street Corridor;
- f) to encourage incompatible industrial uses to relocate outside of the Front Street Corridor to other suitable locations along the Highway 11 Corridor;
- g) to recognize the transitional nature of residential land uses located within the fringe area adjacent to Hearst's Downtown and reduce the number of non-conforming property uses to relieve property owners from undue hardship;
- h) to encourage the upgrading and beautification of building façades and streetscapes in Mattice's Downtown and King Street Corridor;
- i) to promote Mattice's Downtown and King Street Corridor as a focus for tourist oriented commercial activity;
- j) to ensure that necessary public infrastructure in the "Downtown and Main Street District" areas is available and maintained; and
- k) to consider the continued support of public and private sector investment in coordinated programs to upgrade and beautify Hearst's and Mattice's "Downtown and Main Street Districts" and the development or redevelopment of vacant and/or underutilized lands and buildings in these areas.

6.7.3 GENERAL DEVELOPMENT POLICIES

6.7.3.1 Permitted Uses

- i) Where land is designated “Downtown and Main Street District” on Schedule ‘B.8’ Land Use Plan – Town of Hearst and on Schedule ‘B.9’ Land Use Plan – Village of Mattice to this Official Plan, the predominant use shall be for a range of retail, business, restaurant, service, entertainment and tourist commercial uses. The “Downtown and Main Street district” shall encompass Hearst’s Downtown Core, its Downtown Fringe Area, and the Front Street Corridor.

6.7.3.2 Development and Redevelopment in Hearst’s Downtown Core

- i) Within the Town of Hearst’s Downtown Core area, permitted land uses shall include all types of retail and service businesses, professional and financial offices, hotels, motels, restaurants and places of entertainment, as well as certain civic and institutional uses such as libraries which require convenient public access. Ancillary residential uses in the upper storeys of commercial buildings, at the rear or below commercial ground floor levels, as well as existing multiple residential land uses in the form of apartment buildings shall also be permitted.
- ii) Development and redevelopment within the Downtown Core shall be geared to pedestrian traffic, with the aim being an overall compact development pattern which is oriented to the street/sidewalk level.
- iii) Downtown and Front Street Corridor improvement projects may include a combination of building development and redevelopment, ‘brownfield’ and ‘greyfield’ remediation/clean-up and redevelopment, building façade improvements, streetscape improvements, signage improvements, parkland improvements, road relocations/improvements, pedestrian access improvements, parking improvements, servicing infrastructure improve-ments and land acquisitions.
- iv) The Hearst Business Improvement Area (Hearst BIA) shall work with Council to encourage and promote the implementation of building façade and streetscape improvements by the public and private sectors.
- v) Public parking needs shall be satisfied by a combination of on-street parking and common off-street parking facilities, whether municipal or private. On-site facilities, if available, shall be used primarily for the provision of parking spaces for owners, tenants or employees or to create loading zones.
- vi) Where on-site parking cannot be provided, Council may require the owner of a property being developed or redeveloped to enter into an agreement

pursuant to the *Planning Act*, for the payment of money to the Municipality in lieu of providing on-site parking facilities. Funds received in this manner shall be used for parking purposes.

- vii) Prior to the approval of applications for commercial development or redevelopment within the Downtown Core, Council shall consider:
 - a) conceptual design for all elevations of the building which will be visible from street level;
 - b) availability and adequacy of municipal services to accommodate the proposed development;
 - c) adequacy of on-site parking provisions, including entrances and exits for the site, to ensure proper and safe vehicular and pedestrian traffic circulation;
 - d) requirements for the delivery or loading of inventory and/or supplies;
 - e) provisions for the storage and collection of garbage and other waste materials; and
 - f) buffering and landscaping provisions to protect adjacent built-up residential properties.
- viii) In the area bounded by Front Street, Seventh Street, Prince Street and Eleventh Street, where existing principal buildings constructed prior to 1960 are found to encroach upon municipal road allowances, Council may continue to tolerate those encroachments for the duration of the normal life spans of the buildings, provided that:
 - a) where the reconstruction of such buildings and/or their foundations are required, the encroachment on the municipal road allowance must be corrected so that the reconstruction of the building will take place entirely within its own property boundaries, and
 - b) owners of buildings with encroachments shall be required to indemnify and save harmless the Municipality against any actions, responsibilities and/or losses which may result from any claims for damages, injury or otherwise against the owner, the building and its encroachment.
- ix) Where proposed façade improvements to existing principal buildings may create an encroachment onto municipal road allowances or parking facilities, Council may approve such encroachments, provided:

- a) the encroachment is considered minor and will enhance the appearance of the building in question;
 - b) the resulting encroachment will not inconvenience the Municipality nor restrict the use of municipal lands;
 - c) the encroachment will not pose or create a danger to the public or inconvenience the public's use of the land so affected;
 - d) the owner of the building shall indemnify and save harmless the Municipality from any action that may arise as a result of an injury attributed to the encroachment; and
 - e) where it is determined that the structure causing the encroachment may pose a potential hazard, the owner of the building shall remove the structure or shall take remedial action as is deemed necessary to prevent the potential hazard from occurring, and such action shall be to the satisfaction of the Municipality.
- x) The development or redevelopment of new ancillary residential units within the designated "Downtown and Main Street District" area shall be permitted, provided:
- a) such dwelling units are an integral part of the principal commercial building and are located in the upper storeys of the building, above the principal commercial occupancy, or at the rear of or below the commercial floor space at street level;
 - b) main floor commercial areas at street level may only be converted to one (1) residential dwelling unit, provided at least 60% of the commercial floor area directly adjacent to a public thoroughfare is maintained for commercial occupancies and use;
 - c) parking for residents is available on-site;
 - d) access to the dwelling units is exclusive and is separate from the access to the commercial use; and
 - e) where the lot is of sufficient size, a usable outdoor living space shall be provided for the exclusive use of each dwelling unit which is adjacent to open space areas or municipal road allowances.
- xi) Except for automobile service stations and dealerships, signs within the Downtown Core shall be either flush and securely attached to a building wall or shall form part of a canopy which is securely attached to a building

façade. Overhanging signs shall not be permitted.

- xii) The development of new non-commercial, public and government uses within the “Downtown and Main Street District” area shall only be permitted by amendment to the implementing Zoning By-law. In considering a request for an amendment, Council shall be satisfied that:
 - a) the character of the proposed development is in keeping with the scale and character of adjacent commercial properties and the development will not detract from the primary commercial function of the Downtown Core;
 - b) the proposed development will not increase the volume of traffic which is normally experienced within the Downtown Core area nor will it generate increased demands for off-site parking facilities; and
 - c) a location within the Downtown Core is considered necessary to the purpose and design of the proposed project.

6.7.3.3 **Development and Redevelopment Within the Downtown Fringe Areas**

- i) Existing development within the Downtown Fringe Area is characterized by a mix of residential and commercial uses, which act as a transition between the Downtown Core and adjacent residential or institutional areas. This area shall continue to perform this function, and policies shall provide the flexibility needed to accommodate the more transient nature of the land uses.
- ii) Within the Downtown Fringe Area, the land uses permitted shall include small-scale retail and service businesses, professional and financial offices, restaurants, civic and institutional uses which require close proximity to the Downtown Core, as well as low density and medium density residential land uses. Ancillary residential dwelling units in commercial buildings may be located either above or at the rear of or below commercial occupancies, but such dwelling units must be an integral part of the principal commercial building.
- iii) On-site parking facilities shall be required for tenants and employees and if necessary, to create loading zones. Public parking requirements may be satisfied through the provision of off-site parking facilities, including street parking.
- iv) Prior to the approval of applications for commercial development or redevelopment within the Downtown Fringe Area, Council shall consider:
 - a) the adequacy of on-site parking facilities, including entrances and exits for the site, to ensure proper and safe traffic flow;

- b) the character of the proposed development in relation to the scale and character of adjacent commercial and residential properties;
 - c) the volume of traffic to be generated by the proposed development should be in keeping with the volume of traffic normally experienced within the Downtown Fringe Area, thus avoiding the need for additional off-site parking facilities; and
 - d) buffering and landscaping provisions to protect adjacent residential properties.
- v) Prior to the approval of applications for residential development or redevelopment within the Downtown Fringe Area, Council shall be satisfied that:
 - a) on-site parking provisions are sufficient to accommodate the number of residential units; and
 - b) the character of the proposed development shall be in keeping with the scale and character of adjacent commercial and residential properties.
- vi) The development or redevelopment of mixed commercial and residential land uses within the Downtown Fringe Area shall be permitted, if:
 - a) the residential uses form an integral part of the principal building and are located either above or at the rear of or below the commercial occupancy;
 - b) parking for all occupancies is available on-site;
 - c) the character of the proposed development is similar to that found on adjacent commercial or residential properties;
 - d) access to the dwelling units is exclusive and is separate from the access to the commercial use; and
 - e) a usable outdoor living space is provided for the exclusive use of each dwelling unit within the building, with the living space being located adjacent to the dwelling unit.
- vii) Signs shall be small in size and unobtrusive, and shall either be flush and securely attached to the building façade or be mounted on a post within the front yard area.

6.7.3.4 Development and Redevelopment Within the Front Street Corridor

- i) Within the Front Street Corridor area, the permitted commercial uses shall primarily serve the motoring public, both local and tourist. Such uses shall be dependent upon highway traffic for their economic existence and/or require a large land area for the proper siting of buildings and the provision of parking areas. These uses shall include but not necessarily be limited to retail and service and repair businesses, motels, motor vehicle dealerships, motor vehicle service stations, truck stops, restaurants and places of entertainment, and shopping malls and plazas.
- ii) Tourist/visitor related civic and institutional uses which require high visibility and convenient public access such as tourist information centres, visitor welcome centres, heritage interpretive centres and passenger depots shall be permitted within the Front Street Corridor.
- iii) Certain industrial uses which are reliant on a highway location and/or large land area shall also be permitted. Ancillary professional and business offices and dwelling units may be located in the upper storeys of principal commercial buildings or at the rear of principal commercial occupancies.
- iv) The Front Street Corridor comprises three distinct areas: Front Street Centre, Front Street East and Front Street West. Located adjacent to the Downtown Core, the Front Street Centre area is an established tourist node, comprising hotels, motels, restaurants, retail and service commercial uses. This tourist related focus shall continue and be further strengthened through the development and redevelopment of vacant or underutilized properties. The Town shall encourage the remediation and redevelopment of the 'brownfield' service station and bulk fuel plant sites for higher order uses commensurate with their strategic locations in the Front Street Corridor.
- v) The Front Street East area is the eastern gateway for highway travellers entering the Town of Hearst. It contains the tourist information centre and wildlife exhibit. The Town shall continue to enhance the existing tourist information centre and its associated exhibit area as a full-scale interpretive centre.
- vi) The Front Street West area contains a mix of retail and service commercial uses, restaurants, highway commercial and industrial uses. The long-term aim of the Town of Hearst shall be to strengthen this western gateway through the growth of transportation related and/or secondary forestry related uses.
- vii) All parking needs within the Front Street Corridor area shall be satisfied entirely by on-site parking facilities, which shall:

- a) be located for the most part between the façade of the principal building and the highway road allowance;
 - b) be surfaced with asphalt surfacing and sufficiently marked to safely direct traffic flow within the parking lot areas to parking aisles and spaces or to property entrances and exits; and
 - c) have property access points clearly marked and visible from the roadway, with entrances and exits limited in number and designed in a manner to minimize potential traffic hazards.
- viii) Prior to the approval of applications for commercial development or redevelopment in the Front Street Corridor, Council shall consider:
 - a) conceptual design for elevations of the building which will be visible from street level;
 - b) availability and adequacy of municipal services to accommodate the proposed development;
 - c) provisions for adequate drainage control;
 - d) adequacy of on-site parking provisions in accordance with the policies of Section 6.7.3.4(vii);
 - e) adequacy of loading zone provisions;
 - f) provisions for the storage and collection of garbage and other waste materials; and
 - g) landscaping provisions to enhance the appearance of the site and to delineate access to the property.
- ix) Where commercial development abuts designated residential areas, adequate buffering shall be provided on the commercial sites, and the buffering shall be in the form of berms, fences, tree and shrub plantings or other landscaping combinations, which are of sufficient height and/or density to adequately protect residential properties from obtrusive commercial activities.
- x) Ancillary residential units shall be permitted above or at the rear of the principal commercial occupancy, provided that:
 - a) the dwelling units are an integral part of the principal commercial building;

- b) parking for residents is available on site for the exclusive use of the residents;
 - c) within the building, access to the dwelling unit is exclusive and separate from the access to the commercial use; and
 - d) a usable outdoor living space in the form of a balcony or ground level patio is provided for the exclusive use of each dwelling unit and is located abutting that unit.
- xi) The development of non-commercial uses, other than tourist related public uses and certain institutional uses, shall not be permitted within the Front Street Corridor area.
- xii) Commercial signs shall be either mounted flush and securely attached to building walls or shall be mounted on suitable support posts/pylons within the front yard area at a minimum distance of 3.2 metres (10.5 feet) from the front lot line. Along this Corridor, surface utility works such as transmission poles, transformers, etc. shall be carefully sited to enhance the overall appearance of the streetscape. Advertising in the form of billboard signs shall also be kept to a minimum.

6.7.3.5 **Commercial Development Outside of the Front Street Corridor**

- i) Commercial development outside of the Front Street Corridor shall generally be limited to commercial land uses which cater to the motoring public and/or require a large land mass and/or highway visibility for business purposes or small-scale local commercial uses that cater to the day to day needs of nearby residents.
- ii) The development of local commercial uses or the redevelopment of existing buildings for those purposes shall be compatible with adjacent established land uses and the surrounding neighbourhood.
- iii) Adequate on-site parking facilities shall be provided for all permitted uses.
- iv) Where local commercial uses are located adjacent to residential properties, adequate buffering shall be provided to the satisfaction of Council or Planning Board, which shall include the erection of fences and the planting of appropriate trees and shrubs on the commercial site. Exterior lighting shall be directed away from the nearby residences.
- v) Ancillary residential dwelling units shall be permitted as an integral part of the building containing the local commercial use, subject to the provision of adequate on-site parking facilities for the residential occupants as well

as the provision of sufficient outdoor living space adjacent to each dwelling unit.

- vi) Where municipal or communal sanitary sewage disposal and water services are not available in the “Rural Residential District” and “Hamlet” designations, an adequate water supply and on-site sewage disposal facilities shall be provided to the satisfaction of Council, Planning Board, the Ministry of the Environment and Climate Change and/or the Porcupine Health Unit.
- vii) Notwithstanding subsection (iii) of Section 6.7.3.5 hereto, those lands described as Lots 8 and 9 of Plan 6M-487 in the Town of Hearst are hereby designated as a “Downtown and Main Street District”, with permitted uses restricted to the parking and storage of commercial motor vehicles, haul trailers and equipment associated with the secondary industrial use located at 538 Highway 11 East in the Town of Hearst. Development of said lands shall be subject to Site Plan Control in accordance with the policies of Sections 6.7.3.6 and 7.4.4 of this Official Plan. No buildings and/or structures shall be permitted on said lands unless otherwise authorized by the implementing Zoning By-law and Site Plan Control agreement. (OPA No. 2, October 8, 2008)

6.7.3.6 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies set out in this Section and shall recognize existing development and make provisions for the expansion of the commercial sector as much as possible.
- ii) The implementing Zoning By-law shall establish separate zoning categories for the following:
 - a) Downtown Commercial Zone, to identify lands associated with the Hearst Downtown Core;
 - b) Highway Commercial Zone, to delineate commercial, industrial and institutional/public lands along the Front Street Corridor;
 - c) Mixed Commercial/Residential Zone, to identify the transitional Downtown Fringe Area;
 - d) Local Commercial, to provide for commercial land uses within residential neighbourhoods and designated “Hamlet” areas; and
 - e) Shopping Centre Commercial Zone, to provide for large-scale commercial development in a unified manner, that is comprised of multiple businesses.

- iii) Amendments to this Plan shall not be required to expand or reduce the overall land area designated as “Downtown and Main Street District” by this Official Plan.
- iv) Amendments to this Official Plan shall not be required to change a zoning category to permit small-scale local commercial development outside of the “Downtown and Main Street District”. They shall also not be required to enable the transition from residential uses to commercial uses (or vice versa) within the Downtown Fringe Area.
- v) The implementing Zoning By-law shall contain adequate setbacks to promote public safety and accessibility and adequate on-site parking and loading standards to reduce traffic hazards and parking inconveniences.
- vi) Provisions for buffering, screening and landscaping shall also be set out in the implementing Zoning By-law.
- vii) Outdoor or open storage of goods and materials shall generally not be permitted within any commercial zones. However, in the Downtown Commercial and Highway Commercial Zones, products for seasonal sales may be displayed in open exterior areas for temporary periods of time in front of the principal commercial building. Except for dealerships, all other products, goods and materials shall be displayed and/or stored within appropriate enclosures located outside of the principal building, in accordance with the requirements of the implementing Zoning By-law.
- viii) The conversion of commercial to residential uses (and vice versa) within Mixed Commercial/Residential Zones shall not require amendments to the Zoning By-law, provided the new use is a permitted use within this Zone and the development complies with all other provisions of said zone.
- ix) Where it is proposed that an existing commercial use be converted to a more sensitive land use such as residential, a Record of Site Condition (RSC) will be required to demonstrate that the property has been assessed in accordance with *Ontario Regulation 153/04* and where required, that remediation has been undertaken to make the property suitable for the intended use.
- x) New commercial and industrial uses and the significant expansion or redevelopment of existing commercial and industrial uses shall be subject to Site Plan Control.

6.8 INDUSTRIAL DISTRICT

6.8.1 PRINCIPLES

- i) A healthy and diversified industrial base shall be actively encouraged to ensure economic prosperity in the entire Hearst Planning Area.
- ii) The Town of Hearst and Village of Mattice shall continue to serve as the primary centres of industrial activity within the Planning Area.
- iii) Within Hamlet areas, industrial activities shall generally be in the form of home-based businesses.
- iv) Rural areas, particularly those with access to railway and highway transportation corridors, will likely be the focus for the development of new large-scale, land extensive industries and natural resource-based industries, as opportunities for this type of industrial development are limited within Settlement Areas.

6.8.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Industrial District” shall be:
 - a) to designate suitable and sufficient lands for a range of industrial land uses, thereby ensuring that opportunities for industrial development and diversification are available;
 - b) to protect existing industrial designated areas from the encroachment of incompatible land uses;
 - c) to ensure that industrial development and sensitive land uses are adequately separated or buffered from each other, so that neither will be adversely affected by adjacent incompatible land use activities;
 - d) to provide flexibility for accommodating industrial development in rural areas;
 - e) to ensure that industrial development has access to transportation systems that are appropriate to its needs; and
 - f) to establish guidelines for the development of new industrial uses and the significant expansion or redevelopment of existing uses.

6.8.3 GENERAL DEVELOPMENT POLICIES

6.8.3.1 **Permitted Uses**

- i) Where land is designated “Industrial District” on Schedule ‘B.8’ Land Use Plan – Town of Hearst and on Schedule ‘B.9’ Land Use Plan – Village of Mattice, to this Official Plan, predominant uses shall be for activities such as manufacturing, processing, warehousing, wholesaling, repairing and servicing, transportation terminals and the storage of goods and equipment. Research and development centres, central processing yards for sorting, grading and shipping wood and secondary manufacturing plants shall also be permitted. Ancillary uses shall be permitted where those uses do not interfere with or detract from the primary industrial function of the area. Ancillary uses may include retail and office uses, waste treatment facilities, etc. which are secondary or complementary to the principal industrial land use or are associated with industries located in the area . In areas set aside for light and secondary industrial activities, a dwelling unit for an owner/operator, caretaker or watchman may be permitted on the same property as the principal industrial use.

6.8.3.2 **Development and Redevelopment Within Industrial Districts**

- i) All industries are subject to the regulations and requirements of the Province with respect to emissions to air, water and/or land.
- ii) Provincial D-Series guidelines shall be followed to address land use compatibilities where industries propose to locate near existing sensitive land uses and where sensitive land uses propose to locate near existing industries.
- iii) New industrial uses which may potentially have adverse effects on adjoining land uses due to the emission of noise, vibrations, fumes, dust, smoke and/or odour shall not be located in close proximity to residential areas.
- iv) Adequate water supply and sewage disposal facilities and solid and liquid waste disposal facilities shall be provided in accordance with Provincial requirements. Where municipal water and sanitary sewer systems are not available within a designated “Industrial District”, Council shall ensure that new development will be on lots of sufficient size to provide an adequate water supply and to comply with Provincial regulations with respect to disposal facilities for both sewage and industrial wastes.
- v) Adequate on-site parking facilities shall be provided to accommodate industrial employees, clients and visitors to the site.

- vi) Adequate on-site loading and unloading facilities shall also be provided to meet the needs of new development or the expansion of existing development.
- vii) Primary access to industrial development shall be from highways or from arterial or collector roads which have been designated by the Council as trucking routes by by-laws passed pursuant to the *Municipal Act*.
- viii) Prior to the approval of applications for industrial development or redevelopment within a designated "Industrial District", Council shall consider:
 - a) the adequacy of the proposed land area to provide appropriate setbacks and accommodate future growth and expansion;
 - b) the availability and adequacy of municipal water and sanitary sewer services, and electrical services or alternate energy sources to accommodate the proposed development;
 - c) the adequacy of the local road network to handle the anticipated traffic, including heavy vehicular traffic, which may be generated by the development;
 - d) the adequacy of proposed on-site parking facilities, including entrances and exits for the site, to ensure proper and safe vehicular and pedestrian traffic circulation;
 - e) provision for the storage, collection and disposal of garbage and other waste materials;
 - f) Provincial D-Series guidelines with respect to minimum separation distances between the proposed development and adjacent properties in order that adverse impacts from noise, dust, odours and/or vibrations are minimized; and
 - g) setback, buffering and landscaping provisions to protect adjacent sensitive land uses.
- ix) Institutional development and residential development unrelated to industrial uses shall not be permitted within a designated "Industrial District".
- x) Adequate buffering shall be provided between industrial uses and any adjacent residential area to the satisfaction of the Council. Buffering shall be provided and maintained by the developer within the industrial site.

Buffering may include grass strips, berms, fences, tree and shrub planting, landscaping or any combination thereof which is deemed by the Council to be sufficient for the purpose. Bulk or open storage uses in areas that abut residential development shall be fully screened.

- xi) In certain instances buffering to separate incompatible land uses may also include an intervening transitional land use that is compatible with both land uses. A transitional buffer land use may include a light industrial use within a fully enclosed building that is located between a residential area and a heavier industrial use.

6.8.3.3 **Industrial Development Outside of Industrial Districts**

- i) New industrial development proposing to locate outside of designated “Industrial Districts” shall be directed as much as possible to rural locations, lands within the “Natural Resource District” designation or to appropriate areas adjacent to transportation corridors.
- ii) In rural areas, the development of small-scale local industrial uses or the redevelopment of existing buildings for such purposes shall be compatible with adjacent established land uses.
- iii) Local industrial uses, such as repair garages for commercial motor vehicles and equipment, may be permitted within a designated “Hamlet”, provided those industrial uses comply with the home-based business policies set out in Section 5 of this Official Plan and the following criteria:
 - a) where local industrial uses are located adjacent to residential land uses in a designated “Hamlet”, adequate setbacks and buffering, which may include the erection of fences and/or the planting of appropriate trees and shrubs on the industrial site, shall be provided to the satisfaction of Council or the Planning Board; and
 - b) outdoor open storage of goods, materials and products shall not be permitted within a designated “Hamlet”.
- iv) Wrecking yards, salvage yards and derelict motor vehicle sites for the storage and/or resale of motor vehicle and equipment parts and materials and/or the refurbishing and resale of used motor vehicles and equipment, shall generally be limited to areas already designated as “Industrial Districts”. Such uses may locate in rural areas within the “Natural Resource District” designation, subject to the ensuing requirements. The proposed site shall not be located on Highway 11 or Highway 583 North or South, unless the following conditions are met:
 - a) open storage of derelict motor vehicles and equipment, parts and

materials shall be restricted to side and rear yard areas;

- b) open storage areas shall not be visible from public roads or from residences located on abutting and adjacent lands;
 - c) a solid and continuous fence or dense tree buffer of sufficient height shall be erected along the lot lines or adjacent to the open storage site, as may be deemed advisable by Council or the Planning Board to obscure the visibility of the open storage site from public roads and adjacent residential properties;
 - d) wherever possible, natural mature vegetation shall be retained to promote buffering and screening of the storage site from adjacent properties and public roads;
 - e) a site-specific amendment to the implementing Zoning By-law; and
 - f) full compliance with all governing Provincial legislation and regulations.
- v) Prior to the approval of applications for industrial development or redevelopment outside of designated “Industrial District” areas, consideration shall generally be given to the matters set out in Section 6.8.3.2(viii).

6.8.3.4 **General Principles for Development and Zoning**

- i) The Zoning By-law shall implement the general policies set out in this Section and where feasible, shall also provide for the expansion of the industrial sector along designated trucking routes and other transportation corridors.
- ii) Where new industrial development may adversely impact existing sensitive land uses, Provincial D-Series guidelines shall be followed with respect to potential influence areas or the proponent of such development may be required to carry out studies to determine the actual influence area of the development in accordance with Provincial D-Series guidelines, which shall form the basis for establishing appropriate siting and setbacks, or to carry out such other mitigating measures as may be required to negate potential adverse effects on neighbouring sensitive land uses or to reduce such potential effects to acceptable levels.
- iii) The implementing Zoning By-law shall establish four (4) separate zoning categories for industrial uses, based on the following types or levels of industrial activities:

- a) Light Industrial Zone to identify existing and future lands for clean, small-scale industrial development, where industrial activities are limited and not readily visible or audible from roads and adjacent properties. Such industries have limited need for open outdoor storage and do not generate noticeable traffic volumes or emissions. Requirements for buffering will depend on the nature of the industry itself and the type and characteristics of adjacent land uses, with measures being easily implemented to reduce any potential adverse impact;
 - b) Secondary Industrial Zone to identify existing industries and lands for future development of medium-scale processing and manufacturing operations, having a potential for the infrequent release of emissions such as noise, which may have moderate short-term adverse effects on adjacent sensitive land uses. Such industries generate intermittent volumes of truck traffic on public roads during daytime hours. The screening or buffering of bulk or open outdoor storage of goods and materials from adjacent sensitive land uses shall be provided by the industry;
 - c) Principal Industrial Zone to denote existing and future large-scale industrial processing and manufacturing uses, that operate everyday on a 24-hour basis, and are characterized by their large physical size, need for non-screened open outdoor storage of raw and finished products, large production volumes and continuous movement of supplies, products and employees during daily shift operations. Fugitive emissions, such as noise, vibration and particulates may be frequent; and
 - d) Heavy Industrial Zone to identify existing and future large-scale industries associated with the processing of large volumes of materials which may contain toxins or which may release treated effluents as the end result or as by-products of processing. Fugitive emissions such as odours, noise, vibration and/or particles are generally continuous. Such industries generally require large areas of land and attenuating zones, and may or may not generate continuous large volumes of traffic movement.
- iv) The implementing Zoning By-law shall also recognize wrecking yards, salvage yards and derelict motor vehicle sites as Secondary Industrial Zones and shall contain specific provisions for the development of those land uses in order that neighbouring properties can be adequately protected from their unsightly appearance.
 - v) The implementing Zoning By-law shall contain adequate setbacks, which reflect Provincial D-Series guidelines pertaining to minimum separation

distances between industrial development and sensitive land uses, to minimize the potential adverse effects of possible emissions on adjacent properties; to promote public safety; to reduce traffic hazards; and to reduce the negative visual impact of open storage areas, but in no case shall the minimum provisions established in the Zoning By-law take precedence over the separation distances provided in Provincial D-Series guidelines for potential influence areas or minimum separation distances determined through studies conducted in accordance with Provincial D-Series guidelines for identifying actual influence areas.

- vi) Where industrial zones are located adjacent to residential zones, the implementing Zoning By-law shall set out requirements for buffering, screening and landscaping on the industrial site.
- vii) Where it is proposed that an existing industrial use be converted to a more sensitive use such as residential, a Record of Site Condition (RSC) will be required to demonstrate that the property has been assessed in accordance with *Ontario Regulation 153/04* and where required, that remediation has been undertaken to make the property suitable for the intended use.
- viii) The implementing Zoning By-law shall permit outdoor or open storage of goods, materials and products in the Principal and Heavy Industrial Zones and may impose limitations on the location, appearance and manner in which such storage is carried out. Limited outdoor or open storage may be permitted within the Light and Secondary Industrial Zones on a case by case basis, with further limitations being imposed on the type, location, appearance and manner in which storage is conducted. Outdoor or open storage shall generally not be permitted in Light Industrial Zones within designated “Hamlet” areas.
- ix) Amendments to this Official Plan shall be required to expand or reduce the overall land area designated “Industrial District” by this Plan. Amendments to this Official Plan shall not be required to enable small-scale and medium-scale local industrial development, wrecking yards, salvage yards and derelict motor vehicle sites, to establish outside of the “Industrial District”. Such development shall be subject to site-specific amendments to the implementing Zoning By-law.
- x) Existing industrial uses in areas not designated for industrial purposes shall be subject to the policies on non-conforming uses, as set out in Section 4 of this Official Plan.
- xii) New industrial uses and the expansion or redevelopment of existing industrial uses shall be subject to Site Plan Control.
- xiii)

6.9 AGGREGATE RESOURCE DISTRICT

6.9.1 PRINCIPLES

- i) Aggregate resources are vital to the industry and economy of the Hearst Planning Area, but the amount and quality of these resources are limited. As aggregate resource sites are identified, they shall be protected from incompatible land uses, in order that aggregate materials may be made available to meet the existing and future needs of the Planning Area.
- ii) Aggregate extraction activities shall be recognized as interim land uses which, through proper rehabilitation, can lead to more desirable end land uses and even improved land conditions.
- iii) Although aggregate extraction operations on private lands within the Hearst Planning Area are not subject to the *Aggregate Resources Act* and its implementing regulations, the development of new sites and the rehabilitation of worked out sites shall be encouraged to conform with the standards required pursuant to said *Act*.

6.9.2 POLICY OBJECTIVES

- i) The objectives of the development policies for the “Aggregate Resource District” shall be:
 - a) to protect known aggregate resource areas from incompatible non-aggregate land uses;
 - b) to recognize areas that have been identified for potential aggregate resources by agencies, and to encourage only those types of development and activities which will not prevent possible future extraction activities;
 - c) to establish guidelines and requirements for the development of new aggregate resource areas in close proximity to existing non-aggregate land uses;
 - d) to encourage the rehabilitation of lands that have been exhausted of their aggregate resources, so that those lands may either revert to their natural state or be developed for another type of land use.

6.9.3 GENERAL DEVELOPMENT POLICIES

6.9.3.1 Permitted Uses

- i) Areas of known aggregate deposits as well as existing aggregate extraction sites shall be designated “Aggregate Resource District” on Schedule ‘B’ Land Use Plans to this Official Plan. The predominant uses shall be for the extraction and necessary on-site processing of aggregate materials. Permitted uses shall include quarrying, sand or gravel pit operations, concrete and asphalt plants, stone crushing plants, aggregate batching plants, stockpiling of aggregate materials, as well as ancillary activities such as offices or a caretaker's residence, which are directly related and essential to the primary extraction land use.
- ii) Within the “Natural Resource District” land use designations, areas exhibiting high potential for aggregate resources shall be identified as “Aggregate Constraint Areas” on Schedule ‘B’ Land Use Plans, to this Official Plan as and when such areas are discovered.

6.9.3.2 Development and Redevelopment Within Aggregate Resource Districts

- i) The location and operation of aggregate processing equipment, portable asphalt plants and concrete plants shall be subject to Provincial approval prior to use on any site within the Planning Area.
- ii) Prior to the development of new aggregate extraction sites or the expansion of existing extraction sites, the proponent of that development shall submit a site plan and written proposal report to Council or the Planning Board as part of the development application. The plan and report shall indicate, but not necessarily be limited to the following:
 - a) a key map showing the location of the site;
 - b) a general description of the site, including legal description;
 - c) the shape, dimensions and area of the site;
 - d) use of land and location and use of buildings and/or structures within 300 metres (984 feet) of the site of a proposed pit or 500 metres (1,640 feet) of the site of a proposed quarry;
 - e) location, dimensions and use of existing and/or proposed buildings and structures on the subject land;
 - f) location of excavation setback limits;

- g) location and type of existing and/or proposed fencing and signs;
 - h) buffering or screening from adjacent properties and roads;
 - i) any significant natural or artificial features on the subject land;
 - j) existing and estimated final elevations of the site;
 - k) access roads to the subject land as well as existing and proposed entrances;
 - l) any existing surface water on the land, proposed water diversions, water storage and drainage facilities;
 - m) location of wells on the subject land and adjacent lands within 300 metres (984 feet) of the site;
 - n) maximum depth of excavation and whether or not excavation will be below the water table;
 - o) sequence and direction of extraction operation; and
 - p) progressive rehabilitation and final rehabilitation of the site when aggregate resources are worked out.
- iii) Prior to the approval of applications for new aggregate extraction sites or the expansion of existing extraction sites, Council or the Board shall consider:
- a) the adequacy of proposed security measures to reduce potential risk to public safety, including the control of access points to the site for traffic safety;
 - b) the effect of heavy vehicular traffic on existing public roads;
 - c) the adequacy of proposed setbacks, buffering or screening measures to reduce hazards and nuisances which may result from dust produced by the aggregate extraction operations;
 - d) the conservation of groundwater sources and protection of surface waters from sedimentation and siltation;
 - e) the acceptability of blasting times and working hours of the operation;
 - f) the adequacy of proposed rehabilitation measures; and

- g) the repair and/or upgrading of existing public roads to be used to access the proposed development.
- iv) New aggregate operations or the expansion of existing operations may require archaeological assessments.
- v) On Crown lands, aggregate extraction activities shall meet the requirements of the Province with respect to site development, use and rehabilitation. Whether on Crown or private lands, aggregate extraction operations shall also satisfy the requirements of the Province with respect to emissions to air, water and/or land.
- vi) Aggregate resource development shall comply with Provincial guidelines for establishing separation distances between such development and existing sensitive land uses.
- vii) Where development is proposed that is not related to aggregate extraction activities, Council or the Planning Board shall endeavour to ensure that the development will not preclude future aggregate extraction operations nor hinder existing aggregate operations by:
 - a) establishing adequate setbacks from property boundaries and separation distances from existing aggregate extraction sites and known aggregate deposits in accordance with Provincial guidelines;
 - b) approving only those uses which would not increase risks to public health and/or safety because of their close proximity to the aggregate extraction activities;
 - c) wherever possible, directing non-aggregate related development to areas outside of designated "Aggregate Resource District" areas.
- viii) Where extensions to public roads or new roads on previously unopened public road allowances are required for access to aggregate extraction sites, the proponent of the development shall be responsible for all costs of the new road or road extension, which may be built to either of the following standards:
 - a) to a standard required by the proponent for providing adequate and exclusive access to the lands. The new road or road extension shall be considered to be a 'licensed' or 'leased' road and the use of the road allowance shall be subject to the execution of an agreement with the authority having jurisdiction over the road allowance, or

- b) to the standards and specifications of the authority having jurisdiction over the public road allowance, in order that the road may assumed by the authority for ongoing maintenance purposes.
- ix) The proponent of the proposed aggregate operation shall make appropriate arrangements with the authority having jurisdiction over existing public roads which will be used to gain access to the proposed site:
 - a) for the upgrading of roads not deemed suitable for heavy traffic, and
 - b) for the repair or restoration of public roads required for access to the proposed site, which may be damaged as a result of heavy vehicular traffic hauling to and from said site.

6.9.3.3 Development and Redevelopment Within Aggregate Constraint Areas

- i) Within “Aggregate Constraint Areas”, preference shall be given to development and redevelopment proposals for aggregate resource related uses.
- ii) Proponents of development proposals shall provide a site plan and written report which shall address all of the matters set out in Section 6.9.3.2(ii) of this Official Plan. In considering those proposals, Council or Planning Board shall consider the policies in Section 6.9.3.2 (iii), (iv), (viii) and (ix).
- iii) Development proposals shall meet all of the requirements of agencies having jurisdiction, including those agencies having jurisdiction over local public roads.
- iv) The development proponent shall be responsible for the costs of extending public roads or constructing new roads on unopened public road allowances, which may be built to either of the standards provided under Section 6.9.3.2(viii), as well as for the costs of repairing any damages to existing public roads which may caused by heavy vehicular traffic hauling to and from the site.
- v) In areas exhibiting high aggregate potential, proposed development that is not related to aggregate extraction activities shall not prevent future development or redevelopment for aggregate extraction purposes, unless the use of the aggregate resources is not feasible, or the development of non-aggregate related uses will serve a greater long-term public interest. Aggregate resources shall be protected by implementing the policies in Section 6.9.3.2(vii) of this Official Plan.

6.9.3.4 **General Principles for Development and Zoning**

- i) For adequate control, the implementing Zoning By-law shall only recognize existing aggregate extraction operations and their associated activities. Amendments to the implementing By-law shall be required for new aggregate extraction sites as well as the expansion of existing operations onto new properties.
- ii) An amendment to this Official Plan or Zoning By-law shall not be required for the expansion of existing aggregate operations within its own property boundaries. However a site-specific amendment to the implementing Zoning By-law shall be required for new aggregate operations on new sites.
- iii) Wayside pits and quarries and portable asphalt and concrete plants shall be established in accordance with the policies in Section 4 of this Official Plan.
- iv) The implementing Zoning By-law shall contain adequate setbacks to ensure public safety, and prevent traffic hazards. To this end, the excavation of land for aggregate materials shall not be permitted:
 - a) within 15 metres (49 feet) of a property boundary;
 - b) within 30 metres (98 feet) of any boundary abutting a public road or land used for residential purposes;
 - c) within 15 metres (49 feet) of a naturally occurring body of water; and
 - d) within any distance from a property boundary which will be less than half of the height of the face of the excavation.
- v) New aggregate extraction operations and the expansion of existing extraction operations onto new sites shall be subject to Site Plan Control.

6.10 **NATURAL RESOURCE DISTRICT**

6.10.1 **PRINCIPLES**

- i) Natural resources within the Hearst Planning Area shall be managed, conserved and where necessary protected, for the existing and future benefit of residents of the Planning Area.
- ii) As the “Natural Resource District” designation encompasses the majority of lands within the Hearst Planning Area, it shall be recognized that the

natural characteristics and condition of these lands are intrinsic to the quality of life in the Planning Area.

- iii) It shall also be recognized that these lands have significant economic value and potential for tourism, recreation and raw materials. Development policies shall be founded on the principle of achieving and maintaining a balance between development for economic and/or other purposes and conservation of the biodiversity and benefits of the natural environment.
- iv) It shall be acknowledged that the “Natural Resource District” designation within the Hearst Planning Area is not necessarily intended to be a permanent land use classification for natural resource related uses only, but rather its main purpose is to control and prevent haphazard and scattered development throughout the Planning Area.

6.10.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the “Natural Resource District” designation shall be:
 - a) to encourage the wise utilization of both renewable and non-renewable resource bases;
 - b) to recognize forestry as an industry vital to the local economy through the establishment of policies that support the industry's stability, growth and diversification, and that encourage forest usage on a sustainable basis: by permitting a broad range of land use activities related to the forestry sector; by promoting a more complete utilization of wood supply from harvested lands; and by encouraging the rehabilitation of degraded lands through reforestation and other improvement measures;
 - c) to support economic diversity and growth through policies which provide for the development of non-forestry related economic development activities within the “Natural Resource District” designation related to tourism and recreation, such as promoting more cottage lot development on Crown land in the Chain of Lakes area;
 - d) to protect viable farms and good agricultural lands that are in production over the long term from incompatible land uses;
 - e) to consult with the Province in identifying significant wetlands and to incorporate policies for development which will ensure that the natural functions and ecology of those wetlands are not put at risk; to promote sound wetland management practices; and to

encourage the non-destructive use of other wetland areas as important economic resources;

- f) to provide for a range of leisure activities for all ages and interest groups;
- g) to discourage haphazard and scattered residential development, thereby avoiding the inefficient use of public services and infrastructure. Development for residential purposes shall be limited to those areas which already receive public services on a year-round basis;
- h) to identify and recognize areas exhibiting high aggregate potential as “Aggregate Constraint Areas”, in order that proposed development which may preclude future aggregate extraction activities can be directed away from such high potential sites; and
- i) to protect non-aggregate mineral resources for future use and to ensure that any mineral exploration and development is undertaken according to the *Mining Act* and Provincial Statutes.

6.10.3 GENERAL DEVELOPMENT POLICIES

6.10.3.1 Permitted Uses

- i) Where land is designated “Natural Resource District” on Schedule ‘B’ Land Use Plans, to this Official Plan, the predominant uses shall be for natural resource-based activities and related operations, such as forestry, tourism, recreation, mineral exploration and development, aggregate resource development, agriculture and conservation. Permitted uses for example shall include logging, lumber camps, reforestation areas, tree nurseries, aggregate extraction operations and ancillary uses, farming, farm related commercial and industrial uses, greenhouses, conservation areas, and wilderness areas. Public and private uses such as energy generating facilities, energy transmission facilities, tourism uses and recreational uses such as cottages/seasonal residential dwellings, picnic areas, parks, cemeteries, and hunting and fishing camps shall be permitted. Permitted uses shall also include manufacturing not related to natural resource utilization, such as factories, cold weather testing facilities, distribution and sorting centres, etc.
- ii) Areas exhibiting high aggregate potential shall be identified as “Aggregate Constraint Areas”, but development for extraction purposes shall require an amendment to the implementing Zoning By-law, with consideration being given to the policies set out in Section 6.9.3.3 of this Plan.

6.10.3.2 Development and Redevelopment Within Natural Resource Districts

- i) Forestry and tourism and recreational uses shall be permitted in all designated “Natural Resource District” areas, provided that good management practices are employed to adequately protect surface water and groundwater quality to promote soil conservation, and to maintain biodiversity.
- ii) Whether on Crown or private lands, forestry activities shall be encouraged to maintain adequate setbacks from waterbodies in order that erosion of lands adjacent to waterbodies is prevented and surface waters are protected from siltation. Where harvesting occurs on private lands, the replanting of those lands shall be encouraged and the use of herbicides and pesticides shall be minimized as much as possible. Where harvesting occurs along public roads, the maintenance of a buffer zone shall be encouraged to preserve the natural appearance of the landscape along such roadways.
- iii) Aggregate resource development and ancillary uses to aggregate operations shall comply with the policies set out in Section 6.9 of this Official Plan.
- iv) Development that may prevent future aggregate extraction activities in areas of known aggregate deposits or in areas adjacent to such deposits shall only be permitted where the extraction of the resource would not be feasible or the proposed non-aggregate land use or development will be of greater long-term public benefit, and concerns with respect to public health and safety and environmental impacts have been addressed.
- v) Non-aggregate mineral resource development shall comply with the policies of Section 6.9 of this Official Plan as is practicable.
- vi) During the review of applications for development related to natural resource-based activities, such as forestry, tourism and recreation, as well as commercial and industrial activities ancillary to natural resource uses, Council or Planning Board shall consider:
 - a) whether the site is suitable for the installation and long-term operation of private on-site servicing systems with no negative impacts, if such systems are required; and
 - b) whether the costs of providing public services, if any, to the proposed development are acceptable.
- vii) Wherever possible, development that is not related to natural resource-

based activities shall be directed to urban communities and settlement areas which have been designated for those purposes.

- viii) Commercial and industrial development not associated with natural resource-based activities may be approved where Council or Planning Board is satisfied that:
 - a) a rural environment or setting is best for the long-term viability of the proposed land use;
 - b) a large land area is required for the proposed development, and the type and scale of the development will not have an adverse impact on the natural setting of adjacent lands;
 - c) the proposed site is suitable for the installation and long-term operation of private on-site sewage disposal and water systems, if such systems are required;
 - d) the costs of providing public services, if any, to the proposed development are deemed acceptable; and
 - e) alternate locations within urban communities and settlement areas have been determined to be unfeasible.
- ix) Agricultural uses, agricultural-related uses and on-farm diversified uses, such as agri-tourism and distilleries, shall be permitted in the "Natural Resource District" designation, and shall be protected from incompatible land uses by ensuring that all farm and non-farm development complies with the Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) formulae and D-Series guidelines established by the Province, as may be amended from time to time, in order that conflicts between livestock facilities and other development which may arise over odours and other matters be minimized or avoided.
- ix) Farming operations shall be encouraged to implement measures to promote good drainage and soil conservation, and to protect surface water and groundwater quality. Farm practices shall also be encouraged to reduce the use of pesticides and to minimize as much as possible nuisances caused by noise, and odours from manure handling. The expansion of farming operations shall not negatively impact natural heritage features and areas and/or the natural heritage system.
- x) None of the policies for protecting natural features and areas in this Plan are intended to limit the ability of agricultural uses to continue.¹
- xi) Prior to the approval of any development on lands identified as wetlands, Council or the Planning Board shall consult with the Province to determine

the significance of such wetlands and/or adjacent areas. Where development is proposed on wetlands and/or adjacent lands that have been determined not to be of provincial significance, consideration shall be given to the following:

- a) the potential impact of the development on the type, direction and quantity of drainage flow to receiving waterbodies;
 - b) the potential risks for erosion and sedimentation or siltation of receiving waterbodies; and
 - c) the potential for adverse effects on vulnerable species.
- xii) Where extensions to public roads or new roads on previously unopened public road allowances are required for commercial or industrial development, including development associated with natural resource-based activities, the proponent of the development shall be responsible for all costs of the new road or road extension, which may be built to either of the following standards:
- a) to a standard required by the proponent for providing adequate and exclusive access to the lands, in which case the new road or road extension shall be considered to be a 'licensed' or 'leased' road and the use of the road allowance shall be subject to the execution of an agreement with the authority having jurisdiction over the road allowance; or
 - b) to the standards and specifications of the authority having jurisdiction over the public road allowance in order that the road be assumed by the authority for ongoing maintenance purposes.
- xiii) There shall be no obligation on the part of local authorities or the Province to accept the dedication and assume maintenance of roads on private lands or to assume maintenance of roads constructed on public road allowances which provide access to private recreational facilities, such as private hunting and fishing camps, and seasonal residential dwellings, unless:
- a) the roads are constructed to the standards and specifications of the authority having jurisdiction; and
 - b) the long-term maintenance costs will not place an undue financial burden on the authority having jurisdiction.
- xiv) Temporary or seasonal residences may be permitted within the "Natural Resource District" designation in association with natural resource-based

activities. A seasonal residence, a private hunting and/or a fishing camp may be erected on any single patented lot of record, whether or not public maintained road access is available.

- xv) A permanent residential use shall be permitted under the following circumstances:
 - a) as an ancillary use to natural resource-based operations, such as the residence of a bona fide farmer, a caretaker's residence for a natural resource-based operation or natural resource related commercial or industrial land use, or limited accommodations for employees essential to the operation of an energy generating facility;
 - b) on an undeveloped patented township lot having frontage on an existing year-round maintained road, which will not necessitate the undue extension of other services;
 - c) where a permanent residential dwelling unit has been occupied on a continual basis since January 1, 1980; or
 - d) where the property was created by consent in conformity with the consent policies set out in Section 7 of this Official Plan.
- xvi) Institutional land uses not related to natural resource utilization shall not be permitted within designated "Natural Resource District" areas.
- xvii) The extension or enlargement of buildings and/or structures associated with existing non-conforming uses within "Natural Resource District" areas shall generally not be permitted.
- xviii) Small-scale commercial or industrial home-based businesses which are not related to natural resource-based activities may be permitted in association with permanent residential dwellings authorized under Section 6.10.3.2(xv) hereto, subject to the home-based business policies in Section 5 of this Official Plan and the implementing Zoning By-law.
- xix) Pursuant to the principles and policies of this Plan, growth within the Hearst Planning Area shall be directed to existing municipalities, and new townsites shall not be permitted in territories without municipal organization or on designated "Natural Resource District" lands.

6.10.3.3 **General Principles for Development and Zoning**

- i) Commercial and industrial uses, including home-based businesses, related to natural resource-based activities shall be permitted uses in the

implementing Zoning By-law. Such uses shall not require amendments to the implementing Zoning By-law, but may be subject to Site Plan Control.

- ii) New commercial and industrial uses that are not related to natural resource-based operations, except home-based businesses, shall require site specific amendments to the implementing Zoning By-law and may also be subject to Site Plan Control.
- iii) Private hunting and fishing camps, tourism and recreational facilities, seasonal residential dwelling units and permanent residential dwellings in conformity with the policies of Section 6.10.3.2 of this Official Plan shall be recognized as permitted land uses in the implementing Zoning By-law.
- iv) Site-specific amendments to the implementing Zoning By-law shall be required prior to the approval of new pits and quarries and other aggregate related uses within a "Natural Resource District". Such development may also be subject to Site Plan Control.
- v) Site-specific amendments to the implementing Zoning By-law shall also be required to permit the conversion of seasonal residential uses, including hunting and fishing camps, to permanent residential occupancies.
- vi) The implementing Zoning By-law shall establish standards for setbacks which reflect Provincial guidelines pertaining to minimum separation distances between proposed development and existing sensitive land uses, in order that potential adverse effects on adjacent properties can be minimized. The By-law shall also provide for adequate on-site parking and appropriate outdoor or open storage.

6.11 ENVIRONMENTAL CONSTRAINT DISTRICT

6.11.1 PRINCIPLES

- i) Lands exhibiting potential or suspected hazards due to natural conditions, such as susceptibility to erosion, flooding, unstable soil conditions or steep slopes, or human-made hazards such as abandoned mines or contaminated sites, shall be identified and designated "Environmental Constraint District", having development policies based on:
 - a) the severity of the hazard;
 - b) the potential for loss of human life, property damage, social disruption and/or environmental damage; and
 - c) effective hazard management.

- ii) In consultation with the Province, areas of natural and scientific interest (Life Science and Earth Science ANSIs) and the habitats of endangered and threatened species, fish habitat, and significant wildlife habitat, shall also be recognized and included within the “Environmental Constraint District” designation, and development policies shall be based on:
 - a) the potential impact of development activities on or adjacent to such habitat and/or the Life Science or Earth Science ANSI;
 - b) the degree of protection from the possible effects of development that such species, habitat or Life Science or Earth Science ANSI requires; and
 - c) the assessment of each case or situation on an individual basis, recognizing the highly sensitive and critical nature of the information that may be required.
- iii) In consultation with the Province, significant wetlands and their adjacent areas as well as significant wetland complexes shall be identified and designated “Environmental Constraint District”, having development policies based on the principle that there shall be no negative impact on wetland functions such as:
 - a) groundwater recharge and discharge;
 - b) drainage;
 - c) providing specialized habitats for wildlife, including fish species; and
 - d) filtration of heavy metal compounds as well as contaminants, etc.
- iv) It shall be recognized that areas which may be susceptible to hazards such as flooding or areas identified as Life Science or Earth Science ANSIs, are often important elements of the natural heritage of the Hearst Planning Area and as such, may also have economic and/or recreational values. Where possible, development policies shall be designed to attain a balance between the preservation and enhancement of biodiversity and natural features, and land use for economic and/or recreational benefits. Under no circumstances however shall development be permitted which may have an adverse impact on:
 - a) public health and safety;
 - b) the occurrence of indigenous species that are endangered and threatened;

- c) the intrinsic features of Life Science or Earth Science ANSIs or Provincially significant wetlands; or
- d) the condition or value of property.

6.11.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the “Environmental Constraint District” shall be:
 - a) to incorporate the approved flood risk mapping for the Mattawishkwia River on Schedule ‘B.8’ Land Use Plan – Town of Hearst, to this Official Plan;
 - b) to consult with the public and the Province in identifying areas with significant flooding, erosion, steep slopes and/or unstable soil conditions; significant wetlands and adjacent areas; Life Science and Earth Science ANSIs; habitats of endangered and threatened species; and hazards resulting from previous human activities, and to designate those areas “Environmental Constraint District” on Schedule ‘B’ Land Use Plans, to this Plan;
 - c) to designate other significant features, particularly those having heritage value, as “Environmental Constraint District” on Schedule ‘B’ Land Use Plans, to this Plan;
 - d) to establish conditions and identify circumstances under which development may take place on lands exhibiting or recognized as having environmental constraints;
 - e) to ensure that protection measures are extended to the habitat of new endangered and threatened species as and when they are identified; and
 - f) to identify conditions which prevent development from occurring.

6.11.3 **GENERAL DEVELOPMENT POLICIES**

6.11.3.1 **Permitted Uses**

- i) Where land is designated “Environmental Constraint District” on Schedule ‘B’ Land Use Plan to this Official Plan, these lands shall for the most part be left in their natural state. Where land uses are permitted, those uses shall generally be passive in their nature and shall have no adverse impact on the physical environment. Permanent buildings and structures

may not be permitted, other than those buildings and/or structures necessary for flood or erosion control, conservation purposes, ecological tourism development or minor buildings and structures related to recreational land uses, such as rain shelters and information kiosks, which have been approved by Council or Planning Board in consultation with the Province.

- ii) Unless established through empirical studies, the boundaries of lands designated as “Environmental Constraint District” on Schedule ‘B’ Land Use Plans to this Official Plan shall not be construed as exact or accurate, but shall function as guidelines, and where development is proposed adjacent to or within such Districts, on-site investigations by a qualified professional shall be carried out to determine the presence, extent and/or significance of possible natural hazards, man-made hazards, Provincially significant wetlands, Life Science and Earth Science ANSIs, habitats of endangered and threatened species and significant wildlife and fish habitat.

6.11.3.2 **Development and Redevelopment Within Environmental Constraint Districts**

- i) Wherever possible, development shall be directed to areas outside of “Environmental Constraint District” designated lands.
- ii) On lands subject to hazardous events and/or conditions, development and/or site alterations shall only be permitted where it can be demonstrated that:
 - a) hazards such as erosion and unstable soil conditions are safely addressed and the proposed development or site alteration will be undertaken and completed in accordance with established engineering standards and practices;
 - b) existing hazards will not be aggravated nor will new hazards be created;
 - c) there will be no negative effects on the environment; and
 - d) where the proposed development will be used or occupied by persons at any time, routes providing access and egress to such development shall be available at all times.
 - e) in all cases, no development shall be permitted in a floodplain regardless of whether the area of inundation contains high points of land not subject to flooding, with the exception of development that by its very nature must locate in an area subject to flooding, such

as docks, boathouses, flood and/or erosion control works or minor additions or passive non-structural uses that do not affect flood flows.

- iii) Institutional land uses, permanent residential uses, essential emergency services, waste disposal sites and land uses involving the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted within “Environmental Constraint District” areas.
- iv) The extension or enlargement of buildings and/or structures associated with existing non-conforming uses within the “Environmental Constraint District” designation shall not be permitted.
- v) Lands located within the Regulatory Flood Line, as shown on Schedule ‘B.8’ Land Use Plan – Town of Hearst to this Official Plan, may be altered through the introduction of fill and/or site regrading, provided :
 - a) the alterations will not have a cumulative effect which may increase the severity and intensity of flooding on the subject land, adjacent lands or lands located downstream of the subject land, or expand the area that may be affected by flooding;
 - b) the alterations are carried out in accordance with established engineering practices and standards;
 - c) appropriate measures are implemented to avoid erosion and siltation of waterbodies; and
 - d) the proposed site alteration is carried out in accordance with government regulations and procedures.^{14c}
- vi) Land that is susceptible to flooding may be acceptable to Council for parkland dedication purposes in accordance with the provisions of the *Planning Act* and local policies on lot creation. However the lands to be conveyed to the Municipality shall be in a physical condition satisfactory to Council.
- vii) Development, including proposals to construct utility, transportation and/or communication facilities and works, may be permitted in areas identified as significant wetlands and adjacent areas within 120 metres (394 feet) of those wetlands, and also on lands which link a series of wetlands in a significant wetland complex, provided that:
 - a) it can be demonstrated by a site-specific environmental impact study (EIS) that there will be no net loss of wetland functions; that subsequent future demands for expansion and/or associated

- development, if any, will not have adverse effects on existing wetland functions, and that such development will not conflict with site-specific wetland management practices;
- b) alternative locations for the proposed development have been thoroughly investigated, and Council or Planning Board concur that another location for the development is not feasible; and
 - c) methods and measures to mitigate and minimize anticipated impacts on the wetlands and/or adjacent areas are implemented.
- viii) No development or site alteration shall be permitted in fish habitat, except in accordance with Federal and Provincial regulations.
- ix) New development shall not be permitted in the habitat of endangered or threatened species, unless such development has been authorized by the issuance of permits under the *Endangered Species Act 2007*.
- x) Development may be permitted within or adjacent to lands within 120 metres (394 feet) of significant wildlife habitat, within 120 metres (394 feet) of fish habitat, and within 120 metres (394 feet) of Life Science ANSIs and 50 metres (164 feet) of Earth Science ANSIs, provided that:
- a) a site-specific environmental impact study (EIS) has demonstrated to the satisfaction of the Province and local authorities that the proposed development will not have any adverse effects on the natural features or ecological functions for which the habitat has been recognized; and
 - b) preventive measures are implemented in advance to avoid the occurrence of possible adverse impacts.
- xi) Development shall generally be directed to areas outside of lands with high risk for wildland fires, unless measures are identified by the proponent and risk can be mitigated in accordance with wildland fire assessment and mitigation standards identified by and acceptable to the Province.
- xii) Development shall not be permitted on lands which are known to be contaminated as a result of human activities or lands that are left in an unsafe and hazardous condition as a result of previous activities, unless such lands are restored to a safe condition either by the removal of all hazardous materials, the restoration of the site to a safe condition or the implementation of other remedial measures, as approved by the authority having jurisdiction, in order that potential hazards are mitigated to acceptable and manageable levels.

6.11.3.3 General Principles for Development and Zoning

- i) Lands containing natural hazards, human-made hazards, Provincially significant wetlands and adjacent lands, Life Science and Earth Science ANSIs, and habitats of endangered and threatened species, shall be recognized in separate zoning categories in the implementing Zoning By-law.
- ii) The flood plain of the Mattawishkwia River as determined on the basis of the Regulatory Flood and as defined on approved flood risk mapping shall form part of the Zoning By-law.
- iii) When adequate information is available, the Zoning By-law shall establish two (2) zoning categories for lands that may be susceptible to flooding:
 - a) Open Space Park Zone to identify lands that are acceptable for use as parkland, where minor structures such as rain shelters may be erected and minor site alterations may be carried out, subject to the approval of the authorities having jurisdiction; and
 - b) Open Space Constraint Zone to identify lands where site alterations and the construction of buildings and structures shall be prohibited, except for those necessary for flood control.
- iv) In the absence of more detailed information and mapping of areas susceptible to natural hazards, human-made hazards, Provincially significant wetlands, Life Science and Earth Science ANSIs, fish habitat, significant wildlife habitat and habitats of endangered and threatened species, the boundaries of the lands designated “Environmental Constraint District” on Schedule ‘B’ Land Use Plans to this Plan, shall be used as guides for the preparation of zoning provisions and site-specific requirements.
- v) When those lands are identified more accurately, boundary adjustments may be incorporated in Schedule ‘B’ Land Use Plans to this Official Plan without an amendment to this Plan, provided the adjustments are based on empirical evidence and are made by Council or Planning Board in consultation with the Province.
- vi) Where changes in an “Environmental Constraint District” boundary are made pursuant to Section 6.11.3.3(v), the abutting land use designation shall be applied to those lands from which such designation has been withdrawn.
- vii) Where a request is made to change the land use designation and the zoning of land susceptible to flooding, erosion, steep slopes or unstable

soil conditions, prior to the approval of an amendment to this Official Plan and the passing of an amending Zoning By-law, Council or Planning Board shall consider:

- a) the nature and severity of the existing environmental hazard;
 - b) the potential impact of those hazards on the safety of persons, and the condition and value of property;
 - c) the proposed methods by which potential adverse effects may be overcome in a manner consistent with accepted engineering and resource management practices;
 - d) the costs and benefits in monetary terms of any engineering works and/or resource management practices needed to overcome any potential negative impact; and
 - e) the recommendations of the Ministry of Natural Resources and Forestry and/or the Ministry of Northern Development and Mines.
- viii) The Zoning By-law shall provide adequate setbacks for buildings and structures within or adjacent to designated areas susceptible to flooding, erosion and unstable soil conditions. The setbacks shall be established from the boundaries of the “Environmental Constraint District” designation, based on the severity of the existing and suspected hazard.
- ix) Zoning provision setbacks for buildings and/or structures on lands identified as significant wetlands and their adjacent areas, Life Science or Earth Science ANSIs, fish habitat, significant wildlife habitat or habitats of endangered and threatened species shall be established on a case by case basis and by site-specific amendments to the Zoning By-law, subject to the determination that the erection and/or installation of buildings and/or structures will not have any adverse impact on such ANSIs or sensitive habitats.
- x) All development within the “Environmental Constraint District” designation shall be subject to Site Plan Control.

6.12 WASTE MANAGEMENT SITES

6.12.1 PRINCIPLES

- i) Waste management services, sites and facilities are indispensable to the well-being of residents and enterprises within the Hearst Planning Area.
- ii) Landfill sites are presently the most economical means for

accommodating the Planning Area's short-term and long-term waste management needs. The existing landfill site for the Town of Hearst has a minimum expected life span of 20 years, sufficient to meet the needs of present and future residents over the time frame of this Official Plan. It is recognized however, that other mechanisms for managing waste must be explored and are likely to become feasible in the future through technological advancement and the establishment and growth of markets for waste material resources.

- iii) Waste materials have potential as resources and can provide new business opportunities as alternatives to land filling. In addition to encouraging a reduction in the amount of wastes produced, the recycling of waste materials and the reuse of waste materials and products shall continue to be key elements of municipal waste management programs.

6.12.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the "Waste Management Site" designation shall be:
 - a) to establish waste disposal facilities to accommodate the present and future needs of the Hearst Planning Area, by methods that are most economical and environmentally sound;
 - b) to provide landfill sites that are efficiently designed, operated and maintained and sufficiently distanced from other land uses, to minimize any adverse effects on the natural environment as well as adjacent land uses;
 - c) to ensure that there is ample opportunity for public involvement in the development of new sites, including the design and operation of those sites;
 - d) to protect existing, approved waste management sites from the encroachment of incompatible land uses;
 - e) to continue encouraging the implementation of sustainable waste management practices, with the aim of an overall reduction in the Hearst Planning Area's reliance on landfill as the main method for solid waste disposal; and
 - f) to document former waste management sites on the Schedule 'B' Land Use Plans to this Official Plan in order that potential adverse effects be avoided where development is proposed on and/or adjacent to such sites.

6.12.3 GENERAL DEVELOPMENT POLICIES

6.12.3.1 Permitted Uses

- i) Where lands are designated “Waste Management Site” on Schedule ‘B’ Land Use Plans to this Official Plan, the predominant uses shall be private, municipal or Provincial owned and/or operated active waste management sites, including waste disposal landfill sites for domestic and/or industrial wastes, sewage lagoons and recycling facilities. The designated areas shall also include adjacent areas which are intended and required for the future expansion of waste management sites and facilities as well as lands required as attenuating zones.
- ii) Inactive or closed waste disposal landfill sites shall be identified on Schedule ‘B’ Land Use Plans to this Official Plan, to ensure that new development is appropriately set back from those sites. Building and structures shall generally not be permitted on those sites, except those that are required for security purposes.

6.12.3.2 Development of Waste Management Sites

- i) Where emissions to the air, water and/or land are involved, the establishment of a new “Waste Management Site” shall be subject to the *Waste Management Regulation* to satisfy environmental assessment requirements, and then subject to approval pursuant to Section 27 of the *Environmental Protection Act*.
- ii) Wherever possible, new waste management facilities shall be directed to existing areas which are already designated for waste management purposes.
- iii) Development of a “Waste Management Site” shall not be permitted on lands subject to natural hazards such as flooding, erosion or unstable soil conditions or on lands which have been recognized for natural or cultural heritage values.
- iv) The development of a new “Waste Management Site” and the expansion of an existing “Waste Management Site” shall be planned, designed, operated and maintained to ensure minimal adverse effects on local residents, adjacent land uses and the environment. Where a potential adverse impact has been identified, the proponent of the development shall implement preventative measures in advance, to avoid the occurrence of that impact and to ensure that all potential negative effects are mitigated to acceptable levels.

- v) Prior to the development of a new “Waste Management Site” and the expansion of an existing “Waste Management Site” which do not produce emissions subject to Provincial regulation, the proponent of the development shall submit a site plan and written report to Council or Planning Board as part of the development application. Where applicable, the site plan and report shall address but not necessarily be limited to the following matters:
- a) a key map showing the location of the site in relation to road access;
 - b) a general description of the site, including legal description;
 - c) the shape, dimensions and area of the site;
 - d) use of land and location and use of buildings and/or structures within 500 metres (1,640 feet) of the proposed site;
 - e) location of wells on lands within 1000 metres (3,281 feet) of the site;
 - f) location and type of existing or proposed fencing and signs and other security measures to be taken;
 - g) buffering or screening for adjacent properties and roads;
 - h) location of existing or proposed buildings and/or structures on the site;
 - i) distances to nearest water courses;
 - j) existing and proposed drainage patterns and systems;
 - k) depth of ground water table and direction of ground water flow;
 - l) grading of the subject lands;
 - m) direction of prevailing winds;
 - n) access roads to the site, including existing and proposed entrances;
 - o) storage areas;
 - p) sequence and direction of waste management operations;

- q) the location and extent of any required attenuating zone; and
 - r) methods of progressive and final site rehabilitation.
- vi) Prior to the approval of applications for a new “Waste Management Site” or the expansion of an existing “Waste Management Site”, Council or Planning Board shall consider:
- a) the potential impact of traffic generated by the proposed site on local roads and adjacent land uses;
 - b) the adequacy of proposed setbacks, buffering or screening measures to reduce nuisances, including subsurface gases, animal pests, noise, odours, etc. and other negative impacts which may be encountered on adjacent lands;
 - c) the adequacy of the proposed drainage system measures to protect ground water sources and surface waters from possible contamination;
 - d) the nature of the waste to be managed and the adequacy of proposed security measures to reduce potential risks to public safety;
 - e) the adequacy of proposed rehabilitation measures;
 - f) Provincial guidelines with respect to separation distances from sensitive land uses; and
 - g) where new development is proposed, the feasibility of directing the development to an existing designated “Waste Management Site”.
- vii) Where studies are required to substantiate proposals for new development or the expansion of an existing “Waste Management Site”, the proponent of the development shall be responsible for providing information to the satisfaction of Council or Planning Board. The studies shall be conducted in accordance with accepted scientific and engineering practices and procedures.
- viii) No redevelopment shall be permitted on a closed waste disposal landfill site for a period of 25 years following the closure of that site, unless approved by the Province.

6.12.3.3 **Development Adjacent to Waste Management Sites**

- i) Generally no development shall be approved within 500 metres (1,640

feet) of an active or closed waste disposal landfill site, unless:

- a) it is demonstrated that the proposed development will not be adversely affected by the presence of the waste management site through the completion of technical studies, or
 - b) it is demonstrated that the area within which adverse effects may be anticipated (the 'area of influence' of the waste management site), is confined to the site itself or is less extensive than Provincial guidelines provide, and
 - c) the presence of the development will not impede waste management operations nor hinder the future expansion of the waste management site.
- ii) Where development is approved adjacent to a designated "Waste Management Site", Council or Planning Board shall ensure that:
- a) adequate setbacks from property boundaries and separation distances are established which also include lands that may be required for attenuating zones as well as areas for future expansion of the waste management facility; and
 - b) only those types of uses are approved, which would not increase risks to public health and/or public safety as a result of their close proximity to the waste management site and operation.

6.12.3.4 **General Principles for Development and Zoning**

- i) Active waste management sites involving landfill or the treatment or storage of effluents or other waste by-products shall be designated on Schedule 'B' Land Use Plans to this Official Plan. Amendments to this Plan shall be required for the establishment of new waste management sites of these types.
- ii) Waste management facilities which are fully self-contained or are of minor consequence, such as recycling storage depots and sorting centres, shall not require amendments to this Official Plan. However as part of the planning approval process, consideration shall be given to those matters set out in Section 6.12.3.2 of this Plan.
- iii) For adequate control, the Zoning By-law shall only recognize active waste management sites and adjunct areas required for future expansion or as attenuating zones. Amendments to the implementing Zoning By-law shall be required for new waste management sites and also the expansion of existing waste management sites onto adjacent properties.

- iv) Waste management activities which do not involve land filling or the treatment and storage of effluents or hazardous waste by-products may be located within an appropriate industrial zone without amendments being made to the implementing Zoning By-law prior to their establishment.
- v) Zoning provisions for waste management facilities which are not contained within a building and involve land filling or the treatment and storage of effluents or potentially hazardous waste by-products shall be established on a case by case basis. Specific amendments to the implementing Zoning By-law shall be required on a case by case basis.
- vi) The implementing Zoning By-law shall contain adequate setbacks which reflect Provincial guidelines with respect to minimum separation distances between waste management sites and sensitive land uses, in order that potential adverse effects be minimized. The By-law shall also contain standards for buffering and screening to enhance the appearance of those sites from adjacent properties and public roads.
- vii) Whenever practicable, procedures to amend this Official Plan or its implementing Zoning By-law shall be conducted concurrently with other agency and public body approval procedures that may be required pursuant to Provincial legislation and regulations.
- viii) All waste management sites and the expansion or redevelopment of such sites shall be subject to Site Plan Control.

6.13 AIRPORT DISTRICT

6.13.1 PRINCIPLES

- i) René Fontaine Municipal Airport is a vital community facility connecting the Hearst area to the rest of the Province and the world via air transportation.
- ii) An active and thriving community airport can act as a catalyst, opening up opportunities for economic growth in new business ventures that lie beyond the Hearst Planning Area.
- iii) The presence and viability of an airport is an important community asset that encourages national and international corporations and professionals to establish in Hearst.
- iv) The René Fontaine Municipal Airport is uniquely situated as a portal for exploration and servicing the Canadian North.

6.13.2 **POLICY OBJECTIVES**

- i) The objectives of the development policies for the “Airport District” shall be:
 - a) to ensure the safety of aircraft using the René Fontaine Municipal Airport by eliminating potential aviation safety hazards;
 - b) to preserve the long-term development and function of the René Fontaine Municipal Airport by protecting the airport from incompatible land uses;
 - c) to establish guidelines and requirements for the development of commercial and industrial uses ancillary to and supporting airport operations; and
 - d) to designate suitable lands within the vicinity of the airport for the development of new commercial and industrial business ventures in support of airport functions and operations.

6.13.3 **GENERAL DEVELOPMENT POLICIES**

6.13.3.1 **Permitted Uses**

- i) Where land is designated “Airport District” on Schedule ‘B.8’ Land Use Plan – Town of Hearst to this Official Plan, the predominant use shall be for the landing and take-off of aircraft, ancillary commercial and industrial uses which are related to airport operations, as well as other commercial and industrial uses which are dependent on close proximity to the René Fontaine Municipal Airport for the viability of their operations.

6.13.3.2 **Development Within the Airport District**

- i) Development within the “Airport District” shall be limited to the airport itself and its appurtenances, and commercial and industrial land uses directly related to the operation and function of the airport.
- ii) Residential units shall not be permitted unless such development is required for an appropriately designed dwelling unit of a caretaker or watchperson responsible for the after-hours operation of lighting and fueling equipment of the airport or the maintenance and security of the airport premises.
- iii) Temporary living quarters may be established for aviation personnel or

staff providing services operating directly from the airport, such as forest fire-fighting crews, etc.

- iv) In reviewing proposals for development within the “Airport District”, Council shall be satisfied that:
 - a) the proposed development will not pose a safety hazard for aircraft using the airport;
 - b) the location of the development will not hinder the efficient operation of the airport;
 - c) off-street parking and loading facilities are adequate for the proposed development, whether such facilities are provided independent of airport facilities or in conjunction with the airport, subject to the approval of the Town of Hearst;
 - d) the site of the proposed development is suitable for the installation and long-term operation of private on-site or communal water and sewage disposal services; and
 - e) any lighting of buildings, structures and/or the site will not impair airport lighting, airport operations or aviation safety in any manner.
- v) Development within the “Airport District” shall be subject to Site Plan Control.

6.13.3.3 Development and Redevelopment Outside of the Airport District

- i) All development outside of the “Airport District” in locations which may have an impact on aviation safety or airport operations shall be subject to height restrictions.
- ii) Development outside of the “Airport District” shall take place and be carried out in accordance with the policies and provisions established for the land use designation in which such development is proposed.

6.13.3.4 General Principles for Development and Zoning

- i) The Zoning By-law shall implement the general policies set out in this Section of the Official Plan.
- ii) In addition to the Airport Zone, a “Special Airport Vicinity Zone” shall be established in the Zoning By-law to identify lands surrounding the “Airport District” within the Town of Hearst, upon which buildings and structures have the potential to affect aviation safety and airport operations.

- iii) Appropriate controls regulating land use and the heights of buildings and structures shall be established in the implementing Zoning By-law.
- iv) Sensitive land uses which may be subject to noise, odours or other inconveniences from airport operations shall not be permitted within close proximity to the René Fontaine Municipal Airport, unless such land uses are integral to the maintenance, operation and/or security of the airport or related commercial and industrial permitted uses.

7. PLAN IMPLEMENTATION POLICIES

7.1 POLICY OBJECTIVES

- ii) To ensure that the Official Plan appropriately plans for the long-term needs of the Hearst Planning Area.
- iii) To use all appropriate mechanisms in the *Planning Act* to implement this Official Plan.
- iv) To facilitate decisions on planning matters and ensure consistency with the *Provincial Policy Statement*.
- v) To ensure that a comprehensive, integrated and coordinated approach is taken during the consideration of planning matters.

7.2 PLANNING HORIZON

- i) The planning horizon of this Official Plan shall be 20 years, from 2016 to 2036.
- ii) The lands designated for residential and non-residential development are based on projections to the year 2036 . Expansions to settlement areas shall be subject to the policies of Sections 4, 5 and 6 of this Official Plan.

7.3 INTERPRETING LAND USE BOUNDARIES

- i) The boundaries between land uses designated on Schedule 'B' Land Use Plans to this Official Plan are approximate only, except where they coincide with major roads, railway lines, rivers or other clearly defined physical features.
- ii) Where the general intent of this Plan is maintained, minor adjustments to boundaries can be made without necessitating an amendment to this Plan pursuant to the *Planning Act*, provided the abutting land use designation is applied to the lands from which the former land use designation has been withdrawn.

7.4 PLANNING TOOLS

7.4.1 SECONDARY PLANS

- i) Secondary Plans shall be required for any major development or redevelopment proposals in or adjacent to the Town of Hearst, the Village of Mattice and the designated “Hamlet” and “Rural Residential District” areas. It is not the intent of this policy that all communities and neighbourhoods have a Secondary Plan. Where significant changes are or will be encountered due to development or redevelopment, the need for a Secondary Plan shall be considered. Secondary Plans shall address but not necessarily be limited to the following matters:
 - a) basis or reasons for the Secondary Plan;
 - b) population density and capacity;
 - c) general development policies;
 - d) land use designations;
 - e) cultural heritage resource conservation;
 - f) infrastructure;
 - g) community facilities and services;
 - h) development constraints; and
 - i) policies for growth and phasing.

7.4.2 ZONING BY-LAWS

- i) The Zoning By-laws shall implement the land use designations and planning policies of this Official Plan and shall be amended accordingly.
- ii) During the transition period between the Official Plan coming into effect and the Zoning By-laws being amended, where a conflict arises between the permitted uses in the Official Plan and the Zoning By-laws, the Zoning By-laws shall prevail. Regardless, no planning decision shall be made that is not consistent with the policies set out in the *Provincial Policy Statement, 2014*.
- iii) A Zoning By-law may contain a Future Development zone which may be applied on lands where it is not possible to determine the specific type,

phasing and servicing of development, provided such Future Development Zone is located within a Settlement Area.

- iv) A Zoning By-law may contain 'holding' provisions which shall be used where it is necessary to zone lands for development in advance of specifically identified water and wastewater services, road improvements or extensions, special land use policies, or phasing of development.
 - a) A Zoning By-law may apply 'holding' provisions to any area of a municipality, zoning category, land use within a zoning category, or on a site-specific basis.
 - b) A Zoning By-law may zone the lands for their future intended use and shall identify the lands subject to the 'holding' provisions by adding the symbol "h" to the zoning category.
 - c) A Zoning By-law may identify the land uses permitted in the interim while the holding provisions are in effect.
 - d) Development or redevelopment of the lands cannot proceed until the symbol "h" is removed, and the Zoning By-law may state what specific conditions or works must be undertaken before the holding symbol can be removed and which government or agency is responsible for providing clearance that the condition or requirement has been met.
- v) A Zoning By-law may authorize increases in the height and density of residential or commercial development above that permitted in the Zoning By-law in return for the provision of:
 - a) affordable housing;
 - b) rental housing;
 - c) the preservation of buildings or structures of heritage value; and
 - d) parkland dedication greater than that required through the policies of this Plan.
- vi) A site-specific Zoning By-law shall establish the standards that apply if a bonus is awarded as noted in clause 7.4.2(v).
- vii) Temporary use by-laws may be enacted to allow the short-term use of lands, buildings, or structures that may not be in conformity with the Official Plan and Zoning By-law.

- a) Where appropriate, temporary uses shall be subject to the Site Plan Control provisions of the Official Plan.
- b) The temporary use by-law shall describe the specific area affected and identify the period of time up to a maximum of three (3) years for which the use is authorized, with an allowance for additional extensions of not more than three (3) years each.
- c) Garden suites in urban residential areas and on rural properties may be authorized for extended periods of time of up to twenty (20) years in duration and may be subject to further renewals in accordance with the terms and conditions of the agreement relating to their installation and occupancy.
- d) Upon the expiration of the temporary use by-law, the use shall cease to exist and will not be considered an existing use.

7.4.3 INTERIM CONTROL BY-LAWS

- i) An Interim Control By-law may be enacted to control the use of lands and buildings until studies required by Council to assess planning and engineering issues are prepared and approved. Such by-law shall:
 - a) describe the specific area affected;
 - b) identify the period of time up to a maximum of one (1) year for which the by-law is in effect, with an allowance for one (1) additional extension of one (1) year, which may be granted by amending the by-law should the studies not be finalized;
 - c) identify the uses prohibited and/or not prohibited.

7.4.4 SITE PLAN CONTROL

- i) All lands within the Town of Hearst and the Township of Mattice-Val Côté shall be designated by by-law as Site Plan Control Areas, with the following classes of development being exempt:
 - a) all farm operations including agriculture and farm related buildings or structures that are utilized in farming operations, except that greenhouse farms and agricultural related commercial or industrial operations such as farm equipment sales and service and farm supply sales and off-farm agricultural storage shall not be exempted from Site Plan Control approval;
 - b) single detached dwellings, residential buildings containing less than

- three (3) dwelling units and single detached seasonal cottages; and
- c) licensed aggregate operations that are controlled under the *Aggregate Resources Act*. Council and/or the Planning Board shall encourage the Ministry of Natural Resources and Forestry to circulate the proposed rehabilitation plan for comments.
 - ii) Council may require plans and drawings showing specific elements of the proposed development as identified in the *Planning Act*.
 - iii) Road widenings may be required as a condition of Site Plan Control approval to meet the right of way widths in this Official Plan.
 - iv) Council may apply conditions for the conservation of cultural heritage resources as part of the Site Plan Control approval.
 - v) Council or its designated officer may enter into a Site Plan Control agreement with a developer to secure the requirements of Site Plan Control approval.

7.4.5 **CONSENTS**

- i) Unless otherwise specified, Council and the Planning Board shall require plans of subdivision for more than four lots and shall give consideration to the criteria set out herein when reviewing applications for consent.
- ii) In Settlement Areas within municipalities, which shall consist of the “Urban Residential District”, “Downtown and Main Street District”, “Commercial District”, “Industrial District”, “Village” of Mattice and “Hamlet” of Val Côté:
 - a) consents shall be granted only in areas where the undue extension of any major service will not be required;
 - b) consents shall be granted only when the land fronts on a year-round maintained public road which is of reasonable standard of pavement or gravel construction;
 - c) consents shall infill existing urbanized areas and not expand the urban serviced area unduly;
 - d) the size of any parcel of land created by consent shall be appropriate for the use proposed given the public services available and the soil conditions, but in no case shall any parcel be created which does not conform to the provisions of the Zoning By-law;

- e) except for commercial and industrial development, and subject to road authority requirements, direct access from major roads and particularly Highway No. 11 shall be discouraged and residential lots, where possible, shall have access only from internal residential roads;
 - f) consents shall not be granted for land where road access will create a traffic hazard because of limited sight lines on curves or grades;
 - g) where minor extensions to public services may be approved in accordance with the policies of Section 7.7 of this Plan, the proponent shall bear all costs for the extension of such services, unless otherwise deemed advisable by the Council and/or the public authority having jurisdiction;
 - h) consents shall be subject to the payment of all outstanding local improvement levies and any outstanding charges with respect to servicing connections and/or lot frontage associated with the lot to be created;
 - i) consents shall be subject to payment of all outstanding municipal taxes on both the lot to be retained and that to be severed;
 - j) consents shall be subject to 5% parkland dedication or cash in lieu thereof for new urban residential lots having municipal water and sanitary sewer services, as well as urban residential properties requiring consent due to their consolidation under the predecessor of subsection 50(12) of the *Planning Act* or being deemed not to be within a registered plan of subdivision pursuant to subsection 50(4) of said *Act*;
 - k) consents may be granted where abutting lots owned by the same person(s) prior to March 31, 1979 were consolidated as a single lot under the predecessor of subsection 50(12) of the *Planning Act*, provided that the lots have frontage on an existing year-round maintained public road and that clauses (a) through (j) inclusive of this subsection are generally satisfied; and
 - l) recommendations shall be received from all interested agencies prior to a decision.
- iii) In Rural Areas of municipalities, which shall consist of the “Rural Residential District” and “Natural Resource District”:

- a) non-agricultural development shall locate as infilling in, or adjacent to existing rural residential areas, in order that scattered isolated residential development throughout the non-urban area be prevented;
- b) a maximum of three (3) consents may be granted from an original township lot, unless such lots are created by plan of subdivision;
- c) consents in any Rural Area of a municipality shall be subject to the provision of a minimum lot area of 4 hectares (9.9 acres) for the lot to be created and also for the lot to be retained;
- d) consents shall be subject to the provision of a minimum lot frontage of 100 metres (328 feet) each for the land to be severed and that to be retained;
- e) strip residential development along highways shall be prevented and direct access from highways shall be restricted;
- f) lots for permanent year-round residential occupancies shall have access only from existing year-round maintained public roads, which are of a reasonable standard of construction;
- g) consents shall be granted only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient potable water supply and to permit the installation of an adequate means of sewage disposal over the long term with no negative impacts;
- h) consents shall only be granted where sufficient reserve capacity is available in existing sewage lagoon systems for treating the additional anticipated hauled sewage that may be generated by new rural lots in municipalities;
- i) the size of any parcel of land created by a consent shall be appropriate for the use proposed, but in no case shall any parcel be created that does not conform to the provisions of the implementing Zoning By-law;
- i) the use of the lot shall conform to those uses permitted in rural areas;
- j) new lots, including new lots proposed for existing dwelling units shall comply with the MDS formulae established from time to time by the Province;
- k) consents shall not be granted for land where road access will

- create a traffic hazard because of limited sight lines on curves or grades;
- l) consents shall be granted only in areas where the excessive extension of services such as school bussing, snow removal, road repairs, etc. will not be required;
 - m) consents may be granted where abutting lots owned by the same person(s) prior to March 31, 1979 were consolidated as a single lot under the predecessor of subsection 50(12) of the *Planning Act*, provided that the lots have frontage on an existing year-round maintained public road and that clauses (a) through (l) inclusive of this subsection are generally satisfied; and
 - n) recommendations shall be received from all interested agencies prior to a decision.
- iv) In the “Hamlet Districts” of Hallébourg and Jogues:
- a) development shall locate as infilling in, or adjacent to existing residential areas;
 - b) consents shall only be granted where surplus capacity is available in public communal sanitary sewage disposal systems, and the proposed development shall be connected to such system;
 - c) strip residential development along highways shall be prevented and direct access from highways shall be restricted;
 - d) lots for permanent year-round residential occupancies shall have access only from existing year-round maintained public roads, which are of a reasonable standard of construction;
 - e) consents shall be granted only when it has been established that a sufficient and potable water supply can be obtained;
 - f) the size of any parcel of land created by a consent shall be appropriate for the use proposed, but in no case shall any parcel be created that does not conform to the provisions of the implementing Zoning By-law;
 - g) the use of the lot shall conform to those uses permitted in rural areas;
 - h) consents shall not be granted for land where road access will create a traffic hazard because of limited sight lines on curves or grades;

- i) consents shall be granted only in areas where the excessive extension of services such as school bussing, snow removal, road repairs, etc. will not be required;
 - j) consents may be granted where abutting lots owned by the same person(s) prior to March 31, 1979 were consolidated as a single lot under the predecessor of subsection 50(12) of the *Planning Act*, provided that the lots have frontage on an existing year-round maintained public road and that clauses (a) through (i) inclusive of this subsection are generally satisfied; and
 - k) recommendations shall be received from all interested agencies prior to a decision.
- v) In the “Hamlet District” of Lac Ste. Thérèse, “Rural Residential District” of Coppel and “Natural Resource District” within territories without municipal organization:
- a) no consents shall be given for residential purposes;
 - b) consents may be given to establish a legal property for a surplus occupied dwelling unit that was located on the subject land prior to January 1, 1980;
 - c) strip non-residential development along highways shall be prevented and direct access from highways shall be restricted;
 - d) consents shall be granted only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient potable water supply and to permit the installation of an adequate means of sewage disposal;
 - e) the size of any parcel of land created by a consent shall be appropriate for the use proposed, but in no case shall any parcel be created that does not conform to the provisions of the implementing Zoning By-law;
 - f) the use of the lot shall be for recreation, tourism, aggregate operations or commercial and industrial uses related to natural resource-based activities;
 - g) consents shall not be granted for land where road access will create a traffic hazard because of limited sight lines on curves or grades;

- h) consents shall be granted only in areas where the excessive extension of services such as school bussing, snow removal, road repairs, etc. will not be required;
 - i) consents may be granted where abutting lots owned by the same person(s) prior to March 31, 1979 were consolidated as a single lot under the predecessor of subsection 50(12) of the *Planning Act*, provided that the lots have frontage on an existing year-round maintained public road and that clauses (a) through (h) inclusive of this subsection are generally satisfied; and
 - j) recommendations shall be received from all interested agencies prior to a decision.
- vi) In “Seasonal Residential Districts” of territories outside of municipalities:
- a) consents in Seasonal Residential Districts shall generally be for the purposes of lot additions in conformity with the criteria set out in Section 6.4 of this Plan;
 - b) new lots on private services shall not have a lot area of less than 1 hectare (2.47 acres) unless justified by a hydrogeological study;
 - c) lots for seasonal residential occupancies may be accessed by existing year-round maintained public roads, private roads or via water;
 - d) consents shall be granted only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and potable water supply and to permit the installation of an adequate means of sewage disposal;
 - e) the size of any parcel of land created by a consent shall be appropriate for the use proposed, but in no case shall any parcel be created that does not conform to the provisions of the implementing Zoning By-law;
 - f) the use of the lot shall conform to those uses permitted in cottage and recreational areas;
 - g) it is demonstrated through the completion of a Lakeshore Capacity Assessment that there is sufficient environmental lake capacity to support the proposed development;
 - h) consents shall not be granted for land where road access will create a traffic hazard because of limited sight lines on curves or

grades;

- i) consents shall be granted only in areas where the extension of services such as school bussing, snow removal, road repairs, etc. will not be required;
 - j) consents may be granted where abutting lots owned by the same person(s) prior to March 31, 1979 were consolidated as a single lot under the predecessor of subsection 50(12) of the *Planning Act*, provided that the lots have adequate access and that clauses (a) through (i) inclusive of this subsection are generally satisfied; and
 - k) recommendations shall be received from all interested agencies prior to a decision.
- vii) Lot additions may be approved in all designated areas, including the “Hamlet” designation of Lac Ste. Thérèse and the designated “Rural Residential District” of Coppel and the “Natural Resource District” within unorganized territories, provided:
- a) consent for a lot addition may be given from any property, unless such lot addition would reduce the lot frontage and/or area of the original property to a size that is less than the minimum requirements of the Zoning By-law;
 - b) any number of consents for lot addition purposes may be considered simultaneously from the same original property, provided such lot additions will generally have the effect of bringing the recipient abutting properties into compliance with the Zoning By-law; and
 - c) consents for lot additions shall generally satisfy the policies set out in subsections 7.4.5(ii) through (vi) hereto.

7.4.6 SUBDIVISIONS, CONDOMINIUMS, VACANT LAND CONDOMINIUMS

- i) Council and the Planning Board shall require plans of subdivision for the simultaneous creation of:
 - a) more than four (4) lots in Settlement Areas of municipalities;
 - b) four (4) or more lots in rural areas of municipalities; and
 - c) more than one (1) lot in new Seasonal Residential Districts,and shall give consideration to the relevant criteria set out in Section 7.4.5

when reviewing applications for plans of subdivision.

- ii) Condominiums and vacant land condominiums shall only be approved for development within municipalities, and consideration shall be given to the adequacy of common elements and the rights and obligations of tenants and/or owners, in addition to the general criteria set out in Section 7.4.5 of this Plan.
- iii) In rural areas of municipalities, where it is proposed that subdivisions be serviced by private on-site sewage disposal and potable water systems, servicing studies and a hydrogeological assessment prepared in accordance with the Province's D-Series technical guidelines shall be required to determine the types of systems suitable for the development as well as the recommended lot sizes to be created.
- iv) In new Seasonal Residential Districts, seasonal residential lots in plans of subdivision shall comply with the policies set out in subsection 7.4.5(vi) of this Plan and the provisions of the Zoning By-law.
- v) Where subdivisions, condominiums or vacant land condominiums are proposed adjacent to a Provincial highway, access to lots or units shall only be gained from internal access roads or local roads. Where such developments are proposed with local roads running parallel to a highway, the layout of the subdivision should be designed such that the lots back onto the Provincial highway and front onto a local internal street to ensure sufficient land shall be reserved for future highway improvements.
- vi) Prior to the approval of a plan of subdivision, condominium or vacant land condominium, Council and the Planning Board may require the proponent to enter into an agreement with the local municipality to ensure that specific requirements and standards for the provision and construction of works, services and facilities are met.
- vii) In addition to the conditions set out in subsection 51(25) of the *Planning Act*, such agreements may also contain terms and conditions relating to, but not necessarily limited to:
 - a) provision of appropriate plans, including lot grading and drainage plans;
 - b) phasing or staging of the works, services and facilities to be provided;
 - c) deposit of guarantees with the Municipality during the construction and installation of works, services and facilities, including the types of guarantees acceptable;

- d) deposit of warrantees with the Municipality following the completion of works, services and facilities, including the types and periods of warrantee acceptable;
- e) land to be conveyed for parkland dedication purposes or 5% cash in lieu thereof; and
- f) restrictions respecting the conveyance of properties, the issuance of building permits and the occupancy of properties.

7.4.7 TITLE VALIDATIONS

- i) The Planning Board may issue a certificate of validation in respect of land that has been conveyed in contravention of the *Planning Act* or a municipal by-law, provided:
 - a) extenuating circumstances prevent the proper re-conveyance of such land by consent, and evidence of the same is submitted by the proponent for such certificate; and
 - b) it is determined that conveyance by consent procedures is impracticable.
- ii) Prior to making a decision on issuing a certificate of validation, the Planning Board shall have regard for those matters described under subsection 51(24) of the *Planning Act*.
- iii) No certificate of validation shall be issued by the Planning Board unless such certificate conforms with the Official Plan of the Hearst Planning Area, and the implementing Zoning By-laws in effect for the Town of Hearst or the Township of Mattice-Val Côté, or the unincorporated territories of the Hearst Planning Area.

7.5 PLANNING PROCESS

- i) Council and the Planning Board shall establish procedures for processing of planning applications, including setting a tariff of fees for the processing of applications, prescribing the nature and content of planning application forms, and the requirements for a 'complete' application.
- ii) During the planning application review process, all relevant policies of the *Provincial Policy Statement, 2014* and this Plan shall be taken into consideration.
- iii) The review of planning applications shall meet the timelines specified in

the *Planning Act* and its implementing regulations.

- iv) To assist in the timely review of planning applications, Council and the Planning Board may refuse to accept an application that lacks the required material and/or information and may determine that the application is incomplete.
- v) To be considered 'complete', applications shall be submitted with:
 - a) the prescribed form fully completed;
 - b) the planning processing fees paid; and
 - c) the appropriate studies and information related to public sewage and water servicing capacities, waste management, on-site water and sanitary sewage disposal servicing, stormwater management, traffic, contaminated lands, noise and vibration, land use compatibility, ground and surface water conservation and protection, progressive and final rehabilitation of resource extraction sites, odour and nutrient management, environmental impact including fish and significant wildlife habitat protection, Record of Site Condition (RSC), hydrogeological assessments, heritage impact assessments, archaeological impact assessments and Lakeshore Capacity Assessments, as set out Sections 5.4 and 5.6 and Sections 6.1 through 6.13 of this Plan, and the Province's D-Series guidelines. Other studies may also be requested from time to time.
 - d) For applications to amend the official plan or zoning by-law, or for plans of subdivision, a proposed strategy for consulting with the public with respect to the application.
- vi) To reduce the incidence of refusal of applications, Council and the Planning Board shall require pre-submission consultation meetings with applicants that provide staff an opportunity to identify issues and special studies needed to accompany planning applications.
- vii) During the pre-submission consultation meeting, Council and Planning Board staff may identify other applications that are required with respect to the subject planning matter. Such applications shall be submitted concurrently by the applicant and shall be processed in a concurrent manner in order that agencies and approval authorities can properly evaluate the planning applications and make consistent and appropriate decisions.
- viii) The submission of applications and all required reports and information

may be required in both electronic and hard copy format in order that the applications and information can be made more easily available to agencies and the public for review.

- ix) Planning applications shall be circulated to agencies in a timely manner, and Council and the Planning Board will endeavour to ensure a timely response to applications.
- x) Where it is apparent that a planning proposal may have an impact on an adjacent municipality, Council or the Planning Board shall seek input from that municipality and the Town of Hearst on the issue.
- xi) An amendment to this Plan and its implementing by-laws shall not be required for minor, non-substantive modifications that do not affect policies of this Plan or their intent. Such modifications may be required for altering punctuation or language to make the text uniform, altering format and correcting spelling, grammar, sequential numbering and arrangement of text and pages, adjusting the Table of Contents and adding, deleting or changing the names of features on Schedules 'A' through 'E' or the road classification and maintenance categories on Schedules 'D' to this Plan, changing reference to organizations and legislation, adding technical information such as soil classifications to map schedules and appendices or changing map bases, inserting historical footnotes and similar annotations.
- xii) An amendment to this Plan shall not be required to refine the boundaries of any land designated as "Environmental Constraint District", provided the boundary adjustments are in keeping with policies found in Section 6.11 "Environmental Constraint District" of this Official Plan, and are made by Council or the Planning Board in consultation with the Province.
- xiii) Amendments to this Official Plan and its implementing by-laws shall not be required for the consolidation of Plan amendments and the consolidation of amendments to Community Improvement Plans and Zoning By-laws.
- xiv) Similarly, an amendment to this Plan is not required for the recognition of a new "Aggregate Constraint Area", when such designation is made by the Council or the Planning Board in consultation with the Province.

7.6 MONITORING AND PLAN REVIEW

- i) In accordance with the requirements of the *Planning Act*, a review of this Official Plan shall be conducted by the Planning Board and Councils ten (10) years following the date of its approval and coming into effect (by 2027). The policies of this Official Plan however shall be monitored and reviewed from time to time by the Planning Board and Councils to ensure

that this Official Plan incorporates current information, remains up to date with legislative requirements, and continues to reflect ongoing trends.

- ii) This Official Plan shall be kept current with *Provincial Policy Statements* as may be issued by the Province from time to time.
- iii) Additional monitoring of the Official Plan may be included in annual reports, such as reports prepared for capital and/or operational budgeting purposes.
- iv) All staff reports on development applications will assess the proposal's compliance with the Official Plan and the *Provincial Policy Statement*.
- v) Development applications in the Hearst Planning Area will be monitored through the development approvals process.
- vi) Where appropriate, Council and/or the Planning Board may conduct special studies to facilitate the review and update of this Plan.

7.7 FINANCIAL MANAGEMENT

- i) The coordination of municipal services shall continue to ensure efficient and cost-effective planning and delivery of such services.
- ii) Collaboration with other service providers shall continue in order that cost savings may be achieved in service delivery.
- iii) Municipalities shall carry out asset management planning to establish priorities, levels of services and operating performance indicators in order that the most cost-effective maintenance, repair, rehabilitation and/or replacement of public assets can be accomplished in a timely fashion throughout the life cycle of such assets.
- iv) Asset management planning for infrastructure and public facilities shall be coordinated and integrated with land use planning to ensure that public assets are financially viable over their expected life cycle and that use of existing public assets is optimized to meet current and projected needs.
- v) Investments shall be made in new technology that result in reductions in capital and/or operating costs.
- vi) Financing arrangements that benefit the Municipality and/or reduce the burden on the tax base may be used, such as:
 - a) front-ending agreements for development;

- b) development charges; and/or,
 - c) public-private-partnerships.
- vii) For proposed large-scale land development, infrastructure or building facility projects, Council may undertake a fiscal impact study. The study shall determine the costs and benefits to the Municipality over a 20-year lifespan or such other relevant medium- or long-term period as may be determined by Council, and any proposal that creates an undue burden on municipal resources may not be approved. All fiscal impact studies will also incorporate economic, environmental and social indicators to address issues related to community well-being and quality of life.
- viii) Council may implement user fees for certain services that it provides.
- ix) Where policies of this Plan permit proponents to extend municipal water and sanitary sewer services and/or roads to serve private development, the extension of such infrastructure shall not be approved unless Council is satisfied that the long-term operating, maintenance and life cycle costs to be incurred by the Municipality for such services are in line with its financial capabilities according to its asset management plan.

7.8 PUBLIC NOTICE AND CONSULTATION

- i) It is the intent of the Councils and Planning Board to provide a public consultation process that encourages and enables individuals and organizations affected by the adoption or amendment of an Official Plan, a Community Improvement Plan, a Zoning By-law, a plan of subdivision, condominium or vacant land condominium, a consent or application for a minor variance or permission pursuant to subsection 45(5) of the *Planning Act*, to be made aware of such planning proposals and to be provided with opportunities to express their views either verbally or by written submission.
- ii) The public consultation process will be consistent with values set out in this Plan, and will be transparent, accessible, responsive, inclusive and empowering, and will be based on mutual respect.
- iii) The requirements of the *Planning Act* as set out in Sections 17(15) through (19.3), 28(4), 34(10.7) or (10.9), (12) and (13), 51(19.4) and (20), 53(5) and (7.1) will apply to the public notification process, unless such public notice and meeting are not required with respect to the exemptions set out in Section 7.5 of this Plan.
- iv) Any planning study initiated by Council or the Planning Board shall incorporate a program of public consultation that meets or exceeds the

minimum statutory requirements for that study.

- v) Council and the Planning Board shall make as much information as is possible available to the public to foster a greater awareness and knowledge of planning matters and to assist in their understanding of applications and amendment proposals, including what is being proposed, any potential impacts to the community and any mitigation measures being proposed to address such impacts. This information shall include but not necessarily be limited to making planning documents available, such as the Official Plan, Community Improvement Plans, Zoning By-laws, complete application(s) that have been submitted, and all related studies and reports.
- vi) To facilitate public participation in planning matters and to disseminate essential information, Council and the Planning Board shall use appropriate methods at varying stages of the planning and decision-making process, such as formal and informal public meetings, open houses, workshops, displays, media advertising, radio, social media and/or community television presentations, newspaper articles, surveys, municipal websites, mail-out inserts, and notices by first class prepaid mail, and/or e-mail, provided the individuals or agencies requesting information and/or notification by e-mail have provided their electronic addresses to the Council and Planning Board.
- vii) Public consultations and related information for distribution shall be provided in both official languages in keeping with the by-laws of the Town of Hearst relating to bilingualism.
- viii) Council and the Planning Board shall hold at least one (1) statutory meeting for the purpose of hearing comments on a planning application, at which time any member of the public may express their views verbally or in writing concerning such application. Written comments may be submitted to the Clerk or Secretary-Treasurer, as the case may be, at any time prior to or during the public meeting.
- ix) In addition to the statutory meeting, Council and the Planning Board shall hold at least one (1) open house for the purpose of giving the public an opportunity to review and ask questions on an application and the related information if a comprehensive review of the Official Plan or Zoning By-law is being undertaken.
- x) Applicants shall be required to organize and hold at least one (1) open house for the purpose of giving the public an opportunity to review and ask questions on applications and the related information for plans of subdivision, condominiums and vacant land condominiums.
- xi) Council, the Planning Board and applicants, when required, shall ensure

that public consultation sessions are held in convenient and accessible locations with ample space to accommodate the public consultation event, in the municipality or area of the subject application. Where the application affects a number of communities or the Planning Area, Council and the Planning Board shall ensure that an adequate number of public consultation sessions are held in various locations. This policy shall not apply to statutory public meetings, which shall be held in the regular meeting place of the Council or the Planning Board, as the case may be.

- xii) Within fifteen (15) days after affirmative notice has been given to an applicant of the receipt of a complete application, and pursuant to the *Planning Act*, notice of the application and open house/public meeting shall be given to those persons and public bodies prescribed by:
 - a) publication in a newspaper having regional circulation; or
 - b) first class prepaid mail to all owners within 120 metres (394 feet) of the land subject to the application, as shown on the last revised assessment roll; and
 - c) every person and agency that has given the Clerk or Secretary-Treasurer a written request for such notice;
 - d) the applicant;
 - e) the public bodies prescribed by the Province; and
 - f) such other method of communication as may be determined appropriate by the Council and the Planning Board.
- xiii) Council and/or the Planning Board shall hold one (1) or more public meetings at which time any member of the public may express his or her views on a planning proposal, and
 - a) in the case of the adoption or an amendment or repeal of an Official Plan, a Community Improvement Plan or Zoning By-law, notification of such public meeting shall be given pursuant to the requirements of the *Planning Act* at least twenty (20) days prior to the date of the public meeting; or
 - b) in the case of the approval or revision of a plan of subdivision, condominium or vacant land condominium or consent, notification of such public meeting shall be given pursuant to the *Planning Act* at least fourteen (14) days prior to the date of the public meeting; or
 - c) in the case of an application for a minor variance or permission, notification of such public meeting shall be given pursuant to the

Planning Act at least ten (10) days prior to the date of the public meeting.

- xiv) Where a statutory public meeting has been properly convened and it is determined necessary to reconvene said meeting at a later date or to schedule additional and subsequent meetings to hear comments on amendments to the Official Plan or its implementing Zoning By-laws, then the notification period for such subsequent public meetings may be reduced to seven (7) days prior to the meeting date, and such notice may be given by first class prepaid mail, by advertising in the media or the Town website, by facsimile or electronic transmission (e-mail), provided those individuals and organizations requesting notification by the latter method submit their electronic addresses to the Clerk or Secretary-Treasurer as the case may be.
- xv) Council and/or the Planning Board shall hold at least one (1) open house for the purpose of allowing the public to review and ask questions about the information and material assembled for the Official Plan 5-year review update or Zoning By-law review and update following the Official Plan review. In such cases, notification of the open house(s) shall be given at least fourteen (14) days prior to the date of the open house(s). Such open houses shall be held no later than seven (7) days prior to the date of the statutory public meeting(s) to be held for the purpose of the Official Plan 5-year review or the Zoning By-law 3-year review update. Notification of the open house(s) and the public meeting(s) may be given simultaneously.
- xvi) Where an open house is organized and held by the applicant for a plan of subdivision, condominium or vacant land condominium, said applicant shall give notification of such open house at least fourteen (14) days prior to the date of the open house and not later than seven (7) days prior to the date of the statutory public meeting to be held for the purpose of making a decision on the proposed plan of subdivision, condominium or vacant land condominium. Notice shall be given in such manner as is determined by the applicant to make individuals and organizations aware of the proposed planning application and to provide them with opportunities to express their views either verbally or in writing.
- xvii) Written notice of the decision of the Council or the Planning Board with respect to a planning matter shall be given within fifteen (15) days of the decision in the manner prescribed in the *Planning Act*. Such notice shall contain the information prescribed and an explanation of the effect that any written submissions had on the Council or Planning Board prior to making its decision.