



The Corporation of the Municipality of Whitestone

**Agenda of Special Council Meeting
Tuesday August 25 2026**

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The written minutes are the official record of the meeting.*

1. Call to Order and Roll Call

10:00 a.m.

National Anthem

Indigenous Land Acknowledgement Statement

The Municipality of Whitestone recognizes all of Canada resides on traditional, unceded and/or treaty lands of the Indigenous People of Turtle Island.

We recognize our Municipality on The Robinson Huron Treaty territory is home to many past, present and future Indigenous families.

This acknowledgment of the land is a declaration of our commitment and collective responsibility to reconcile the past, and to honour and value the culture, history and relationships we have with one another.

2. Disclosure of Pecuniary Interest

3. Approval of Agenda

4. Presentations and Delegations - None

5. Committee of the Whole

5.1 Official Plan Review

- Memorandum from Jamie Robinson, MHBC Planners
 - 5.1.1 Draft 1.4 Official Plan – Clean Copy
 - 5.1.2 Draft 1.4 Official Plan – Tracked Changes Copy

6 Public Meeting - None

7 Consent Agenda - None

Items listed under the Consent Agenda are considered routine and will be enacted in one motion. A Member of Council may request one or more items to be removed from the Consent Agenda for separate discussion and/or action.

8 Accounts Payable - None

9 Staff Reports - None

10 By-laws - None

11 Business Matters - None

12 Correspondence - None

13 Councillor Items - None

14 Questions from the Public

15 Closed Session - None

16 Confirming By-law

17 Adjournment



MEMO

To:	Nigel Black
From:	Jamie Robinson
Date:	August 19, 2026
File:	23217T
Subject:	Whitestone Official Plan Review - Status Update

The following correspondence has been prepared to provide an update on the status of the Whitestone Official Plan review in advance of the upcoming meeting with Council to review the first draft modifications to the Official Plan.

An Open House on the first draft of the Official Plan conducted in July of 2025 and since that time, Council has held numerous meetings to review the First Draft of the Official Plan. The final of these sessions is expected to occur on August 25th. Following this meeting, it is anticipated that the Draft Official Plan will be provided to the Ministry of Municipal Affairs and Housing for review and comment, upon which, the Ministry will initiate their 90-day commenting window and undertake a review of the Draft Plan.

Following the 90-day comment window, Ministry comments will be incorporated into the Official Plan, and the Municipality can proceed to schedule a statutory Open House and statutory Public Meeting to consider the draft Official Plan for adoption. Once the Official Plan has been adopted, it will be provided to the Ministry of Municipal Affairs and Housing for approval. The approval process could take a number of months.

Following the recent meetings with Council, a request has been made to modify mapping to only include wetlands greater than 3 hectares on the Official Plan Schedules and to provide additional policies related to lake trout lakes. The updated mapping has been completed and is attached to this memorandum. The updated lake trout policies have also been attached to this memorandum for review in advance of the Council meeting on August 25th.

The August 25th Council Meeting will continue with a review of the Draft Official Plan from Section 12.0.5.

Attachment 1 – Draft OP Schedule A, Schedule B & Schedule C

Attachment 2 – Draft OP Lake Trout Policies

Links to Attachments referred to in the Memorandum of Jamie Robinson, MHBC Planners:

[Attachment 1: Draft OP Schedule A Land Use; Schedule B Natural Heritage; Schedule C Natural Resources](#)

[Attachment 2: Draft OP Lake Trout Policies](#)



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OFFICIAL PLAN FOR THE MUNICIPALITY OF WHITESTONE

Draft #1.4 - July 15 Council Version – Prepared for the July 15th,
2026 Council Meeting

Clean Version

THIS VERSION INCORPORATES COUNCIL COMMENTS

Table of Contents

SECTION 1.0 – TITLE AND COMPONENTS OF THE PLAN	1
SECTION 2.0 – PURPOSE OF THE PLAN	1
SECTION 3.0 – GOAL OF THE PLAN	2
SECTION 4.0 – BASIS OF THE PLAN	2
SECTION 5.0 – OBJECTIVES OF THE PLAN	4
SECTION 6.0 – GROWTH AND SETTLEMENT PATTERN	6
6.01 General	6
6.02 Year-Round Population	6
6.03 Seasonal or Waterfront Development	6
SECTION 7.0 – GENERAL ECONOMIC POLICY	7
SECTION 8.0 – GENERAL DEVELOPMENT POLICY	8
8.01 Preferred Method of Lot Creation	8
8.02 New Lot Creation Criteria Requirements	8
8.03 New Lots – Exemption from Standard Requirements	9
8.04 Servicing	10
8.05 Accessibility	11
SECTION 9.0 – ROADS AND TRANSPORTATION	12
9.01 Provincial Highways	12
9.02 Municipal Roads	12
9.03 Major Roads	12
9.04 Municipal Road Allowance	13
9.05 Municipal Road Standards	14
9.06 Private Roads	14
9.07 Colonization and Deviation Roads	15
9.08 Shore Road Allowances	15
9.09 Roads Over Crown Land	16
9.10 Recreational Trails	16
9.11 Railways	16
SECTION 10.0 – GENERAL PARKS AND OPEN SPACE	17
10.01 Parkland Policy	17
10.02 Golf Course Policy	17
SECTION 11.0 – HOUSING AND SPECIAL LAND USES	18
11.01 General	18
11.02 Additional Residential Units	19
11.03 Trailers	20
11.04 Mobile Homes	20
11.05 Supported Group Living Residences	20
11.06 Home Occupations	20
11.07 Home Industries	21
11.08 Bed and Breakfasts	23
11.09 Garden Suites	23
11.10 Hunt Camps	23
SECTION 12.0 – NATURAL HERITAGE	24
12.01 Fish Habitat	25
12.02 Wetlands	26

12.03	Significant Wildlife Habitat	26
12.04	Areas of Natural and Scientific Interest	27
12.05	Habitat of Endangered and Threatened Species	27
12.06	Mineral Aggregates - Pits and Quarries	28
12.07	Mineral Resources - Mines	30
12.08	Hazard Lands.....	31
12.09	Land Use Compatibility	32
SECTION 13.0	WATERFRONT POLICIES	34
13.01	Definition	34
13.02	Form of Development	34
13.03	Principles of Waterfront Development.....	35
13.04	Water Quality Protection	35
13.05	Recreational Carrying Capacity	37
13.06	New Waterfront Commercial Development.....	37
13.07	Shoreline Structures and Modifications.....	38
SECTION 14.0	– COMMERCIAL OR INDUSTRIAL DEVELOPMENT.....	40
SECTION 15.0	– CULTURAL HERITAGE	40
15.01	Cultural Heritage Policies.....	40
15.02	Heritage Impact Assessments	41
15.03	Archaeological Resources	41
15.04	Marine Archaeological Resources	43
SECTION 16.0	– LAND USE POLICY AREAS	43
16.01	Rural Designation	43
16.02	Waterfront Designation	44
16.03	Crown Land Designation.....	45
16.04	Environmental Protection Designation	46
SECTION 17.0	– LAKE SPECIFIC POLICIES	47
17.01	Bolger/Kashegaba Lakes.....	47
17.02	Gooseneck Lake	48
17.03	Magnetawan River	48
17.04	Fairholme Lake	48
17.05	Limestone Lake.....	49
17.06	Lorimer Lake	49
17.08	Shawanaga Lake / Shawanaga River	49
17.09	Whitestone Lake	49
17.11	Miskokway Lake and Trout Lake.....	51
17.12	Labrash Lake	51
SECTION 18.0	– COMMUNITY AREAS OVERLAY	52
SECTION 19.0	– COMMUNITY IMPROVEMENT POLICIES	53
19.01	Goal	53
19.02	Objective	53
19.03	Improvement Criteria	53
19.04	Phasing	54
19.05	Community Improvement Area	54
19.06	Implementation	54
SECTION 20.0	– PROPERTY STANDARDS.....	55
SECTION 21.0	– IMPLEMENTATION.....	55
21.01	Accessory Uses	55
21.02	Boundaries.....	55

21.03	Numerical Interpretation.....	56
21.04	Deeming By-laws	56
21.05	Site Plan Control.....	56
21.07	Special Exceptions For Existing Uses.....	56
21.08	Holding Provisions	56
21.09	Zoning	57
21.10	Non-Conforming Uses	57
21.11	Special Notices	57
21.12	Plan Review	58
21.13	Amendments.....	58
21.14	Amenity Policies.....	59
21.15	Development Charges/ Community Benefits	60
21.16	Pre-consultation and Complete Application	60
21.17	Future Studies to Address Emerging Issues.....	61
SECTION 22.0	– SPECIAL POLICIES.....	61
22.01	Exceptions	61
22.02	Water Use	61
22.03	Signs	62
22.04	Lights	62
22.05	Sleeping Cabins.....	62
22.06	Channels.....	63
22.07	Second Cottages	63
22.08	Navigability	63
22.09	Common Docks	63
22.10	Derelict Vehicles, Boats and Docks	63
22.11	Boathouses	63
22.12	Noise/Vibration/Land Use Compatibility	64
22.13	Crown Lakebed.....	65
22.14	Narrow Waterbodies	65
22.16	Dark Sky Lighting.....	65
22.17	Telecommunication Facilities	65
22.18	Renewable Energy Systems.....	66
22.19	Short-Term Rental Accomodation.....	66
22.20	Climate Change	67
Appendix 1	- Municipal Road Standards	68

OFFICIAL PLAN FOR
THE
MUNICIPALITY OF WHITESTONE

SECTION 1.0 – TITLE AND COMPONENTS OF THE PLAN

This Plan, when approved by the Ministry of Municipal Affairs and Housing will be known as the:

"OFFICIAL PLAN OF THE MUNICIPALITY OF WHITESTONE"

This Official Plan applies to the Municipality of Whitestone, a member Municipality of the Parry Sound Area Planning Area. The Municipality of Whitestone consists of the Township of Hagerman and the Geographic Townships of Burton, East Burpee, McKenzie, Ferrie and the westerly five lots of Croft.

The Parry Sound Area Planning Area includes Whitestone, McDougall, Carling, and McKellar.

The Plan includes Goals, Objectives, general development policies and land use policies. The mapping schedules are attached and are considered to be part of this Official Plan, including the following:

- Schedule 'A' is the Land Use Plan;
- Schedule 'B' identifies the Natural Heritage Features; and,
- Schedule 'C' identifies Natural Resources.

SECTION 2.0 – PURPOSE OF THE PLAN

The purpose of this Official Plan is to set forth the general policies to shape and guide the physical growth of the Municipality of Whitestone and to promote sustainable economic development in a healthy natural environment within the Municipality.

This Official Plan is intended to provide the basis for a land use planning program that will guide Council and the citizens of the Municipality of Whitestone with a clear and understandable set of goals, objectives and policies for making land use decisions.

This Official Plan was prepared under the Provincial *Planning Act* and as such is in accordance with those items identified as matters of Provincial interest under Section 2 of the *Planning Act*. This Official Plan has been prepared to be consistent with the Provincial Planning Statement prepared under Section 3 of the *Planning Act*.

This Official Plan also recognizes the Growth Plan for Northern Ontario that was prepared as a Provincial Plan under the *Places to Grow Act*.

SECTION 3.0 – GOAL OF THE PLAN

The goal of the Official Plan for the Municipality of Whitestone is to preserve the high quality of life in the Municipality and to enhance that quality through preserving the natural environment while encouraging sustainable growth in all sectors to attract new citizens and visitors to the community.

SECTION 4.0 – BASIS OF THE PLAN

- 4.01 The Municipality of Whitestone was formed on January 1, 2000, as a result of the Central Parry Sound District Restructuring Commission. The Restructuring Commission was part of the province's program to consolidate and strengthen local governments. The formation of the Municipality of Whitestone united Hagerman Township with the Geographic Townships of Burton, East Burpee, McKenzie, Ferrie and part of the geographic Township of Croft, all located in the central area of the Parry Sound District.
- 4.02 The Municipality of Whitestone is characterized by a large, lake-based area with sparse populations. The Canadian Shield produces a rugged appearance with rocky shorelines dominated by white pine trees. These features, together with its proximity to southern Ontario make the area an appealing recreation and retirement community.
- 4.03 There are two north-south highway corridors in Parry Sound District that create two distinct communities of interest. The Highway 11 corridor services those Municipalities along the east side of the District and Highway 69 serves the west side of the District. The Municipality of Whitestone is located halfway between these Provincial Highways on Highway 124, the only major east-west Provincial Highway in the District. Because of its location in the middle of the District, it shares a combined influence between east and west.
- 4.04 In many ways, the Municipality of Whitestone reflects the character of much of the District of Parry Sound. It has a small year-round population, a large proportion of which are seasonal residents that have recreational properties.

Whitestone Population (2021)	1,075
Total Private Dwellings (2021)	1,427
Private Dwellings Occupied by Seasonal Residents (2021)	878

Source: Statistics Canada

- 4.05 The local economy for the Municipality of Whitestone is largely derived from its land owners. Other components of the Municipality's economy that are important including resource extraction, service, retail, agriculture and construction. The Municipality is interested in promoting additional development and diversifying the local economy. In both cases, however, the emphasis must be on sustainability and compatibility with the natural environment.

- 4.06 The Municipality has approximately 94 kilometres of year-round maintained municipal road and 13 kilometres of seasonally maintained municipal road providing access throughout the Municipality.
- 4.07 The Municipality of Whitestone has a significant Crown Land base. Approximately 80% of the land within the Municipality is Crown Land. The Official Plan must recognize the relationship between the differing types of Crown Land and the expression of policy contained in the Ontario Living Legacy and the private land holdings in the Municipality.
- 4.08 The Municipality of Whitestone covers a large geographic area in the central part of the District of Parry Sound. The delivery of local service over this broad region is a challenge, which requires new, sustainable development to offset any increasing local government costs.
- 4.09 The Municipality has undertaken an extensive electronic mapping program including a geographic information system. This new mapping system will be used as part of this Official Plan and the Zoning By-law documents and the information system will assist in the delivery of the land use planning and other Municipal programs. Land use data has been added to this electronic mapping to be used in the Official Plan and Zoning Study.
- 4.10 Public consultation has been an extensive part of the Official Plan Review for the Municipality of Whitestone. Given the nature, geography and the young age of the Municipality, extra care has been taken to ensure the greatest opportunity to participate in the policy review and to consider comments that have been received throughout the review process.
- 4.11 As part of the Official Plan Review, relevant agencies and organizations have been invited to make submissions respecting the new Official Plan for the Municipality of Whitestone. There are numerous submissions that have been reviewed and incorporated into the policy foundation of this Official Plan. Indigenous communities have been included in the review of this Official Plan.
- 4.12 Development activity in the region has been tracked and quantified. The amount of development has been limited over the past 20 years. This is partly due to the economy, the isolation of the region and the competing investment economies. As the real estate market continues to become more competitive, as the number of recreational property opportunities diminishes in the southern parts of the District and as the economy for rural recreational properties increases, growth in the Municipality of Whitestone is anticipated to be steady. This is not anticipated to be a large growth that impacts the Municipality's ability to deliver services.
- 4.13 There are a number of businesses and resorts in the Municipality that will need to be recognized and supported in this Official Plan. The success and survival of these businesses are vital to the long-term health of the Municipality of Whitestone.

- 4.15 The Council of the Municipality of Whitestone, with this Official Plan and other strategies of the Municipality, will attempt to attract growth in all sectors of the population by encouraging settlement, development and business opportunities.
- 4.16 The conversion of cottages to year-round use is permitted by this Official Plan. However, there are servicing limitations that may apply to some areas of the Municipality.
- 4.17 The numerous freshwater lakes and the rivers are the lifeblood of the Municipality of Whitestone. Policies will need to be carefully constructed to ensure the continued maintenance of the quality of these waters while responding to the inevitable demand for additional waterfront recreational land. There are a variety of lake and river conditions that may require lake or river specific policies to properly respond to neighbourhood policy needs.
- 4.18 The Municipality of Whitestone is an area that is rich in history having been part of the original *Free Land Grant Act* of 1879. There have been multiple generations of area families that have contributed to the character and past history of the Municipality and contributions will continue with present and future generations. The policy of this Official Plan will be sensitive to the conservation of this heritage and character.
- 4.19 All of the Municipality's development and future development will be serviced by individual on-site water services and individual on-site sewage services
- 4.20 This Official Plan provides policies for community improvement pursuant to the *Planning Act*.

SECTION 5.0 – OBJECTIVES OF THE PLAN

- 5.01 Maintain, restore and where possible improve the natural environment.
- 5.02 Promote additional growth in the recreational and residential areas that is sustainable, responsible and appropriate to meet a growing demand for such development in the Municipality.
- 5.03 Encourage the orderly development of commercial and light industrial activities to diversify the economic base in the community and generate job opportunities within the community.
- 5.04 Ensure the compatibility of land uses.
- 5.05 Require new development to be responsible for all costs directly associated with the development so that the Municipality does not assume any costs beyond normal maintenance and service.

- 5.06 Encourage the principles of energy and resource conservation, recycling and maintaining the supply of renewable resources.
- 5.07 Encourage an efficient transportation system that allows for the safe convenient movements of traffic within the Municipality, including requiring an appropriate standard for access and road design for all new development.
- 5.08 Preserve elements of the rural character of the Municipality along the major roads and Provincial Highways.
- 5.09 Ensure adequate supply of land for new residential development and supporting those housing programs that preserve housing stocks and introduce affordable housing, including additional dwelling units.
- 5.10 Maintain, expand and support recreational facilities, programs and open space areas throughout the Municipality.
- 5.11 Encourage community improvements in built-up areas of the Municipality in both private and public sectors for the rehabilitation maintenance and preservation of these important neighbourhoods.
- 5.12 Ensure that new structural development will occur in a manner that will minimize the potential for loss of life, property damage, social disruption and the need for emergency evacuation under flood or fire conditions.
- 5.13 Ensure that new development considers the importance of local sand and gravel and other mineral resources to the Municipality.
- 5.14 Encourage development that strengthens the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.
- 5.15 To identify potentially contaminated sites to avoid unanticipated impacts, costs and delays in land use planning.
- 5.16 Maintain the character of the numerous recreational waterbodies in the Municipality by balancing the natural environment and built form in Waterfront areas.
- 5.17 Conserve cultural heritage resources in accordance with the Provincial Planning Statement.

SECTION 6.0 – GROWTH AND SETTLEMENT PATTERN

6.01 General

The Municipality of Whitestone is a rural-recreational Municipality with a large number of freshwater lakes. Most of the area's growth occurs along the shoreline of its lakes. Apart from the shoreline of the larger lakes, the Municipality is sparsely populated covering a large area within the District of Parry Sound. A large portion of the interior area of Municipality is Crown Land.

The composition of the Municipality's population is not expected to change over the period of this Official Plan. There will be a continual, but small amount of growth in both year-round and seasonal populations as demand increases and as the supply of rural-recreational opportunities diminishes elsewhere in the Parry Sound District.

The Council of the Municipality of Whitestone, with this Official Plan and other strategies, will attempt to attract growth in all sectors of the population by encouraging settlement, development and business opportunities.

6.02 Year-Round Population

Modest growth is forecasted, with the settlement areas being the focus of new growth. All growth in the Municipality should ensure that the character, heritage, and the natural landscapes of the Municipality are conserved.

Limited year-round population growth is likely to occur in the waterfront and in the rural areas in accordance with the policies of this Plan.

The Municipality is aware of current limitations imposed by its small population and assessment, and it is currently exploring compatible economic and community development programs through its relationship with other Municipalities, varied ministries and area strategic planning initiatives.

6.03 Seasonal or Waterfront Development

The Municipality encourages new waterfront development. Any new growth along the waterfront will be required to be sustainable in terms of minimizing its impacts on the social, physical and financial environments of the Municipality.

There are a number of general and lake specific policies contained in this Official Plan that recognize the ability of some waterbodies to withstand additional development. These policies should be reviewed in conjunction with Provincial land use policies when assessing the varying capacities of various lakes.

SECTION 7.0 – GENERAL ECONOMIC POLICY

- 7.01 The Municipality of Whitestone supports local economic pursuits that do not have a significant adverse effect on the natural environment or on sensitive land uses.
- 7.02 The Municipality wishes to attract new businesses to create new employment opportunities, to diversify the economic base and to convenience its inhabitants with local services.
- 7.03 Any economic activity that complements the local character of Whitestone and can be shown to be reasonably cost efficient will be supported in principle by the Municipality.
- 7.04 The resource sector provides a number of local businesses particularly in the timber and construction industries. Existing resource industries and new businesses will be encouraged in appropriate locations within the rural area and in isolated instances along the waterfront and in community areas. These industries are supported so long as they are carried out in a responsible environmental manner and so that no adverse impacts are created on any adjacent sensitive land uses.
- 7.05 The Municipality will develop an economic development strategy, including the provisions of this Official Plan, to attract new business and enhance or expand the opportunities for existing businesses.
- 7.06 It is recognized that there are a large number of persons that have established businesses in their homes, cottages or shops that provide an important component of the local economy. This Official Plan supports those businesses based within a residential property so long as the business use is secondary and accessory to the residential use and there are no adverse impacts on adjacent residential/sensitive uses.
- 7.07 The Municipality supports development and activities that seek to strengthen the local economy, attract tourists and visitors to the area and add to the potential employment base. These may include expanding the trail system, assisting businesses with government agencies to improve local business opportunities or joining organizations with programs or projects that are intended to enhance the local economy.

SECTION 8.0 – GENERAL DEVELOPMENT POLICY

8.01 Preferred Method of Lot Creation

- 8.01.1 Lot Creation may proceed by either Plan of Subdivision or Consent in accordance with the *Planning Act* and the policies contained in this Official Plan.
- 8.01.2 Plans of Subdivision will be required for those multiple lot developments of generally more than 5 lots or where an entirely new development pattern is being established in an area of the Municipality.
- 8.01.3 Consents will continue to be the recommended process for land division where a limited number of new lots is proposed.

8.02 New Lot Creation Criteria Requirements

- 8.02.1 In considering applications for the creation of new lots, the consent granting authority shall be satisfied that both the severed and retained lots:
 - (a) Conform to the specific land division policies contained in the land use designation sections of this Plan;
 - (b) Have frontage on and are accessed by a public road, a condominium road that is maintained on a year-round basis, or a private road; or

Where located on an island or where the proposed lot is to be accessed by water, the new lot must have mainland parking with direct access to a public road, private road or right-of-way.
 - (c) Will not cause a traffic hazard;
 - (d) Has adequate size and frontage for the proposed use in accordance with the Zoning By-law;
 - (e) The lot and proposed use is compatible with adjacent uses;
 - (f) Can be serviced with an appropriate water supply and means of sewage disposal and is generally a minimum lot size of 1 hectare or as appropriate in accordance with the land use designation Sections of this Plan;
 - (g) Will not have a negative impact on the drainage patterns in the area;
 - (h) Will not have a negative impact on the quality of any lake or waterbody and is within the biological and recreational capacity as determined in accordance with the policies of this Plan;
 - (i) Will not restrict the development of the retained lot or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;

- (j) Will not have a negative impact on the features and functions of any natural heritage feature in the area;
- (k) The shape and dimension shall be appropriate to the use proposed taking into account: the character and topography of the area;
- (l) Prior to the approval of a development application, the applicant shall provide confirmation that arrangements have been made for the treatment of the hauled sewage to be generated from the development at a duly licensed facility;
- (m) Suitable building space exists outside of the regulatory flood elevation or lands prone to flooding and the site can be accessed during times of flooding;
- (n) Meets the requirement of Section 51(24) of the *Planning Act*;
- (o) A condition of the creation of a new shoreline lot shall be that the shore road allowance be purchased; and,
- (p) Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

8.03 New Lots – Exemption from Standard Requirements

8.03.1 Exceptions to the minimum standards for new lots as set out in the comprehensive Zoning By-law may be made under one or more of the following conditions:

- (a) Where a deed or title correction is required; or
- (b) Where there are existing buildings on the severed and retained lands so that there would essentially be no additional development; or
- (c) Where lots have inadvertently merged and are no longer separately conveyable.
- (d) Where the shortfall in the standard of the proposed lot is minor and it does not conflict with the purpose and intent of the policies of this Official Plan.
- (e) The proposal has regard to matters of provincial interest Section 51(24) of the *Planning Act*, the PPS and all other applicable policies of the Official Plan.

8.04 Servicing

8.04.1 Sewage

- 8.04.1.1 All development in the Municipality is on individual on-site sewage services and this is not expected to change when this Official Plan is in effect.
- 8.04.1.2 The Municipality and the land division authority must be satisfied that any land proposed for development must be suitable for the installation of individual on-site sewage services, such as septic systems. A Hydrogeological Study shall be required for new lots proposed under one hectare in lot area to demonstrate that the proposed lot is suitable to accommodate both a well and septic system.
- 8.04.1.3 The standards for new lots and the design of any septic systems must meet current Provincial requirements. D-5 Series Guidelines.
- 8.04.1.4 The land division authority will require confirmation that a licensed sewage hauler has available capacity for the haulage and disposal of any septic waste as a condition of development.
- 8.04.1.5 A Septic System Impact Study will be required for commercial, industrial, institutional or other uses that produce in excess of 10,000 litres per day. Development proposals that produce waste in excess of 10,000 litres per day will require an Environmental Compliance Approval issued under Section 53 of the *Water Resources Act*.
- 8.04.1.6 A Servicing Options Report and Hydrogeological Report shall be required for application for the creation of five or more lots on individual on-site sewage services or where fewer than five lots on individual on-site sewage services are proposed, and would result in more than 4,500 litres of effluent per day.
- 8.04.1.7 Any development proposed on the basis of private communal sewage services shall require an amendment to this Plan and must comply with the standards of the Province and any maintenance, responsibilities and liabilities must be to the satisfaction of the Municipality.
- 8.04.1.8 There are additional policies relating to the provision of sewage systems that apply for new development proposed adjacent to recreational waterbodies in Section 13 of this Official Plan.
- 8.04.1.9 The Municipality of Whitestone supports septic system education and a voluntary septic system inspection program to ensure that septic systems are functioning correctly.

8.04.2 Water Supply

- 8.04.2.1 Domestic water supplies for properties in the Municipality come from surface waters or individual wells, or individual on-site water services. All property owners are responsible for individual water treatment.

- 8.04.2.2 Any applications for land division proposing more than five lots or units will be required to undertake a Hydrogeological Study in accordance with Provincial guidelines.
- 8.04.2.3 A Servicing Options Report and Hydrogeological Report shall be required for a Plan of Subdivision that would permit more than five lots on privately owned and operated individual wells.
- 8.04.2.4 Any development proposed on private communal water services shall require an amendment to this Plan and must comply with the standards of the Province and any maintenance, responsibilities and liabilities must be to the satisfaction of the Municipality.
- 8.04.2.5 The Provincial D-Series Guidelines recommend that any multi lot development that proposes new lots less than one hectare in size using individual septic systems and wells be required to prepare a hydrogeological study to ensure the lot is suitable to accommodate water and sewer.
- 8.04.2.6 All private water supplies should be treated or disinfected to ensure that the water is potable and aesthetically adequate.
- 8.04.3 Drainage
- 8.04.3.1 A preliminary stormwater management or drainage report from a qualified professional shall be included with the subdivision application or a statement from the applicant how drainage will be managed on the lands.

A stormwater management plan shall include:

- (a) how the drainage complies with a storm water management policy; or
- (b) an analysis of the watershed drainage including the identification of floodplains, an analysis and an evaluation of the management of storm water, its impact on the proposed development including recommendations to the Municipality.

8.05 Accessibility

- 8.05.1 Where applicable, any plans or decisions respecting plans or programs within the Municipality of Whitestone shall be in accordance with the *Accessibility for Ontarians with Disabilities Act*.
- 8.05.2 The Municipality may establish an Accessibility Advisory Committee pursuant to the *Accessibility for Ontarians with Disabilities Act* to provide a long-term strategy to ensure compliance with the Act.

SECTION 9.0 – ROADS AND TRANSPORTATION

9.01 Provincial Highways

- 9.01.1 There are two Provincial Highways in the Municipality. Council supports the continued maintenance and upgrading of Highways 124 and 520 as Provincial highways serving the Municipality. In order to preserve the function and efficiencies of these Provincial Highways, the number of new entrances should be limited. Any proposed new entrance or any change to the use or design of an existing entrance will require a permit from the Ministry of Transportation and will be required to meet operational and safety criteria. Noise studies may be required for sensitive land uses within 100 metres of a Provincial Highway. Provincial Environmental Noise Guideline - Stationery and Transportation Sources - Approval and Planning (NPC-300) provides guidance on noise studies.
- 9.01.2 New development proposed to have an entrance directly on to a Provincial Highway outside of any community will be required to have a minimum frontage that is twice the standard for a rural lot unless it can be demonstrated that the rural standard will not impair the functional or operational qualities of the Highway.
- 9.01.3 Building and land use permits, along with entrance and sign permits, are required from the Ministry of Transportation prior to any construction and/or grading on sites near a Provincial Highway and within a Ministry of Transportation Permit Control Area. New lot frontages may be determined by the Ministry of Transportation.
- 9.01.4 Any development within a specified distance of a Provincial Highway may be required to undertake noise studies to the satisfaction of the Municipality.
- 9.01.5 The Municipality supports the continued expansions of Provincial Highways 400, 69 and 11 through the District of Parry Sound to promote safe and convenient travel into and out of the District.
- 9.01.6 The right-of-way width for Provincial Highways shall be determined by MTO

9.02 Municipal Roads

- 9.02.1 The right-of-way width for municipal roads shall generally be 20 metres.

9.03 Major Roads

- 9.03.1 Major Roads are Provincial Highways, Bunny Trail, Lorimer Lake Road and Balsam Road.
- 9.03.2 New development will be encouraged to minimize direct access on to major roads and Provincial Highways. Where new development is proposed on major

roads and highways, internal roads will be preferred, or shared driveways to preserve the efficiency of these roadways. In all instances, new access on to or off of major roads and highways will be required to have adequate sight lines for safety.

9.03.3 The right-of-way width of Major Roads shall generally be 30 metres.

9.04 Municipal Road Allowance

Improvements to Municipal road allowances that are not maintained are not permitted unless the following occurs:

- (a) The Municipality declares the road allowance surplus and the Municipal road allowance is stopped up and sold in accordance with the provisions of the *Municipal Act*; or
- (b) The road is brought up to a Municipal standard and assumed by the Municipality for maintenance purposes; or
- (c) The proponents of the road allowance improvements enter into legal agreement with the Municipality that includes provisions for indemnification of liability, signage and liability insurance; and,
- (d) It has been demonstrated that the proposal conforms with Section 12.0 - Natural Heritage of the Official Plan. Prior to approval, the Municipality may require an assessment by a qualified professional to demonstrate that there are no negative impacts to natural heritage features. This policy applies to any crossing of an unopened road allowance.

9.04.6 Where an abutting owner requests to use or authorize a historical use of a portion of a road allowance for any use permitted by this Official Plan, the Municipality may consider the request subject to the following:

- (a) there is no immediate access use for the road allowance;
- (b) the use is authorized by the Municipality, that may include an agreement;
- (c) the landowner is aware of the potential removal of any buildings or structures on short term notice;
- (d) circulation of the request to adjacent owners that may have an interest; and,
- (e) compliance with the Zoning By-law.

Any permission to authorize the use of or occupation of an unassumed road allowance is not to be interpreted to confer any road frontage compliance as otherwise required by this Official Plan.

- 9.04.6 The Municipality shall not sell a road allowance leading to water or providing access to lots that are not capable of being accessed by a municipally maintained road unless there is another municipal access point to the waterbody or there is alternative access to the lots. Where a road allowance is proposed for sale, it shall first be offered to abutting lot owners equally.

9.05 Municipal Road Standards

- 9.05.1 The Municipality may only assume and maintain new roads or existing private roads if the road is brought up to the standards of the Municipality in accordance with Appendix 1. For the assumption of private roads, the benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.
- 9.05.2 The Municipality must be convinced that the assumption of a new road or an upgraded road is in the public interest before it commits to the assumption of the road.
- 9.05.3 Over the long term, the Municipality hopes to achieve a uniform standard for year-round, and seasonal Municipal roads. Council will adopt a program of prioritizing these improvements as need and funds permit.
- 9.05.4 The Municipality may consider seasonal or cottage road standards where it is deemed appropriate for development that is designed for seasonal, or cottage use only. Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards, at the expense of the benefiting property owners.
- 9.05.5 The Municipality may vary the standards up or down to reflect the level of use so long as the determined standard has been established by a professional engineer or qualified consultant.
- 9.05.7 Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards at no cost to the Municipality.

9.06 Private Roads

- 9.06.1 The Municipality may only assume these roads if they are upgraded to the appropriate Municipal standard outlined in Appendix 1. Benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.
- 9.06.2 Development on a private road or private right of way may be placed in a limited service zone in the implementing Zoning By-law. The zoning will reflect that Municipality has no responsibility for the maintenance or standards of the road and is not responsible for the delivery of services..

- 9.06.3 When reviewing the infilling of new lots in the waterfront on existing rights-of-way, a minor extension at the terminus of the private road may also be considered infilling. However, any significant private road extension may only be allowed to proceed by a condominium road. In reviewing such extensions, Council will have regard to the purpose of the road, its length, the number of condominium road users, the future status of the road, and any relevant road construction or operational standards.
- 9.06.4 Any new lots that are created on existing private rights-of-way will be required to enter into an agreement with the Municipality to be registered on title to indemnify the Municipality and any other public bodies of all responsibility of any maintenance of the road and all liability for any use of the private road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the lot. In this type of agreement, the Municipality will ensure a maintenance responsibility program is in place for the road.
- 9.06.5 The Municipality is aware of the abundance of ratepayers that access their properties by means of private or unassumed roads. The Municipality has adopted a program to assist in offsetting private road maintenance costs when funds are available.

9.07 Colonization and Deviation Roads

- 9.07.1 The Municipality will not recognize any former colonization road or deviation road as a publicly maintained road for the purpose of this Plan notwithstanding that it retains ownership of the roadbed. The Municipality must have been maintaining a roadway on a regular basis for the road to be recognized as a year-round publicly maintained road.
- 9.07.2 Where the Municipality realigns an existing road, the former roadbed will be conveyed to the abutting landowners in accordance with the *Municipal Act*.

9.08 Shore Road Allowances

- 9.08.1 Shore road allowances are present on a number of lakes in the Municipality. The Municipality is prepared to stop and sell these shore road allowances to the riparian landowners.
- 9.08.2 That part of the shore road allowance below the controlled high-water mark will be retained by the Municipality.
- 9.08.3 That part of the shore road allowance identified as having any environmental feature may be retained by the Municipality. Prior to approval, the Municipality will require an assessment by a qualified professional to determine the extent of the environmental feature(s).
- 9.08.4

That part of the shore road allowance identified as having historical or cultural features may be retained by the Municipality. Prior to approval, the Municipality may require an assessment by a qualified professional to determine the extent of the historical or cultural features.

- 9.08.5 No shore road allowance will be stopped up and sold to the riparian landowner where it is used for access by an adjoining property owner or where the sale will have a negative impact on an adjoining property owner.

9.09 Roads Over Crown Land

- 9.09.1 The Municipality encourages and has no objection to the establishment of roads over Crown Land if the proponent receives the necessary permit from the Ministry of Natural Resources and so long as it is understood that the Municipality has no responsibility for the maintenance of the road.

9.10 Recreational Trails

- 9.10.1 The Municipality supports the continued program of recreational trails in the region as important components of the areas recreational attractions, economy and transportation system. The Municipality will co-operate as far as possible to preserve and improve upon the existing system of trails.
- 9.10.2 The Municipality supports the establishment of trans-provincial trail efforts and will participate in the construction of these trails as far as possible.
- 9.10.3 The Municipality may restrict motorized vehicles from trails on municipally controlled land.

9.11 Railways

- 9.11.1 All proposed residential or other sensitive development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality, in accordance with the Provincial D-Series Guidelines on Land Use Compatibility, Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300), and in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- 9.11.2 All proposed residential or other sensitive development within 300 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality, in accordance with the Provincial D-Series Guidelines on Land Use Compatibility, Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300), and in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

- 9.11.3 All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.

SECTION 10.0 – GENERAL PARKS AND OPEN SPACE

10.01 Parkland Policy

- 10.01.1 Council will encourage the preservation and expansion of its existing parks and lake access points throughout the Municipality provided that such expansions do not overload existing lake neighbourhoods by introducing excessive traffic on any given waterbody.
- 10.01.2 It will be the preference of the Council to require a parkland dedication as a condition of land division or development. The land conveyed or dedicated for parkland shall be an amount in accordance with the *Planning Act*. In cases where the development proposal is too small to be practical for parkland use, Council may consider cash-in-lieu of a land dedication to the value of the land as determined in accordance with the *Planning Act*. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality.
- 10.02.3 As a condition of development or redevelopment on one of the Municipality's waterbodies, Council will attempt to preserve or expand upon public access to that lake.
- 10.02.4 Council will generally discourage the stopping up and transferring of road allowances that lead to a recreational waterbody unless the use of the road allowance, either now or in the future could not feasibly serve as a public access. Alternatively, an applicant interested in acquiring a particular road allowance leading to water, could provide an alternative access to replace the road allowance.
- 10.02.5 Council supports the existing recreational trail system throughout the Municipality and encourages the maintenance and expansion of this system to meet growing demands. Council endorses the ongoing partnerships of governments, organizations and individuals to continue to operate and enhance the trail system.

10.02 Golf Course Policy

- 10.02.1 Golf courses are permitted uses in all land use designations. A rezoning will be required for the establishment of any new golf course(s) or the extension or expansion of any existing golf course, and will be evaluated based on the following:
- (a) an Environmental Impact Study that examines the environmental impacts of the golf course development;

- (b) an inventory of natural features and wildlife;
- (c) a hydrogeology study;
- (d) an environmental management plan that ensures best business management practices and that results in no negative impacts on natural features or their ecological functions;
- (e) the implementation of a monitoring program;
- (f) site plan approval;
- (g) approval of any relevant agency;
- (h) an agreement to ensure the long-term maintenance responsibilities of the golf course use; and,
- (i) a stormwater management plan.

SECTION 11.0 – HOUSING AND SPECIAL LAND USES

11.01 General

- 11.01.1 The primary type of residential use in the Municipality is a single detached dwelling or seasonal residential dwelling. It is the policy of the Municipality of Whitestone to maintain the single detached dwelling unit or seasonal residential unit as the primary permitted housing form in the Municipality. A single detached dwelling unit may be converted to more than one dwelling unit in accordance with the provisions of the Zoning By-law. Other forms of multi-unit residential dwellings may be permitted in the appropriate designation by rezoning and subject to all other applicable policies of this Plan.
- 11.01.2 Higher density residential housing development including medium density housing may be considered in the communities where it may be demonstrated that adequate services are available for such development and subject to rezoning to consider any land use implications.
- 11.01.3 The Municipality of Whitestone supports the continued use of rehabilitation and subsidized housing programs sponsored by the Provincial or Federal Governments where applicable in the Municipality.
- 11.01.4 An acceptable standard of housing design will be established in the Municipality through zoning, property maintenance and occupancy standards, and where necessary, through Site Plan Control, where applicable. In general, new housing design shall not detract from the rural character already established in the Municipality.

- 11.01.5 The Municipality of Whitestone supports subsidized housing programs within the Municipality and will take active steps to pursue sponsoring these programs where eligible under current Provincial and Federal Government criteria.
- 11.01.6 It will be the policy of this Official Plan that unless otherwise provided, only one dwelling unit is permitted on any separate parcel of land subject to all other applicable policies of this Official Plan.
- 11.01.7 The Municipality supports attainable housing initiatives. The Municipality supports the provision of housing which is affordable to low and moderate-income households. In this regard, the overall target is 25% of new residential dwelling units to be attainable as defined in this Plan. This target is intended to apply on aggregate across the Township, but not necessarily to each individual site-specific development proposal.
- 11.01.8 Creative and innovative approaches to the provision of attainable housing may also be considered, including alternative development standards and forms of housing, provided that other objectives of this Plan can be achieved.
- 11.01.9 Lands within settlement areas may be pre-zoned to permit housing styles that may be attainable.
- 11.01.10 Surplus Municipal -owned land and/or buildings should be considered for the provision of housing required to meet the social, health and well-being requirements of current and future residents, including attainable housing.

11.02 Additional Residential Units

The *Planning Act* requires Municipalities to allow additional residential units in detached, semi-detached and row house dwellings as well as in accessory structures. It is the policy of this Plan to recognize this type of permission subject to the following:

- (a) Additional residential units are permitted in all land use designations where detached, semi-detached and row house dwellings and accessory structures are permitted..
- (b) Additional residential units must comply with all applicable laws and standards. Adequate servicing (i.e., well and septic) must be available for the additional residential units;
- (c) The character of the single detached, semi-detached or row house should be preserved when establishing an additional residential unit; and,
- (d) The Zoning By-law shall permit, up to two second units per lot. However, only one second unit shall be permitted in an accessory structure.

11.02.5 Additional Residential Units are subject to the following criteria:

- (a) Appropriate on-site parking, sewage, water and drainage is provided for the existing and additional unit(s);
- (b) If serviced by a municipal or communal water supply, confirmation that sufficient reserve capacity is available in the system;
- (c) The Additional Unit is secondary and incidental to the existing dwelling on the same lot;
- (d) The conversion of existing dwelling units to accommodate a Second Unit(s) shall form an integral part of the primary dwelling unit and be designed to maintain the character of the dwelling;
- (e) The lot fronts has legal access; and,
- (f) The number of bedrooms is limited to ensure that the Second Unit is subordinate to the primary dwelling unit.

11.03 Trailers

11.03.1 The Municipality may enact a trailer by-law to regulate the licensing of trailers, motorhomes, and tents.

11.04 Mobile Homes

11.04.1 Any policy restricting the use of travel trailers is not intended to apply to mobile or modular homes on permanent foundations.

11.04.2 Mobile or modular homes are permitted in all designations so long as they are placed upon permanent foundations and comply with the minimum standards contained in the Municipality's Zoning By-law.

11.04.3 Mobile home parks will be subject to Site Plan Control.

11.05 Supported Group Living Residences

11.05.1 Supported group living residences will be permitted in accordance with the applicable policies of this Official Plan.

11.06 Home Occupations

11.06.1 Home occupations are businesses that are conducted entirely within a residential dwelling or in an accessory building on a residential property and such businesses are considered to be secondary to the principal residential use of the property. Home occupations shall be promoted by the Municipality to encourage a mix and range of employment opportunities.

11.06.2 Home occupations are permitted in all designations and subject to the following:

- (a) the business must satisfy all statutory requirements for emissions and waste management;
- (b) the business will clearly be secondary and incidental to the residential use;
- (c) the business will be conducted by those persons who occupy the dwelling on a permanent basis;
- (d) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- (e) only a limited portion of the dwelling will be used for the business;
- (f) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- (g) the residential character and appearance of the property and the neighbourhood will be maintained;
- (h) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- (i) the business will be compatible with adjacent residences and the neighbourhood;
- (j) the business will have no negative environmental impacts or adverse effects;
- (k) the business will not be a high traffic generator;
- (l) the business will be a low water user and sewage effluent producer;
- (m) there will be no outdoor storage or display; and,
- (n) the Zoning By-law shall limit the amount of the dwelling or

11.06.3 The implementing Zoning By-law shall further detail the conditions under which a home occupation may be permitted.

11.07 Home Industries

11.07.1 Home industries are small-scale industrial uses that are within an accessory building on a residential property and such businesses are considered to be secondary to the principal residential use of the property. Home industries may include welding, carpentry, contractor/landscaping yards or machine shops, or agriculture-related uses that involve the processing agricultural crops or other

products. Home industries shall be promoted by the Municipality to encourage a mix and range of employment opportunities.

11.07.2 Home industries are permitted in all designations:

- (a) the business must satisfy all statutory requirements for emissions and waste management;
- (b) the business will clearly be secondary and incidental to the residential use;
- (c) the business will be conducted by those persons who occupy the dwelling on a permanent basis;;
- (d) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- (e) only a limited portion of the dwelling will be used for the business;
- (f) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- (g) the residential character and appearance of the property and the neighbourhood will be maintained;
- (h) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- (i) the business will be compatible with adjacent residences and the neighbourhood;
- (j) the business will have a negative impact on natural heritage features;
- (k) the business will not be a high traffic generator; and,
- (l) the Zoning By-law may establish limitations on the amount of floor area or the accessory building dedicated to the home industry.

11.07.3 The implementing Zoning By-law shall further detail the requirements under which a home industry may be permitted.

11.08 Bed and Breakfasts

- 11.08.1 Bed and breakfasts are permitted in any designation.
- 11.08.2 Bed and breakfasts must be a minimum of 0.5 kilometres from an existing bed and breakfast in the waterfront designation.
- 11.08.3 A bed and breakfast is to be considered a home occupation and the policies of Section 11.06 shall apply.
- 11.08.4 No more than three rental bedrooms or guestrooms are permitted in a single bed and breakfast.

11.09 Garden Suites

- 11.09.1 Notwithstanding the provisions of this Plan, a "garden suite" or "granny flat" may be authorized in any community or rural designation of this Plan by a Temporary Use By-law for a period not exceeding 20 years. In considering garden suites, Council, prior to passing a Temporary Use By-law, shall be satisfied that:
 - (a) An agreement is entered into with the Municipality regarding the maintenance, alterations and improvements and eventual removal of the garden suite unit. This agreement may include a bond or security held by the Municipality that would ensure the removal of the unit.

11.10 Hunt Camps

- 11.10.1 The Municipality of Whitestone is an area with a significant number of camps used for hunting and fishing. This Official Plan recognizes that these camps are important to the recreational and economic base of the Municipality. These uses often have special considerations that allow some flexibility in terms of access, building and related services. The Municipality of Whitestone may make specific provisions for hunt camps and fishing camps in any by-law implementing this Official Plan.

SECTION 12.0 – NATURAL HERITAGE

- 12.0.1 The Municipality of Whitestone recognizes that there are a number of known and unknown natural heritage features in the Municipality. It is also understood that there is legislation, regulations, provincial policies, guidelines and manuals prescribing measures to recognize, protect and preserve these natural heritage features. This Plan recognizes the responsibility of the Municipality together with its associated approval authorities to make decisions that reflect these legislative and policy requirements.
- 12.0.2 The Province has provided information on known natural heritage features, and this data has been compiled and added as Schedule 'B' to this Plan.
- 12.0.3 The Planning Board and the Municipality will use this data to determine the need for an ecological assessment.
- 12.0.4 No development or site alteration is permitted within Provincially Significant Wetlands or significant coastal wetlands. If development is proposed within or adjacent to other significant natural heritage features, a site assessment is required to determine if those features are present and to determine if further study is required to prevent negative impacts on the feature or its ecological function.
- 12.0.5 Adjacent lands are those lands that are within:
- (a) 120 metres of: significant habitat of endangered and threatened species; provincially significant wetlands; significant coastal wetlands; significant woodlands and valleylands; Areas of Natural and Scientific Interest (life science); fish habitat and unclassified wetlands greater than 3 hectares. Wetlands are identified on Schedule B to the Official Plan.
 - (b) 50 metres of Areas of Natural and Scientific Interest (earth science).
 - (c) 300 metres of at-capacity inland natural lake trout lakes on the Canadian Shield.
- 12.0.6 In the case of plans for subdivisions, ecological assessments will be required to determine what, if any, natural heritage feature may be present and what measures, if any, are required to ensure no negative impacts on the significant natural heritage features or their ecological functions.
- 12.0.7 If there are significant gaps in the data respecting natural heritage features, the proponent(s) shall be required to undertake an ecological assessment at the proponent's expense to determine what, if any, natural heritage features are present. Where natural heritage features are found, development or site alteration shall not be permitted within or adjacent to the natural heritage features unless it can be demonstrated that there will be no negative impacts on the natural features or on their ecological function.

- 12.0.8 Plan 42M-625 is a subdivision on the shoreline of Wahwashkesh Lake approved prior to the incorporation of the Municipality of Whitestone. This approval included restrictions in a Minister's Zoning Order to protect a number of specific natural heritage features. This Zoning Order was revoked, and it will be the policy of Whitestone to replace these restrictions where relevant and appropriate to continue to protect these features. These restrictions will be included in the implementing Zoning By-law.

12.01 Fish Habitat

- 12.01.1 The Municipality recognizes that fish habitat should be protected from incompatible development. New development will only be permitted where it can be carried out without negative impact on fish habitat. The Ontario Ministry of Natural Resources and Forestry has provided the Municipality with fish habitat mapping and other data for all recreational waterbodies in Whitestone. This data and mapping will be used by the Council and all other agencies when reviewing development applications.

12.01.2 (a) Land Division on Shoreline with Type 1 Fish Habitat

All severed and retained lots must have a minimum of 15 metres of their respective shorelines free of Type 1 Fish Habitat;

- (i) where a severed or retained lot does not include a minimum of 15 metres of non-Type 1 Fish Habitat, it may be re-inspected for errors or omissions respecting the mapping;
 - (ii) if the re-inspection reveals an accuracy issue, a revised Type 1 Fish Habitat mapping is to be confirmed by the Ministry of Natural Resources and Forestry.
- (b) the Parry Sound Area Planning Board may obtain a report by a qualified biologist to indicate how the development can comply with the Provincial Policy Statements. The costs of such a study will be the expense of the proponent; or
- (c) authorization for a dock and/or boathouse must be received from the Department of Fisheries and Oceans.

- 12.01.3 The properties may be rezoned to show the extent of fish habitat areas as a result of a change in the Ministry of Natural Resources and Forestry fish habitat mapping.

- 12.01.4 The applicant must sign an acknowledgement form that they have received and read a copy of the information sheets on docks and shoreline development from the Ministry of Natural Resources and Forestry and the Department of Fisheries and Oceans.

- 12.01.5 To protect fish habitat along watercourses the Zoning By-law shall establish a minimum 15 metre setback for structures along warm water streams and a minimum of 30 metres for cool or cold-water streams. Staley's Creek and Jordan Creek and their tributaries may provide cool/cold water habitat and should have a 30-metre setback for buildings and structures.
- 12.01.6 Floating docks shall be permitted in Type 1 Fish Habitat.
- 12.01.7 The Township supports recreational fisheries and the stocking programs that support recreational fisheries.

12.02 Wetlands

- 12.02.1 The Municipality recognizes the importance of wetlands for fish and wildlife preservation. It is the Municipality's intention to protect wetlands and restrict development on, in or adjacent to, wetlands unless it is demonstrated that there are no adverse impacts on the wetland.
- 12.02.2 The Municipality may place wetlands in an environmentally sensitive category in the Official Plan and identify these on the land use schedule or in the comprehensive Zoning By-law. Development will be prohibited in these areas. Where there are wetlands that have not been designated or identified in the implementing Zoning By-law, development should be directed away from these wetlands.
- 12.02.3 In accordance Provincial policy, no development or site alteration is permitted within a provincially significant wetland. Where development and/or site alteration is proposed adjacent to a Provincially Significant Wetland, the Municipality will require an Environmental Impact Study by a qualified professional to demonstrate that there will be no negative impacts on the natural features or on the ecological functions of the provincially significant wetland. The costs of such a study would be borne by the applicant and completed prior to the approval of the development and/or site alteration.
- 12.02.4 At the time of preparation of the Official Plan, there are no identified Provincially Significant Wetlands.

12.03 Significant Wildlife Habitat

- 12.03.1 Significant Wildlife Habitat, such as bird nesting sites or deer yards, are important because of the species they support. It is the policy of this Plan to protect significant wildlife habitat. New development or site alteration in or adjacent to significant wildlife habitat shall not be permitted unless it has been demonstrated through an Environmental Impact Study(EIS) that the development will not result in negative impacts on the natural features or their ecological functions.
- 12.03.2

The Ministry of Natural Resources have identified a large portion of lands within the Municipality as a Deer Yard (Stratum 2). These areas are identified on Schedule 'B' of the Official Plan. It is understood that these areas may change over time and that development in these areas must be sensitive to the impact on the deer wintering areas. The removal of vegetation in these areas should be minimized.

12.03.3 Within the Deer Yard (Stratum 2) areas shown on Schedule 'B', new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area outside most significant deer wintering habitat areas. The minimum lot frontage shall be 90 metres and the minimum lot size shall be 1 hectare.

12.03.4 In Waterfront areas, development shall be situated in locations that will not result in the removal of significant amounts of shoreline vegetation or affect shoreline habitat. Site specific zoning and site plan control will be used to site development in the most appropriate areas to ensure minimal impact on the natural habitat.

12.04 Areas of Natural and Scientific Interest

12.04.1 There are two types of Areas of Natural and Scientific Interest (ANSI). These include earth science ANSI's and Life Science ANSI's. ANSI's are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. ANSI's are identified on Schedule 'B'. Details about Earth and Life Science ANSI's is found in the Ministry of Natural Resources - Natural Heritage Reference Manual.

12.04.2 Prior to development and site alteration occurring within or adjacent to an ANSI, an Environmental Impact Study shall be submitted to the satisfaction of the Municipality demonstrating that there will be no negative impact on the natural features or ecological function of the ANSI.

12.05 Habitat of Endangered and Threatened Species

12.05.1 The Municipality recognizes the importance and value of protecting the habitat of endangered or threatened species. The exact location of habitat for these species is considered sensitive information and cannot be shown on Schedule B but will be used by the Municipality when development or site alteration is proposed. The Municipality may consult with Ministry of Natural Resources on matters related endangered or threatened species.

12.05.2 The Endangered Species Act requires that the habitat of species listed on the Species at Risk in Ontario List as an endangered or threatened species, shall not be damaged or destroyed, except in the accordance with Provincial and federal standards.

- 12.05.3 All development and site alteration must ensure that the habitat of threatened or endangered, species is protected. No development or site alteration shall be permitted in the habitat of endangered or threatened species.
- 12.05.4 Where development and site alteration is proposed adjacent to the habitat of endangered or threatened species an environmental impact study may be required to ensure development and site alteration does not occur within habitat except in accordance with provincial and federal standards.
- 12.05.5 Where development is proposed in areas that have the potential to contain habitat of endangered or threatened species, an Environmental Impact Study shall be required.
- 12.05.6 Where an Environmental Impact Study has been prepared, prior to approving any development the Municipality shall ensure, through land use planning controls, that the appropriate measures are in place to mitigate potential negative impacts to the habitat of endangered and threatened species. If an Environmental Impact Study identifies species-at-risk habitat, the Study shall be circulated to the Ministry of Natural Resources. As a condition of an approval under the Planning Act, the proponent may be required to obtain an authorization from the Ministry of Natural Resources, or a written indication from Ministry that an application under the Endangered Species Act is complete and is likely meet the legislated requirements of the Act.

12.06 Mineral Aggregates - Pits and Quarries

- 12.06.1 The Municipality of Whitestone is now designated under the *Aggregate Resources Act*. Only those existing aggregate resources that are currently licenced under the *Aggregate Resources Act* will be recognized in the Municipality's Zoning By-law.
- 12.06.2 It is understood that any new pits and quarries proposed in the Municipality will be required to comply with the licencing criteria set out in the regulations under the *Aggregate Resources Act*. Because of the costs associated with undertaking any assessments related to obtaining a new pit or quarry license, it is most likely that limited new pits or quarries are likely to be established over the period of this Plan. Notwithstanding this reality the Municipality supports the establishing of new pits or quarries subject to complying with the *Aggregate Resources Act* requirements, the Provincial Planning Statement and the implementing Zoning By-law.
- 12.06.3 The Zoning By-law shall permit existing pits and quarries in the Rural Zone. Any new pits or quarries will be required to be rezoned to afford neighbouring property owners an opportunity to assess the aggregate operation proposal. Pit and quarry operations can have similar impacts to sensitive uses as a Class III Industry with a potential influence area of 1,000 metres. It is the policy of the Municipality to prevent incompatible land uses and activities both on site and adjacent to existing pits and quarries and any significant deposits of aggregate resources. New quarries shall also require an amendment to the Official Plan.

12.06.4 Applications to expand existing mineral aggregate quarry operations will require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

Applications to develop new or expand existing sand and gravel aggregate operations shall require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

Any application for Amendment to the Official Plan and/or the Zoning By-law shall be supported by studies that address:

- a) the potential impacts of the operation on:
 - i) the ~~significant~~ natural heritage features and ecological functions on the site and on adjacent lands;
 - ii) nearby communities and residential uses;
 - iii) agricultural resources and activities;
 - iv) the character of the area;
 - v) the quality and quantity of groundwater and surface water;
 - vi) the cultural heritage resources in the area;
 - vii) significant geologic formations on the site and in the area;
 - viii) the groundwater recharge functions on the site and on adjacent lands; and,
 - ix) nearby wells used for drinking water purposes.
- b) the effect of the increased truck traffic on the environment and the land uses in the area;
- c) the suitability of the proposed haul routes;
- d) the effect of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) how the natural features and functions on the site and on adjacent lands can be protected and/or enhanced as part of the design of the operation and through progressive rehabilitation;
- f) how the impacts from the proposed operation on adjacent uses will be mitigated; and,

- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

In addition to the above, the appropriate studies shall take into account the added impact of the proposed operation on the items listed in this Section and also take into account the impacts from existing operations in the immediate area. In considering the cumulative impact of the new operation and existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed and existing operations on the general area.

Applicants shall consult with the Municipality to determine the nature, scope, and terms of reference for the required supporting studies under this section.

- 12.06.4 The Province has provided mapping of existing sand and gravel deposits in the Municipality. The Municipality will make use of this data when assessing any new development to ensure any compatibility issues are resolved as part of a development review. Sensitive land uses will not be permitted in close proximity to viable mineral aggregate resources. Mapping of sand and gravel deposits are attached as a Schedule to this Plan and shall be protected.
- 12.06.5 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an Official Plan Amendment, Zoning By-law Amendment, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

12.07 Mineral Resources - Mines

- 12.07.1 Mineral resources and mining operations will be protected from activities that would be incompatible for reasons of public health, safety or environmental impact. In areas of known mineral resources or mining activity no development will be permitted that would preclude or hinder viable mining operations. Sensitive uses will be separated and/or buffered from mining operations in accordance with provincial legislation, policies and guidelines.
- 12.07.2 Mine hazards are any feature of a mine defined in the *Mining Act* or any related ground disturbance that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. There are currently three abandoned mine hazard sites (AMIS) in the Municipality of Whitestone. The one kilometre area that surrounds each AMIS point is to be considered a flag to contact the Ministry of Energy and Mines when development is proposed within that area. In some cases, a smaller area may be justified due to specific characteristics of the hazard. These decisions will be made on a case-by-case basis in consultation with the Ministry of Energy and Mines.

12.08 Hazard Lands

- 12.08.1 Historically, only Wahwashkesh Lake has been identified as having a potential flood hazard. Flooding on Wahwashkesh occurs annually during the spring freshet where fluctuations of 3 to 4 metres are natural because of the large numbers of inlets to the lake and the restriction at the outlet where the Magnetawan River is narrowed by a significant gorge. The summer level of Wahwashkesh is controlled by a fixed dam with an elevation of approximately 224 metres above sea level.
- 12.08.2 The regulatory flood elevation (flood plain) for Wahwashkesh Lake, based on the 1:100 year flood, is established at 229.57 metres above Canadian Geodetic Datum (229.14 metres, stillwater conditions, plus 0.43 for wind set-up and wave run-up).
- 12.08.3 The regulatory flood elevations (flood plains) for Kashegaba and Gooseneck Lakes are based upon the Timmins flood and are 1.44 metres and 1.45 metres, respectively, above the top of the weir and the main spillway for these lakes, respectively.
- 12.08.4 The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain of the aforementioned three lakes. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new buildings must have a minimum elevation for openings at or above the flood elevations. These flood elevations will be implemented in the Zoning By-law.
- 12.08.5 Septic systems shall be above the required flood elevation on any Lake. Except for Lake Wahwashkesh where the Zoning By-law shall establish a minimum elevation for septic systems based on a Council initiated study.
- 12.08.6 The regulatory flood elevation (flood plan) for all other lakes and rivers is based on the 1:100 year flood. The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new building must have a minimum elevation for openings at or above the flood elevation. These flood elevations will be implemented in the Zoning By-law.
- 12.08.7 Because there is no engineered mapping available for the Municipality of Whitestone and because the boundaries of the flood plain may be designated on Schedule 'A' through aerial photograph interpretation by qualified professionals, marginal refinements to the boundaries of the Flood Plain areas will not require an amendment to this Plan provided that any boundary adjustments are in keeping with the intent of the flood plain mapping and

provided that the refinements are acceptable to both Council and the Ministry of Natural Resources and that the adjoining land use designation will apply.

- 12.08.8 The Official Plan will be amended to incorporate engineered flood plain mapping should this become available. Where mapping exists, it will be shown on the schedules to this Plan.
- 12.08.9 Under certain circumstances, within or near designated Flood Plains, an application for new development may be required to obtain a detailed engineering study to more accurately determine the level and extent of the regulatory flood elevation.
- 12.08.10 The expansion of existing non-conforming uses, i.e. those uses below the current regulatory flood elevation, will also generally be subject to review and Municipal approval in the Flood Plain. However, minor additions to existing development may be permitted by rezoning.
- 12.08.11 New lots may be created by consent or plan of subdivision along a flood plain boundary where there is adequate development area outside the flood plain in each proposed lot and where there would be safe access under flood conditions. Development and site alteration shall be prohibited in areas with potential erosion hazards unless it has been demonstrated that the site and its access would be safe using the 100 year erosion rate.
- 12.08.12 The Zoning By-law implementing this policy will zone flood plains in a separate restrictive land use category.

12.09 Land Use Compatibility

- 12.09.1 This Plan recognizes that the Ministry of the Environment, Conservation and Parks establishes a number of guidelines to supplement the Province's air, noise and odour approvals under the *Environmental Protection Act* and *Ontario Water Resources Act*. The Municipality will continue to recognize these guidelines when reviewing land use compatibility for any of its planning approvals.
- 12.09.2 All proposed development in the Municipality of Whitestone shall meet provincial standards for air, ground, light, noise, and water pollution control.
- 12.09.3 Any proposed change from an industrial or commercial use to a residential use will require the submission of a Record of Site Condition in accordance with the *Environmental Protection Act* prior to any rezoning.

12.09.4 Brownfield Development

12.09.4.1 There are properties in the Municipality of Whitestone that may have been contaminated from a historic use of the land. Any proposed development or redevelopment on any land suspected to be contaminated will be the subject of a study by a qualified professional, in accordance with any applicable senior government guidelines, that will investigate and provide a remedial plan as required.

12.09.4.2 Where the need for any remediation work is confirmed, the proposed restoration work will be completed or implemented prior to any development taking place.

12.09.5 Land Use Change and Land Use Compatibility

12.09.5.1 Changes in land use must be managed with the utmost care. It is a goal of this Plan that no change in land use should be approved that would lead to land use conflicts as a result of incompatible land uses locating near one another (or as a result of new land uses locating in proximity to other features which might create compatibility issues). Therefore, all applications for a change in land use shall be assessed with respect to the compatibility of the proposed new use and the impacts or likely impacts of the change in land use on existing or proposed features and uses within the area. The Approval Authority will ensure, through the application of the following land use compatibility policies of this Plan, and through the application of provincial and federal policies and guidelines regarding land use compatibility, that no incompatible land uses are permitted within the Municipality.

12.09.5.1 The Approval Authority may request, in accordance with this Plan, appropriate studies to address identified and potential issues related to land use compatibility prior to consideration and approval of any planning applications submitted to the Approval Authority. These studies shall be in accord with applicable provincial guidelines.

12.09.6 Compatibility Between Land Uses

Incompatible land uses are to be protected from one another. While buffers between incompatible land uses may be used to prevent or minimize adverse effects, distance is often the only effective buffer, and therefore adequate separation distance, based on a major facility's influence area, is the preferred method of mitigating adverse effects. The separation distance should be sufficient to permit the functioning of the incompatible land uses without adverse effect occurring. Separation of incompatible land uses should not result in the sterilization of intervening land usage.

12.09.7 Establishing Influence Areas for Industrial Land Uses

In absence of establishing actual areas of influence for industrial land uses, separation distances between industrial and sensitive land uses should be in accord with applicable Ministry of the Environment, Conservation and Parks.

12.10.8 Development in Proximity to Waste Disposal Sites and Unidentified Waste Disposal Sites

Where new development is proposed within 500 metres of the boundary of any waste disposal site, a feasibility study in keeping with the provincial D-Series Guidelines will need to be prepared by a qualified professional.

SECTION 13.0 WATERFRONT POLICIES

13.01 Definition

13.01.1 All of the lands adjacent to the recreational waterbodies in the Municipality are available for waterfront development with the exception of those lands that are constrained by significant ecological, environmental or physical constraints. Generally, lands available for waterfront development are those lands designated as Waterfront on Schedule 'A' – Land Use Plan

13.01.1 The depth of the lands adjacent to recreational waterbodies varies but generally these lands are intended to be those lands within the first 300 metres or those parcels of land adjacent to the waterbodies.

13.02 Form of Development

13.02.1 The general form of development includes:

- (a) low density, single detached residential development;
- (b) open space uses;
- (c) tourist commercial uses;
- (d) waterfront landings; and
- (e) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, if applicable.

13.03 Principles of Waterfront Development

- 13.03.1 The principles of waterfront development are based upon the relevant objectives of this Plan.
- 13.03.2 These principles include maintaining the low-density residential shoreline density together with limited tourist commercial uses.
- 13.03.3 The Municipality is interested in preserving the character of its waterfront communities.
- 13.03.4 These principles include ensuring that any development complies with the Lakeshore Capacity Assessment Handbook carrying capacity for any particular lake or part thereof.
- 13.03.5 A strong principle in considering any waterfront development will be the protection of natural heritage values. The Municipality will require the assessment of impacts and in particular environmental impacts and protecting against any negative or adverse impacts on any ecological functions.
- 13.03.6 An important principle for the consideration of any waterfront development will be to prevent any negative impacts on water quality or quantity.
- 13.03.7 The Municipality shall consider the scale of built form to ensure the compatibility of any new development. To this end, boathouses and boatports are not permitted over the water.
- 13.03.8 The Municipality shall ensure that all development is evaluated for risks in terms of traffic, navigation, natural or man-made hazards.
- 13.03.9 In considering applications for waterfront development the Municipality shall ensure that cultural heritage resources both on shore and in the water are not adversely affected. When necessary, the Municipality will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.
- 13.03.10 All new waterfront lots shall have a minimum lot frontage of 90 metres.

13.04 Water Quality Protection

- 13.04.1 The preservation of water quality of recreational waterbodies is paramount to the Municipality. The Municipality supports the tenets of the guidelines set out in the Lakeshore Capacity Assessment Handbook and recognizes that the science on lake capacity is evolving. .
- 13.04.2 The Municipality of Whitestone has both warm water lakes and cold-water lakes. The cold water lakes include Fairholme, Lorimer, Miskokway, Trout Lake and Lake Wahwashkesh. Development on or upstream of any of these lakes that

are deemed to be at capacity shall only occur in accordance with the Lakeshore Capacity Assessment Handbook.

- 13.04.3 It is the policy of this Plan to encourage an increased front yard setback for sewage disposal systems. The Ontario Building Code requires a clearance of 15 metres. However, for the purposes of mitigating against the potential of phosphorus loading of the waterbody, it is recommended that sewage disposal systems (either conventional septic tank tile field or Ontario Building Code approved filter beds, or tertiary treatment systems) be located at least 30 metres from the shoreline of the lake whenever possible.
- 13.04.4 To the greatest extent possible, the lot owners and/or their contractors make use of B Horizon soils in constructing their leaching beds. These soils have high and beneficial capabilities to irreversibly complex phosphorus.
- 13.04.5 When importing soils to construct leaching beds, tested B horizon soil that may have high capabilities to retain phosphorus (in the order of 50 milligrams phosphorus per 100 grams of soil), based on electrostatic absorption or binding, and mineralization with reactive iron and aluminum, must be used.
- 13.04.6 French drains or soakaway pits be used for treating stormwater from hard surfaces (roof-tops) as a method of decreasing potential phosphorus impacts to down-gradient surface waters.
- 13.04.7 Prior to the construction of any buildings or septic systems, properly constructed sediment fencing be installed along the inner limit of the required shoreline setback in area adjacent to or down-gradient from the proposed site disturbances and construction activities.
- 13.04.8 The sediment fencing be properly maintained until all construction has been completed and the soils have been fully stabilized following construction to avoid excess sedimentation and potential loss of fish and wildlife habitat.
- 13.04.9 The Municipality should undertake independent lake capacity studies to assist in guiding future planning and encourages the Lake Partners Programs for water quality testing. .
- 13.04.10 The Municipality should establish a water monitoring program for lakes to guide future planning and development policies.
- 13.04.11 The Zoning By-law shall establish a minimum setback of 30 metres for all new dwellings from the shoreline of any lake or coldwater watercourse.
- 13.04.12 On lots that are at capacity for development, limited development such as one new lot may be considered where it is demonstrated through an approved site evaluation report that there are native and undisturbed soils to a depth of over 3 metres meeting specified chemical composition and hydrologic conditions.

13.05 Recreational Carrying Capacity

- 13.05.1 The Municipality of Whitestone is aware that inland waterbodies may have limited capacity to accommodate additional waterfront activities like boating, fishing, swimming and other in water recreation. While it is recognized that this aspect of a waterbody use is a subjective analysis, the Municipality may require an assessment of the development on the present users of the lake.
- 13.05.2 Marinas and boat access facilities are important elements in a waterfront community. While existing marinas and boat access facilities need protection, new and expanding facilities may have significant impacts on existing waterfront activities. As a result, new marinas and boat access facilities will be required to undertake an assessment to determine the appropriateness and suitability of such uses.

13.06 New Waterfront Commercial Development

- 13.06.1 This Plan recognizes that there are a variety but limited number of commercial land uses along the shores of recreational waterbodies. These include marinas, cottage rentals, campgrounds and isolated historical businesses.
- 13.06.2 Given the fact that most shoreline areas on the Municipality's recreational waterbodies have been developed as low density residential or cottage area, any new commercial development proposed in these areas will have a potential to be incompatible with these existing uses.
- 13.06.3 Commercial uses are permitted in the Waterfront designation. Tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis (which includes tent and trailer camps, rental cabins and housekeeping cottages), lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the resort commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personal and staff members.
- 13.06.4 It is the intent of this Plan to provide for the continuation of tourist establishments and resort commercial uses and, wherever possible, to recognize their future viability and contribution to the local economy in keeping with changing lifestyles and leisure activities.
- 13.06.5 Prior to considering a rezoning application to allow the conversion of existing tourist commercial uses to residential uses, the Municipality shall be satisfied that the change in use has a positive long-term impact on the economy, the environment and the surrounding area.

13.06.6 New commercial developments shall be considered by Zoning By-law Amendment. . In considering applications for new commercial uses or expand aexisting commercial uses, an OPA to permit a new commercial use , the following shall be addressed:

- (a) Regard shall be had for the layout and design of commercial uses such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.
- (b) It is the intent of this Plan to encourage increased setbacks of large-scale development from the shoreline. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boathouses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law.
- (c) A detailed hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services may be required. All individual sewage systems and water systems shall be installed in accordance with the authority responsible for their approval. Tertiary treatment systems may be required in accordance with the recommendations of a Site Evaluation Report.
- (d) In considering new or expanded commercial uses, the Municipality shall have regard for the physical suitability of the site, the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan.
- (e) Specific regard shall also be had for such matters as the provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable degree of compatibility with adjacent land uses.
- (f) Site Plan Control shall be required.
- (g) New commercial use or expansions of existing tourist commercial uses shall not be permitted within 300 metres of at-capacity or over threshold lakes as set out on Appendix I, Appendix II, and Appendix III respectively to this Plan.

13.07 Shoreline Structures and Modifications

13.07.1 The principal objectives of the policies for development in the waterfront area of the Municipality of Whitestone are to preserve, maintain and enhance the natural features of the shoreline and ridgelines.

- 13.07.2 There are a range of accessory buildings and structures that can be expected to be developed along the shoreline of the recreational waterbodies. These structures include saunas, docks, pumphouses, storage buildings and gazebos. These buildings and structures may be allowed in the front yard of shoreline properties subject to the provisions of any implementing Zoning By-law, and the applicable policies of this Plan, operation statements or any other applicable approvals of government agencies.
- 13.07.3 In-water Boathouses and Boatports are not permitted. These shoreline structures have the potential to impact the character of a lake.
- 13.07.4 In-water boathouse or boatport shall only be permitted where it is demonstrated that the accessory structure will not have negative impact on the character of the lake or the shoreline and where it is in keeping with development in the area.

SECTION 14.0 – COMMERCIAL OR INDUSTRIAL DEVELOPMENT

- 14.01 The Council of the Municipality of Whitestone supports the establishment of new businesses in all areas to improve employment opportunities and to provide an increased commercial assessment base.
- 14.02 Commercial and dry industrial uses are permitted in any designation subject to the following conditions in accordance with Provincial D-Series Guidelines:
- a) Submission of a report by the applicant describing the use and what measures, if any, that are proposed to mitigate against any impacts: financial; environmental; social; or physical;
 - b) An amendment to the Zoning By-law;
 - c) The approval of a site plan; and,
 - d) Consultation with any relevant agency.

SECTION 15.0 – CULTURAL HERITAGE

15.01 Cultural Heritage Policies

- 15.01.1 For the purpose of this Plan, cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes, either individually or in groups, and are considered by the Municipality or other agencies as being of cultural heritage value or interest. The conservation, which includes identification or recognition, protection, use and proper management, of significant cultural heritage resources is encouraged by the Council of the Municipality of Whitestone. The Council of the Municipality of Whitestone will encourage the conservation of cultural heritage resources or properties of cultural heritage value or interest.
- 15.01.2 Pursuant to the Ontario Heritage Act, Council may by by-law, and in consultation with the municipal heritage committee, where one has been established:
- a) designate properties to be of cultural heritage value or interest;
 - b) define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
 - c) designate the municipality, or any area or areas within the municipality, as a heritage conservation district.
- 15.01.3 Alteration or demolition of designated property may also be postponed until such time as the Municipality is satisfied that the heritage attributes of the property are conserved by alternative or altered development proposals.

- 15.01.4 Council will require any person who proposes to demolish or alter a property designated under Part IV of the *Ontario Heritage Act* to submit an application to Council for approval under the *Ontario Heritage Act*.
- 15.01.5 The Municipality shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Alteration or demolition should be supported by technical cultural heritage studies (e.g., heritage impact assessment).
- 15.01.6 The Municipality shall ensure that residential and/or commercial infill in significant areas of cultural heritage value or interest is sensitive to the existing scale, massing, and pattern of those areas; is consistent with existing landscape and streetscape qualities; and does not result in the loss of any significant cultural heritage resources.
- 15.01.7 The Municipality shall maintain a Register of Heritage Properties which will include properties that have been designated under Part IV or Part V of the *Ontario Heritage Act*. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register, in accordance with relevant provisions of the *Ontario Heritage Act*. The Register of Heritage Properties will be available on a publicly accessible website and will be updated regularly to ensure effective conservation.
- 15.01.8 A Municipal Heritage Committee may be established pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist council on matters related to Parts IV and V of the *Ontario Heritage Act*.
- 15.01.9 In partnership with Indigenous communities, Council will develop a protocol and collaborative process for conserving cultural heritage resources that may be of interest to Indigenous communities.

15.02 Heritage Impact Assessments

- 15.02.1 A heritage impact assessment conducted by a qualified professional shall be required whenever a development has the potential to affect a protected heritage property/cultural heritage resource.

15.03 Archaeological Resources

- 15.03.1 The Municipality recognizes that there may be significant (terrestrial and/or marine) archaeological sites or areas of archaeological potential in Whitestone. Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved.

- 15.03.2 The Municipality may require archaeological assessments to be carried out by consultant archaeologists licensed under the *Ontario Heritage Act* as a condition of any development proposal affecting areas containing an archaeological site or considered to have archaeological potential.
- 15.03.3 Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as set out by the Ministry of Citizenship and Multiculturalism, as well as the terms and conditions of an archaeological licence under the *Ontario Heritage Act*.
- 15.03.4 Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.
- 15.03.5 The preservation of archaeological sites in an intact condition is the preferred means for the mitigation of impacts to archaeological sites. Archaeological excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.
- 15.03.6 When development has the potential to impact a known or suspected cemetery or burial site, the Municipality shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply. Development shall be guided by this legislation and any direction from the Ministry of Public and Business Service Delivery and Procurement.
- 15.03.7 The Municipality will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Citizenship and Multiculturalism under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.
- 15.03.8 The Municipality will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.
- 15.03.9 The Municipality may develop an Archaeological Management Plan which includes but not limited to:
- a) maps that identify known archaeological sites, and areas of archaeological potential, and archaeologically sensitive areas where known significant or culturally sensitive archaeological sites are present and where probability of finding another site is high;
 - b) processes and procedures for identifying and managing archaeological resources in a municipality; and
 - c) a protocol for collaborative approaches with Indigenous communities to identify known or potential archaeological sites.

Areas of archaeological potential are identified through the application of criteria established by the Province or an Archaeological Management Plan

15.04 Marine Archaeological Resources

- 15.04.1 The Municipality recognizes that there may be marine archaeological remains from the pre-contact period through the modern era up to the last 50 years. A marine archaeological assessment conducted by a licenced marine archaeologist pursuant to the *Ontario Heritage Act* may be required if partially or fully submerged marine archaeological resources such as the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value or interest are identified and impacted by shoreline and waterfront developments or in-water works. The remains may currently be under water or were, at one time, under water but are no longer submerged.

SECTION 16.0 – LAND USE POLICY AREAS

The following land use policy areas are identified on Schedule 'A' – The Land Use Plan.

16.01 Rural Designation

- 16.01.1 This designation will apply to the interior areas of the Municipality away from the recreational waterfront areas and beyond the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.
- 16.01.2 Permitted uses in the Rural designation include:
- a) resource extraction – existing pits and existing quarries
 - b) agricultural
 - c) residential
 - d) parks and recreation
 - e) institutional
 - f) utilities
 - g) commercial/industrial by rezoning
 - h) bed and breakfasts
 - i) home occupations
 - j) forestry
 - k) home industries
 - l) access to crownland
 - m) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, as applicable.
- 16.01.3 The Rural areas of the Municipality are a significant part of Whitestone's character. It is the intention of this Plan to preserve this character..

- 16.01.4 New lot creation in the Rural area shall occur by consent. New lots should be at a larger standard to maintain the qualities of the Rural area.
- 16.01.5 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. The application of Minimum Distance Formulae will include the flexibility of all implementation guidelines where applicable.
- 16.01.6 In addition to the permitted uses of this Section, On-farm diversified uses and agriculture related uses shall be permitted.
- 16.01.7 Whitestone has a rich history of agricultural uses. Agricultural lots shall be protected from incompatible development.

16.02 Waterfront Designation

- 16.02.1 Lands that are physically and functionally located adjacent to recreational waterbodies have been designated in the Waterfront policy designation. A broad band around each lake has been identified on the Land Use Schedule intending to apply to a single depth of properties. Second tier or back lot development is not permitted in these areas.
- 16.02.2 Permitted uses in the Waterfront designation include:
- a) detached residential dwellings;
 - b) marinas and
 - c) tourist commercial uses;
 - d) access points and waterfront landings in accordance with all other policies of this Plan; and,
 - e) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, if applicable.
- 16.02.3 The base standard for new development in the Waterfront designation are set out in the Specific Lake Policies set out below.
- 16.02.4 The Zoning By-law will establish standards for new or expanding tourist commercial facilities. These standards will include a maximum density and minimum lot frontage requirements.
- 16.02.5 Lakes or rivers not designated in the Waterfront Policy Area but that are considered as recreational waterbodies, may be developed provided the applicable policies of this Plan are met. Land division for these parcels will be at larger standards to reflect the more limited recreational qualities of these waterways.
- 16.02.6 Any expansion of existing tourist commercial uses on lakes that are currently at capacity, must demonstrate, to the satisfaction of Municipality, that these facilities will not increase the nutrient concentration of the lake.

- 16.02.7 It will be the policy of the Municipality to obtain public access to each of the recreational waterbodies where none currently exists and where available and appropriate.
- 16.02.8 All lands adjacent to or fronting recreational waterbodies may be considered as Site Plan Control areas.
- 16.02.9 The Municipality of Whitestone recognizes the interest of a number of lake neighbourhoods to undertake planning programs for lakes. The results of these lake planning studies may form the basis for additional lake specific planning policies as set out in Section 17.0.
- 16.02.10 In order to protect the quality of the lake environment and to ensure there is an appropriate balance between the built form and natural environment the Zoning By-law shall establish a maximum shoreline activity area of up to 25% of the shoreline frontage. The Zoning By-law may also cap the width of shoreline activity areas.
- 16.02.11 New septic systems shall be setback a minimum of 30 metres from the high watermark of lakes and rivers, where possible.
- 16.02.12 New lot creation in the Waterfront Designation and on Rivers in the Municipality shall generally have a minimum lot frontage of 90 metres. Lesser lot frontages shall only be considered where site specific justification is provided. This could involve the greater building setbacks, restrictions on shoreline structures or increased vegetation preservation areas. The minimum lot area shall be 1.0 hectares unless a study such as a hydrogeological study has been provided to demonstrate site conditions are suitable for the long-term provision of private individual sewer and water services.
- 16.02.13 An Environmental Impact Study shall be completed prior to any new lot creation in the Waterfront Designation. The Study shall review fish habitat, shoreline vegetation and any natural heritage features in accordance with the policies of this Plan. The Study may also make recommendations regarding building envelopes and dock locations and identify any mitigation measures that may be appropriate.

16.03 Crown Land Designation

16.03.1 General

A significant portion of the Municipality of Whitestone's land base is Crown land. The policies of the Official Plan and Zoning By-law are not binding on Crown land activities. The use of Crown lands will be determined by the province with regard for the established planning policies of the Municipality. The Ministry of Energy and Mines issues mining leases, Exploratory Licenses of Occupation, mining claims and other forms of land tenure on Crown Land.

- 16.03.2 Crown lands including parks and conservation reserves will be identified on the land use plan.
- 16.03.3 While the Municipality supports the Ministry of Natural Resources and its management programs for Crown land, there may be a number of opportunities to dispose of Crown lands not identified as protected areas, that could be developed in a sustainable manner and that would contribute to the economic base of Whitestone without compromising the environment or the quiet enjoyment of the inhabitants of the area. Council supports Crown land dispositions in these instances.
- 16.03.4 The Municipality may be concerned over conflicts that occur between parks, conservation reserves and historical uses that are permitted in these protected areas. Council will support whatever measures are available to resolve these conflicts in favour of historical land use activities.
- 16.03.5 The Municipality may work with the MNR to encourage Crown Lands to be appropriately managed in order to reduce conflict between users of Crown Land and area residents and to ensure that the infrastructure that supports the use of Crown Land is appropriately managed.

16.04 Environmental Protection Designation

- 16.04.1 Environmental Protection designation incorporates land and water areas containing natural features or ecological functions of Provincial and local significance as identified by the Province or the Municipality.
- 16.04.2 *Environmental Protection Area* lands contain features such as locally significant wetlands, watercourses, habitat of endangered and threatened species, significant wildlife habitat, fish habitat, lands prone to flooding, steep slopes or erosion hazards.
- 16.04.3 Permitted uses include:
- a) passive recreational uses, such as nature viewing and pedestrian trail activities;
 - b) floating docks accessory to a residential use;
 - c) forestry and resource management use where undertaken in a manner that minimizes any potential impact on the natural features and functions of the area; and
 - d) watershed management and flood and erosion control projects carried out or supervised by a public agency and archaeological conservation.
- 16.04.4 It is the policy of this Plan to restrict the alteration of the physical or ecological features of lands designated *Environmental Protection Area*. Any proposed site alteration to an *Environmental Protection Area* shall be supported by appropriate justification in the form of an Environmental Impact Study. The

precise boundary of any *Environmental Protection Area* shall be determined as a component of the required Environmental Impact Study.

- 16.04.5 Not all of the natural heritage features in the Municipality have been designated *Environmental Protection Area* or incorporated on the Land Use Schedules at the date of the adoption of this Plan. As new information becomes available, additional lands may be incorporated into the *Environmental Protection Area* designation as part of the five-year review or as an Amendment to the Official Plan required by the *Planning Act*.
- 16.04.6 It is essential that *Environmental Protection Areas* be protected from future development to preserve the Municipality's natural environment. As such, an application for the redesignation of an area of private lands designated *Environmental Protection Area*, may be given due consideration only if it is established to the satisfaction of the Municipality through an Environmental Impact Study that the lands and/or adjacent lands are not part of the environmental feature and that any development proposed will have no negative impact on the environmental feature or ecological function of the area. Nothing in this Official Plan shall be construed to imply that *Environmental Protection Area* lands are free and open to the general public or that such areas will be purchased by the Municipality or any other public agency.
- 16.04.7 The Zoning By-law shall incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands designated *Environmental Protection Area* in relation to the extent and importance of the natural environmental features and ecological functions of the area.

SECTION 17.0 – LAKE SPECIFIC POLICIES

17.01 Bolger/Kashegaba Lakes

- 17.01.1 Bolger and Kashegaba Lakes are located in Burton Township and straddle the CNR railway line. Historically, the railway was the primary access into these lakes. Access to the lakes remains poor. However, the inhabitants of these lakes understand the isolation and difficulty of access. There are opportunities for a land division by consent where a limited number of lots are created. The standard for new lots should reflect the pattern of existing development on the lakes.
- 17.01.2 Access to Kashegaba and Bolger Lakes is increasing the trail or roadway into the access point is in poor condition and can often be impassable. The Municipality recognizes the efforts of lake residents to maintain this access arrangement and it supports this facility so long as the Province continues to allow the access and it is recognized that the Municipality has no liability or responsibility for this facility.

17.02 Gooseneck Lake

- 17.02.1 Gooseneck Lake is located partly in Burton Township and partly in McKenzie Township and empties into the south basin of Lake Wahwashkesh. Although the Lake is small (217 hectares) it has over 22.8 kilometres of shoreline. Gooseneck Lake is a medium sized, lake comprised of low density residential lots and Crown Land. The landscape is typical Canadian Shield, and the rocky shorelines have a rugged and natural appearance that contributes to its character. Thirty percent of its shorelines are Crown land and this contributes to its predominantly natural character.
- 17.02.2 Much of the lake is water access. There is a historical public access on the Lake that the Municipality supports using proceeds of any cash-in-lieu of parkland collected as a condition of development or the sale of shore road allowances.

17.03 Magnetawan River

- 17.03.1 The Magnetawan River flows from one end of the Municipality westward eventually into the Georgian Bay. The River and its tributaries are a significant recreational waterbody in Whitestone, and it has attracted considerable growth and development including communities like Maple Island. The Municipality supports additional development along the River outside of the Maple Island community.
- 17.03.2 Due to the historic flooding along the river system, the Magnetawan River Basin Regulatory Flood Levels Study has examined the issue of water levels along the Magnetawan River and the lakes that it connects. This waterway and its associated lakes are subject to flooding particularly during the spring thaw. While few lakes and rivers have had a detailed engineering study to determine actual flood plain levels or potential floodways, any development along the river or its connecting waterbodies may need the determination of these flood levels by a qualified engineer.

17.04 Fairholme Lake

- 17.04.1 Fairholme Lake in Hagerman Township is a lake trout lake that is at capacity. New lot creation may only be considered in accordance with the LCAH.
- 17.04.2 A historical subdivision development on Fairholme Lake being Plans M-430 and M-431 were designed so that few of the lots had direct frontage on the lake. Instead, two Blocks, A and G were designed to require any building to be off the lake and to limit or reduce the impact of human activity on the Lake. Block A and G of Plans M-430 and M-431 may be used for shoreline structures including docks, decks, boathouses, saunas or pump houses so long as these structures are approved by the collective owners of these blocks and the Municipality.

17.05 Limestone Lake

- 17.05.1 Limestone Lake is a small lake in Hagerman that abuts Highway No. 124 at Limestone Lake Lodge.

17.06 Lorimer Lake

- 17.06.1 Lorimer Lake is managed as a lake trout lake and the lake has been identified as being at capacity. New lot creation shall only be permitted in accordance with the Lakeshore Capacity Assessment Handbook and where sewage disposal systems are a minimum of 300 metres from the Lake.

17.07 Manson Lake

- 17.07.1 Manson Lake is a small lake that is partly in Whitestone and partly in McKellar. The Lake is subject to heavy fishing pressure partly because of the convenient landing at a nearby public road.
- 17.07.2 Due to the Lake being partly located within McKellar, the Municipality encourages its neighbour to adopt similar policy and land regulations for this lake.

17.08 Shawanaga Lake / Shawanaga River

- 17.08.1 Shawanaga Lake is a warm water lake with considerable shoreline in Whitestone and McDougall.
- 17.08.2 Because of the long, narrow shape of Shawanaga Lake, it is heavily impacted by recreational boats. New development should be available on a limited basis to recognize the crowding that is occurring on the lake.
- 17.08.3 There is limited land available for additional development on Shawanaga Lake for new lot creation although the lake is considered to have excellent water quality.

17.09 Whitestone Lake

- 17.09.1 Whitestone Lake is the second largest Lake in the Municipality with a large number of homes and cottages. The water quality of Whitestone Lake is good.
- 17.09.2 There is only two good public access located on Whitestone Lake in the Village of Dunchurch.

17.10 Wahwashkesh Lake

- 17.10.1 Wahwashkesh Lake is the largest lake in the Parry Sound area with 1,721 hectares of surface area. The Lake is comprised of two distinct basins. The north basin is considered the smaller of the two, and the south basin is called "the Big Lake".

Wahwashkesh is part of the Magnetawan River System and while the Lake has over a dozen inlets, there is only one outlet to the Magnetawan River. The Lake is renowned for an extremely severe spring freshet with the lake levels often rising 3 to 4 metres above the control dam at the outlet of the river.

Wahwashkesh Lake is also well known for its diverse fishery. There are at least twelve species of sport fish in the Lake. The south basin is a naturally producing lake trout lake while the top lake, also a good lake trout lake, is a high-quality middle level lake. However, due to fishing pressures in the last few years, severe angling regulations, including closing Wahwashkesh to winter fishing, have been implemented.

- 17.10.2 The water quality of the north and south basins of Lake Wahwashkesh are sensitive to additional shoreline development. The residual development capacity will change in the future as more up-to-date scientific approaches are used to determine an appropriate level of development capacity.
- 17.10.3 A large number of property owners on Wahwashkesh Lake access their properties by water. There are only three public access points (all on the north basin) two marinas and a private landing. This Plan requires that any new water access lots be subject to the policies of Section 8.03.
- 17.10.4 There are two marinas on Wahwahkesh Lake. The Municipality will support the continued operation of these marinas as far as possible to ensure the continuation of these important services on the Lake.
- 17.10.5 The water levels of Wahwashkesh Lake rise dramatically during the spring causing potential flood hazards. It will be the policy of this Plan that the openings of any habitable buildings must be above the theoretical flood elevation as set out in Section 12.05.1. Foundations, footings and non-habitable structures should be adequately designed to recognize the potential for flooding at elevations lower than the flood elevation.
- 17.10.6 In order to properly respond to a diverse number of issues that may arise during the development of properties along the shoreline of Wahwashkesh Lake, these properties will be designated as a site plan control area. Site Plan Control is a necessary and valuable tool to protect the character of the shoreline of Lake Wahwashkesh and to provide vegetated buffers to mitigate the impacts of development on the natural environment and the lake.
- 17.10.7 Lake Wahwashkesh is known for its Atlantic Coastal Plain Flora. The Lake is ranked in the top five of all lakes in Ontario for such flora. This has been

extensively documented by the Natural Heritage League and the World Wildlife Fund in a 1989 study. Any development along the shores of Lake Wahwashkesh should have regard for its impact on this rare coastal flora environment.

17.11 Miskokway Lake and Trout Lake

- 17.11.1 The development capacity of Miskokway Lake and Trout Lake, has not been determined. These are known cold water lakes that support a cold water fishery. No further consents or land division that results in the creation of new lot development within 300 metres of the lakes will be permitted unless studies have been undertaken to demonstrate that there is capacity without adversely impacting the habitat features of these lakes.

17.12 Labrash Lake

- 17.12.1 Labrash Lake is a small lake that flows into the Magnetawan River. The Lake is small with few cottages and the residents of the Lake have expressed an interest in preserving the low density on the Lake.
- 17.12.2 All development on Labrash Lake will be subject to Site Plan Control.

SECTION 18.0 – COMMUNITY AREAS OVERLAY

- 18.01 The Municipality of Whitestone has four distinct communities. These include Dunchurch, Maple Island, Whitestone Village and the Village of Ardbeg. These communities vary in size but they all function similarly in terms of identifying a community of interest, provide a number of non-residential service-type uses and having a concentration of smaller lot sizes distinct from the rural areas around the communities. In the case of Maple Island and Dunchurch, the communities are partly located on recreational waterbodies.
- 18.02 The predominant use for community areas will be detached dwellings and local commercial uses, institutional uses including churches, schools and community centres. Home occupations and bed and breakfasts will be permitted in the Community designation.
- 18.03 In addition to the above, new commercial uses and industrial uses will be permitted in the Community designation subject to the other policies of this Plan and so long as these uses are compatibly with existing residential uses.
- 18.04 The minimum lot area for new development in the residential areas will be 1.0 hectares with a minimum frontage of 45 metres on a year-round Municipal road. Lesser lot areas may be considered where it is demonstrated that an individual sewage and individual water service can be sited on the lot.
- 18.05 No traffic hazards shall be created by the establishment of new driveways on major roadways due to increased traffic or limited sight lines on curves or grades.
- 18.06 Lots in the original surveys for the Village of Dunchurch are approximately 20 metres by 40 metres. This density of development may potentially lead to a need for municipal sewer and water services. Wherever possible and appropriate, the Municipality will encourage these existing surveyed lots to be merged with adjoining lots to reduce the overall density in the Village.
- 18.07 The extent of the areas identified as Community are shown on Schedule 'A'. These areas have been identified in the broadest way and the actual communities may consist of a much smaller area. Some of the above policies may not necessarily apply to lands on the perimeter of the lands designated Community.
- 18.08 The Municipality will support the establishment of committees from each community area to provide ongoing recommendations for the upgrading and rejuvenation of these communities including any specific plans or programs that may be delivered by the Municipality with the support of senior levels of government where available.

SECTION 19.0 – COMMUNITY IMPROVEMENT POLICIES

19.01 Goal

It is the goal of the Municipality of Whitestone to maintain and improve the physical living environment in the Municipality.

19.02 Objective

The objectives of the Municipality of Whitestone are to:

- (a) upgrade the present Municipal services, utilities and facilities throughout the Municipality;
- (b) encourage the upgrading of existing private properties;
- (c) undertake a program of physical improvements which are fiscally responsible;
- (d) expand upon the number of services and facilities available in the Municipality where economically feasible;
- (e) encourage the expansion of commercial enterprises in the Municipality to improve the availability of local services and to improve the local economy;
- (f) upgrade the public services provided at the waterfront to increase the appearance and level of services offered to both Municipal visitors and residents; and,
- (g) encourage the upgrading of private services at the waterfront.

19.03 Improvement Criteria

To achieve the community improvement objectives of this Plan, improvements will be identified based on one or more of the following criteria:

- (a) the deficiencies or inadequacies of recreational services and facilities;
- (b) street conditions;
- (c) the inadequacy of hydro-electric services;
- (d) absence of street lighting;
- (e) land use conflicts;
- (f) improved waterfront facilities;

- (g) the physical condition and age of buildings and structures;
- (h) need for increased fire protection services; and,
- (i) proposed commercial developments.

19.04 Phasing

The Council of the Municipality of Whitestone has identified needed or desired improvements to the present services and facilities in the Municipality. A system of phased improvements will be identified to recognize priorities and fiscal constraints in the Municipality.

19.05 Community Improvement Area

The whole of the Municipality of Whitestone as outlined on Schedule 'A' to this Plan will henceforth be known as the Municipality of Whitestone Community Improvement Area.

19.06 Implementation

In order to implement the Whitestone Community Improvement policies, the following activities and programs may be employed (but not limited to):

- (a) designating community improvement areas and prepare community improvement plans under the Planning Act;
- (b) the enforcement of Section 6 - Property Standards By-law, through a Property Standards By-law;
- (c) supporting the Municipal residents in rehabilitation programs;
- (d) participating in provincial and federal rehabilitation programs;
- (e) petitioning the relevant provincial agencies in order to apply for special assistance for new recreational facilities where available;
- (f) encouraging and supporting new development, particularly commercial development;
- (g) participating in any local improvements which support the community improvement objectives;
- (h) co-operation with local service clubs and organizations to undertake local improvements;
- (i) the sale of surplus Municipal land may be applied to community improvements subject to the requirements of the *Municipal Act*; and,

- (j) applying Municipal reserve funds towards an eligible community improvement project.

SECTION 20.0 – PROPERTY STANDARDS

20.01 Council may enact by-laws prescribing the minimum standards for maintenance and occupancy of all types of property and their enforcement. To protect the amenities of the natural environment and existing and future development, a Property Standards By-law will contain requirements with respect to:

- (a) garbage disposal;
- (b) pest prevention;
- (c) structural maintenance of buildings;
- (d) building safety;
- (e) cleanliness of buildings;
- (f) plumbing, heating and electricity (where applicable);
- (g) keeping lands and particularly waterfront properties free from rubbish, debris, abandoned vehicles, trailers, boats or materials;
- (h) maintaining yards, lands, parking and storage areas;
- (i) maintaining fences, accessory buildings and signs; and,
- (j) occupancy standards.

20.02 The Municipality may amend this by-law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the *Ontario Heritage Act*.

SECTION 21.0 – IMPLEMENTATION

21.01 Accessory Uses

Wherever a use is permitted in the land use policy in this Plan, it is intended that any uses, buildings or structures normally incidental, accessory and subordinate to the principal permitted use will also be permitted within that policy provision.

21.02 Boundaries

The boundaries illustrated on Schedule 'A' - Land Use Plan are to be considered as approximate only. Amendments to the policy categories will not be required for minor interpretations of boundary locations shown on Schedule 'A'.

21.03 Numerical Interpretation

Wherever numerical figures have been used in this policy document to refer to physical standards including lot areas or dimensions of lots, so long as the spirit and intent of the policy is maintained minor adjustments to these figures up or down may be considered.

21.04 Deeming By-laws

There are several older registered plans of subdivision located within the Municipality of Whitestone. Some of these registered plans contain lots that do not or can not meet minimal standards for construction purposes. The Municipality may exercise its authority to deem such subdivisions or parts thereof not to be considered as registered plans under the *Planning Act*.

21.05 Site Plan Control

All development in the whole of the Municipality may be subject to the provisions of the Site Plan Control requirements under the *Planning Act*. Commercial, industrial, institutional and certain residential uses may be designated as Site Plan Control Areas by by-law of the Municipality in accordance with the requirements of the *Planning Act*. Site Plan Control can be utilized wherever possible to conserve cultural heritage resources by ensuring that new development is compatible with and/or does not adversely impact those resources. This may include requiring the owner of a property with cultural heritage value or interest to satisfy conditions as part of the Site Plan Control agreement with the Municipality.

21.07 Special Exceptions For Existing Uses

Where there are existing building and structures or uses on a lot proposed to be divided, the Municipality may make an exception to the minimum standards for the retained or severed parcel subject to the passage of an amending Zoning By-law or a minor variance being obtained.

21.08 Holding Provisions

- 21.08.1 The *Planning Act* provides for the use of the holding symbol "H" in conjunction with any land use zone found within the implementing Zoning By-law.
- 21.08.2 The purpose of the holding zone is to prevent or limit the use of land until such time as Council is satisfied that further development may take place and the appropriate environmental studies and services have been reviewed and approved. The objectives and use of this symbol are set out herein.
- 21.08.3 The holding symbol may be applied to lands to be developed where the ultimate use of the land has been clearly established but:

- (a) development or redevelopment is to be phased; or
- (b) the implementation of policies requires special design features.

21.08.4 The holding symbol may be applied to undeveloped or unserviced land, land being proposed for development, lands having special constraints not related to use and lands adjacent to railways, highways or major Municipal roads.

21.08.5 In accordance with the *Planning Act*, the Zoning By-law implementing this Plan will identify lands subject to holding provisions by the inclusion of an "H" suffix to the zone symbol.

21.08.6 The Zoning By-law provisions relating to the use of the "H" suffix will specify what uses are permitted while the holding provision applies.

21.08.7 The holding symbol may be removed by by-law to allow development to proceed in accordance with the relevant zoning category as long as the following condition or conditions are met:

- (a) extensions for services are approved by the appropriate authority;
- (b) site plans are approved in the case of commercial and industrial development;
- (c) approvals are received from the Ministries of Natural Resources and Environment, Conservation and Parks where applicable; and
- (d) the objectives of the Official Plan including development criteria are met.

21.09 Zoning

The Municipality will be responsible for enacting implementing Zoning By-laws that reflect current Official Plan policies as amended. Through the Zoning By-law, Council may conserve the integrity of archaeological resources to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource. Should any existing Zoning By-laws contain provisions that do not conform to the Official Plan as amended, Council will take whatever steps are necessary to properly implement current Official Plan policies.

21.10 Non-Conforming Uses

This Plan recognizes legal nonconforming uses in accordance with section 34(9) of the *Planning Act*.

21.11 Special Notices

Council by resolution, may forego public notification and public meeting(s) in connection with Official Plan, Community Improvement Plan and Zoning By-law Amendments if such amendments relate to matters which will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and will be restricted to the following matters:

- (a) altering the numbering and location of the text, schedules and maps;
- (b) altering punctuation or language to obtain a uniform mode of expression;
- (c) correcting clerical, grammatical, dimensional, boundary, mathematical or typographical errors;
- (d) inserting historical footnotes or similar annotations to indicate the original and approval of each provision;
- (e) consolidating amendments;
- (f) transferring Official Plan, Community Improvement Plan and Zoning By-law designations to new base maps such as new Ontario Base maps or other maps which might be prepared in conjunction with a specific study; and,
- (g) adding technical information such as plans of subdivision, buildings, contours and elevations to base maps or schedules.

21.12 Plan Review

This Plan shall be reviewed in accordance with the requirements of the Planning Act to ensure it is up to date.

21.13 Amendments

In considering Amendment to this Plan, Council shall have regard to the following criteria:

- (a) the need for the proposed use;
- (b) the extent to which the existing areas which are designated for the use are developed, and the nature and adequacy of such existing development;
- (c) the physical suitability of the land for such proposed use;
- (d) the location of the areas under consideration with respect to:

- i. the adequacy of the existing and proposed roadway system;
- ii. the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
- iii. the adequacy of the water supply, sewage disposal facilities, and other Municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council shall request from the developer and subject to the approval authority having jurisdiction;
- iv. the compatibility of such proposed use with uses in the surrounding area;
- v. the potential effect of the proposed use on the financial position of the Municipality;
- vi. the impacts of the proposed use on the natural environment; and

(e) the Provincial Planning Statement.

21.14 Amenity Policies

21.14.1 Adequate buffering shall be required between all uses where one use may adversely affect or conflict with an adjoining use. The buffering may include the following:

- (a) an appropriate tree screen;
- (b) fence;
- (c) berming;
- (d) sufficient distance; or
- (e) a combination of the above.

21.14.2 Development proponents should contact the local Ministry of the Environment, Conservation, and Parks office to ensure that there is compliance with separation requirements and environmental objectives where applicable.

21.14.2 All residential and non-residential uses including commercial, industrial or institutional uses are identified as site plan control areas. The Municipality may designate these areas by By-law as site plan control areas and require the proponents of such uses to file site plans and agreements as provided for under the *Planning Act*.

21.15 Development Charges/ Community Benefits

21.15.1 The Municipality may enact a Development Charges By-law or Community Benefits By-law in accordance with the provisions of the *Planning Act*.

21.16 Pre-consultation and Complete Application

21.16.1 Prospective applicants are encouraged to pre-consult with the Municipality prior to the submission of a *Planning Act* application.

21.16.2 As part of a Pre-consultation application, Staff will identify the material needed to support an application. Based site specific circumstances, technical studies may be required to support Planning Act Applications. In the consideration of more complex applications where development limitations exist, supporting technical studies may be required. These studies may include:

- (a) Planning Justification Report;
- (b) Environmental Impact Study;
- (c) Master Servicing Study/Servicing Options Report;
- (d) Traffic Impact Study;
- (e) D-4 Landfill Study;
- (f) Agricultural Impact Assessment and/or MDS calculation;
- (g) Environmental Site Assessment;
- (h) Hydrogeological Study/Hydrology Study;
- (i) Stormwater Management Report;
- (j) Wellhead Protection – Risk Assessment Report;
- (k) Flooding, Erosion, Slope Stability Report
- (l) Noise and Vibration Impact Analysis;
- (m) Odour, Dust and Nuisance Impact Analysis;
- (n) Geotechnical/Soils Stability Report;
- (o) Wind Study;
- (p) Archaeological Assessment;
- (q) Cultural Heritage Report and/or Heritage Impact Study;

- (r) Tree Preservation Plan
- (s) Functional Servicing Report;
- (t) Illumination Study; and/or
- (u) Any additional information identified by the Municipality during pre-consultation.

21.16.3 The cost associated with all the required studies shall be the sole responsibility of the applicant. Costs incurred for the Municipality to peer review the studies, as required, shall also be the responsibility of the applicant. Peer review studies may be required where the technical material provided is beyond the expertise of municipal staff to review.

21.17 Future Studies to Address Emerging Issues

21.17.1 Through the Official Plan Review a number of issues or emerging issues have been identified. These issues may require separate study to research the issues and consider the most appropriate policy and/or implementation options. The following list provides examples of existing and emerging issues that may require additional study, but is not intended to be an exhaustive list:

- a) Public and municipal access points to lakes for cottage lots.
- b) Disposition of Crown Land for municipal purposes.
- c) Roads inventory and Roads Needs Study.
- d) Lake Study
- e) Municipal Employment Area Study.
- f) Municipal property review
- g) Solid Waste Management Study

Council may determine the scope of any of these studies or other study to be completed.

SECTION 22.0 – SPECIAL POLICIES

22.01 Exceptions

From time to time, the Council of the Municipality of Whitestone will find it appropriate and necessary to adopt a site-specific exception to the policies of this Plan to provide for a particular land use, development or to apply special provisions. These exceptions are set out below:

22.02 Water Use

22.02.1 The Council of the Municipality of Whitestone recognize the overlapping but limited jurisdiction over navigable waters. The Municipality will support and participate in any planning programs over water use with senior levels of

government to manage such activities in accordance with the goals and objectives of this Official Plan.

22.02.2 It is the policy of the Municipality to support applications for new or expanded water lot licenses for commercial uses subject to the following conditions:

- (a) approval of relevant agencies including the Department of Fisheries and Oceans Canada and the Ministry of Natural Resources;
- (b) ensuring that there is a buffer between the water lot and any adjoining residential uses;
- (c) complying with any Municipal standards governing setbacks from major or minor navigation channels;
- (d) where applicable, there is adequate car parking available to service boat docking rental customers and visitors;
- (e) the configuration and size of the water lot has regard for orientation of adjoining property lines such that egress and ingress are considered and protected as far as possible;
- (f) the size of the water lot does not exceed the size of the onshore lands including adjacent Crown reserves or shore road allowance;
- (g) there are adequate onshore services including sewage disposal, water treatment, hydro and solid waste disposal facilities to accommodate the use of the docking facility.

22.02.2 In addition to the Zoning By-law and Site Plan Control, Council may implement other controls including the imposition of speed limits or special signage regulations in conjunction with lake associations.

22.03 Signs

The Municipality may enact a by-law to regulate against the proliferation of signs which conflict with the natural environment of the Municipality.

22.04 Lights

The Municipality will take whatever measures are necessary to restrict any offensive lighting away from adjacent residential lands and to restrict on-shore lighting that may be hazardous to navigation.

22.05 Sleeping Cabins

Sleeping or guest cabins are permitted accessory uses so long as they remain subordinate and incidental to the main dwelling subject to the requirements of the Zoning By-law implementing this Plan. The Zoning By-law will include

regulations that ensure that sleeping cabins are: subordinate in size to any residential use; retained as an accessory function (i.e. no cooking facilities); and restricted in number so as to preserve the principal residential use.

22.06 Channels

No development will be permitted on a portion of the shoreline of any lot which is located on any customarily and regularly travelled channel or water course to which there is no convenient alternative where docks, wharves or other shoreline structures could be hazardous to navigation or where the passage of boats could be hazardous to the users of such shoreline facilities.

22.07 Second Cottages

It is the policy of this Plan to permit one additional cottage and accessory buildings by Zoning By-law Amendment where the parcel would otherwise be eligible for a severance and the additional buildings are located in conformity with all provisions of this Plan and the Zoning By-law as if the lots were separated.

22.08 Navigability

Development will only be permitted where the water frontage is deemed to be navigable. Navigability, in this context, refers to one's ability to gain convenient access to and from a proposed lot during all normal water level conditions without environmental degradation in an appropriate-sized runabout.

22.09 Common Docks

Access to and from certain existing lots of record may be gained by common dockage involving at least a right-of-way if suitable access as described in 22.08 is unattainable.

22.10 Derelict Vehicles, Boats and Docks

The Municipality may enact by-laws to control derelict motor vehicles, boats or docks.

22.11 Boathouses

- 22.11.1 In-water boathouses and boatports are not permitted. Dry-land boathouses are permitted accessory structures in the Waterfront designation.
- 22.11.2 The use of structures to store boats along or at the shoreline of properties is a planning concern in the Municipality, particularly where the said structures are large and/or obtrusive on the natural landscape.
- 22.11.3 The Zoning By-law shall provide for size, setback, and height regulations for dryland boathouses.

22.11.4 Dry land boathouses that exceed the regulations set out in the Zoning By-law will be reviewed and assessed in accordance with the following criteria:

- (a) the size of the structure relative to the shoreline frontage and area of the property;
- (b) the need for such a structure;
- (c) the visibility of the structure from adjoining channels and properties;
- (d) the public reaction to the oversized boathouse as determined in the processing of a Zoning By-law amendment to allow for the structure;
- (e) the elevation of the boathouse and special design and locational features used to lessen its impact;
- (f) the location and size of the boathouse relative to existing buildings and structures on the adjoining land;
- (g) the proposed internal uses of the boathouse space; and,
- (h) the policies that may affect limits of boathouses.

22.11.5 All such oversized dryland boathouses will be subject to Site Plan Control.

22.12 Noise/Vibration/Land Use Compatibility

22.12.1 Residential areas and other uses of similar sensitivity, such as the sites of hospitals, nursing homes, and homes for the aged, will be protected from situations of undesirable air quality and excessive noise/vibration through good land use planning and site plan control.

22.12.2 Developers will be required to carry out noise and/or vibration assessments and determine control measures which are satisfactory to the Municipality and the Planning Board in accordance with M provincial D-Series Guidelines.

22.12.3 There are additional land use compatibility matters that must be considered in the Official Plan. Long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants. Development and land use patterns which may cause environmental or public health and safety concerns will be avoided. When assessing land use compatibility issues, the Municipality shall have regard to the Provincial D-Series Guidelines and recognize minimum separation distances where required.

22.13 Crown Lakebed

As a condition of development or redevelopment, flooded land below the controlled high-water mark may be required to be conveyed to a public authority.

22.14 Narrow Waterbodies

- 22.14.1 Development on narrow waterbodies and channels will be limited, where the width of the channel or waterbody is less than 100 metres.
- 22.14.2 Where lot creation is proposed in narrow waterbodies, larger lot frontages shall be required to maintain the character of the shoreline.
- 22.14.3 New shoreline structures development in narrow waterbodies shall consider the impact of the proposed development on the character of the narrow waterbody and the safety of boat navigation and winter ice travel.
- 22.14.4 New development or site alteration in narrow waterbodies shall be subject to Site Plan Control. New shoreline structure development shall be subject to the preparation of a Site Evaluation Report to identify the location of development on the property in a manner that will minimize the risk to navigation safety and environmental features to the satisfaction of the Municipality.
- 22.14.5 Properties in narrow waterbodies may be placed in a separate zone that requires greater lot frontages, greater development setbacks and limits the development of shoreline structures in comparison to other waterfront areas in order to limit the density of development to ensure the character of the area is maintained. Character shall include a variety of considerations including but not limited to, density of development, balance between the natural environment and built form, building separation, building location on a lot, lot size and lot frontage

22.16 Dark Sky Lighting

- 22.16.1 The Municipality supports efforts to reduce, light pollution while ensuring safe access to lots. The Municipality will support future stewardship initiatives that promote public education on dark sky lighting initiatives.

22.17 Telecommunication Facilities

- 22.17.1 Wireless communications are increasingly required for personal, business and emergency requirements. Emergency response services such as 911, police, fire and ambulance services rely on wireless communication to reduce response times and ultimately keep the Municipality's residents safe.
- 22.17.2 In order to increase the level of service that telecommunication carriers provide, there must also be an increase in the associated infrastructure. In anticipation of this increased demand, this policy is intended to mitigate the potential land-use conflicts between new large-scale telecommunication towers, encourage

co-location, encourage the use of existing structures (buildings or towers) and stealth and unobtrusive design. In the future, as service providers scope-down and localize their networks, it is anticipated that stealth design in telecommunication towers will be the vehicle of choice for carriers. As a result, this policy encourages stealth applications in all areas of the Municipality. Before stealth design becomes viable throughout the Municipality, the Municipality will promote co-location and unobtrusive design. It must be noted that co-location and unobtrusive design are mutually exclusive. Co-location towers are more bulky in order to support increased load and therefore a more obtrusive design. The Municipality will work with service providers to determine which option best suits each location. Emphasis will be placed on co-location.

22.17.3 Telecommunications and telecommunication infrastructure in Canada fall under the jurisdiction of the Federal government and as such, is regulated by Innovation, Science and Economic Development Canada (ISED). Through CPC-2-0-03, (Environmental Process, Radio frequency Fields and Land-Use Consultation), ISED has recognized that local land-use authorities should have an opportunity to influence the location of telecommunication towers and facilities. Although ISED requires consultation with land-use planning authorities, it is not obligated to act upon the recommendations of these authorities. It is therefore a policy of this Plan to establish a co-operative approach in its attempt to direct the siting of telecommunication structures and facilities to desired locations within the Municipality.

22.17.4 The Municipality may develop a Siting Protocol to assist in public consultation and to ensure that efforts are made to appropriately site telecommunications facilities in the Municipality.

22.18 Renewable Energy Systems

22.18.1 The Municipality supports the reduction of greenhouse gas emissions and preparing for the impacts of a changing climate through the use of energy efficient building materials and designs, and low impact development and landscaping design practices, and the use and development of alternative energy systems and renewable energy systems.

22.18.2 The Municipality supports the establishment of location requirements and setback requirements for the establishment of renewable energy infrastructure including solar panels and wind turbines. This infrastructure, whether for personal or commercial purposes, shall be directed away from waterbodies and the view sheds surrounding waterbodies.

22.19 Short-Term Rental Accommodation

22.19.1 The Municipality recognizes that dwelling units (including cottages) have been rented for years for various timeframes.

22.19.2 The recent phenomenon of dwelling units being used as dedicated short-term accommodations has precipitated the need for management and regulation of

short-term rental accommodations to protect the planned function of residential areas.

22.19.3 The Municipality may enact both Zoning By-law regulations and a Licensing By-law to regulate short-term rental accommodations which together shall:

- a) Establish a definition of short-term rental accommodations;
- b) Permit short-term rental accommodations within zones that permit a dwelling unit;
- c) Establish regulations to ensure the planned function of residential areas is maintained;
- d) Establish regulations to ensure the character of residential areas and residential uses are maintained; and,
- e) Establish regulations to minimize the potential negative impacts of short-term rental accommodations.

22.20 Climate Change

22.20.1 The Municipality supports energy and water conservation, air improvement and protection, and climate change adaptation.

22.20.2 Future development and public works shall be designed to consider potential impacts of climate change.

Appendix 1 - Municipal Road Standards

Year-Round Road Standards are as follows:

- right-of-way 20 metres
- clearing width 20 metres
- surface width 6 metres
- granular depth 450mm to 600mm (300 mm to 450 mm of sub base (granular "B"), and 150 mm of Surface ("A") gravel.)
- surface treatment asphalt, tar and chip, gravel
- shoulder width 1 metre (each side)
- ditches 0.5 metres
- culverts 450mm, unless demonstrated that 400mm is sufficient.
- cover over bedrock 450mm
- maximum grade 12%
- dead ends 12 metres

Seasonal Road and Cottage Road Standards are as follows:

Minimum standards for subdivision roads and streets – Cottage Standard Roads for estimated volumes below 50 vehicles per day.

- right-of-way 20 metres
- clearing width 12 metres
- surface width 6 metres
- granular depth 450mm to 600mm (300 mm to 450 mm of sub base (granular "B"), and 150 mm of Surface ("A") gravel.)
- shoulder width 0.5 metres (each side)
- ditches 0.5 metres
- culverts 450mm, unless demonstrated that 400mm is sufficient.
- cover over bedrock 450mm
- maximum grade 14%
- dead ends 12 metres

Caution: The above standards may be subject to change without notice.



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OFFICIAL PLAN FOR THE MUNICIPALITY OF WHITESTONE

Draft #1.4 - July 15 Council Version – Prepared for the July 15th,
2026 Council Meeting

Clean Version

THIS VERSION INCORPORATES COUNCIL COMMENTS

Table of Contents

SECTION 1.0 – TITLE AND COMPONENTS OF THE PLAN	1
SECTION 2.0 – PURPOSE OF THE PLAN	1
SECTION 3.0 – GOAL OF THE PLAN	2
SECTION 4.0 – BASIS OF THE PLAN	2
SECTION 5.0 – OBJECTIVES OF THE PLAN	4
SECTION 6.0 – GROWTH AND SETTLEMENT PATTERN	6
6.01 General	6
6.02 Year-Round Population	6
6.03 Seasonal or Waterfront Development	6
SECTION 7.0 – GENERAL ECONOMIC POLICY	7
SECTION 8.0 – GENERAL DEVELOPMENT POLICY	8
8.01 Preferred Method of Lot Creation	8
8.02 New Lot Creation Criteria Requirements	8
8.03 New Lots – Exemption from Standard Requirements	9
8.04 Servicing	10
8.05 Accessibility	11
SECTION 9.0 – ROADS AND TRANSPORTATION	12
9.01 Provincial Highways	12
9.02 Municipal Roads	12
9.03 Major Roads	12
9.04 Municipal Road Allowance	13
9.05 Municipal Road Standards	14
9.06 Private Roads	14
9.07 Colonization and Deviation Roads	15
9.08 Shore Road Allowances	15
9.09 Roads Over Crown Land	16
9.10 Recreational Trails	16
9.11 Railways	16
SECTION 10.0 – GENERAL PARKS AND OPEN SPACE	17
10.01 Parkland Policy	17
10.02 Golf Course Policy	17
SECTION 11.0 – HOUSING AND SPECIAL LAND USES	18
11.01 General	18
11.02 Additional Residential Units	19
11.03 Trailers	20
11.04 Mobile Homes	20
11.05 Supported Group Living Residences	20
11.06 Home Occupations	20
11.07 Home Industries	21
11.08 Bed and Breakfasts	23
11.09 Garden Suites	23
11.10 Hunt Camps	23
SECTION 12.0 – NATURAL HERITAGE	24
12.01 Fish Habitat	25
12.02 Wetlands	26

12.03	Significant Wildlife Habitat	26
12.04	Areas of Natural and Scientific Interest.....	27
12.05	Habitat of Endangered and Threatened Species	27
12.06	Mineral Aggregates - Pits and Quarries	28
12.07	Mineral Resources - Mines	30
12.08	Hazard Lands.....	31
12.09	Land Use Compatibility	32
SECTION 13.0	WATERFRONT POLICIES	34
13.01	Definition	34
13.02	Form of Development	34
13.03	Principles of Waterfront Development.....	35
13.04	Water Quality Protection	35
13.05	Recreational Carrying Capacity	37
13.06	New Waterfront Commercial Development.....	37
13.07	Shoreline Structures and Modifications.....	38
SECTION 14.0	– COMMERCIAL OR INDUSTRIAL DEVELOPMENT.....	40
SECTION 15.0	– CULTURAL HERITAGE	40
15.01	Cultural Heritage Policies	40
15.02	Heritage Impact Assessments	41
15.03	Archaeological Resources	41
15.04	Marine Archaeological Resources	43
SECTION 16.0	– LAND USE POLICY AREAS	43
16.01	Rural Designation	43
16.02	Waterfront Designation	44
16.03	Crown Land Designation.....	45
16.04	Environmental Protection Designation	46
SECTION 17.0	– LAKE SPECIFIC POLICIES	47
17.01	Bolger/Kashegaba Lakes	47
17.02	Gooseneck Lake	48
17.03	Magnetawan River	48
17.04	Fairholme Lake	48
17.05	Limestone Lake.....	49
17.06	Lorimer Lake	49
17.08	Shawanaga Lake / Shawanaga River.....	49
17.09	Whitestone Lake	49
17.11	Miskokway Lake and Trout Lake.....	51
17.12	Labrash Lake	51
SECTION 18.0	– COMMUNITY AREAS OVERLAY	52
SECTION 19.0	– COMMUNITY IMPROVEMENT POLICIES	53
19.01	Goal	53
19.02	Objective	53
19.03	Improvement Criteria	53
19.04	Phasing	54
19.05	Community Improvement Area	54
19.06	Implementation	54
SECTION 20.0	– PROPERTY STANDARDS.....	55
SECTION 21.0	– IMPLEMENTATION.....	55
21.01	Accessory Uses	55
21.02	Boundaries.....	55

21.03	Numerical Interpretation.....	56
21.04	Deeming By-laws	56
21.05	Site Plan Control.....	56
21.07	Special Exceptions For Existing Uses.....	56
21.08	Holding Provisions	56
21.09	Zoning.....	57
21.10	Non-Conforming Uses	57
21.11	Special Notices	57
21.12	Plan Review.....	58
21.13	Amendments.....	58
21.14	Amenity Policies.....	59
21.15	Development Charges/ Community Benefits	60
21.16	Pre-consultation and Complete Application	60
21.17	Future Studies to Address Emerging Issues.....	61
SECTION 22.0	– SPECIAL POLICIES	61
22.01	Exceptions	61
22.02	Water Use.....	61
22.03	Signs	62
22.04	Lights	62
22.05	Sleeping Cabins.....	62
22.06	Channels.....	63
22.07	Second Cottages	63
22.08	Navigability	63
22.09	Common Docks	63
22.10	Derelict Vehicles, Boats and Docks	63
22.11	Boathouses.....	63
22.12	Noise/Vibration/Land Use Compatibility.....	64
22.13	Crown Lakebed.....	65
22.14	Narrow Waterbodies	65
22.16	Dark Sky Lighting.....	65
22.17	Telecommunication Facilities	65
22.18	Renewable Energy Systems	66
22.19	Short-Term Rental Accomodation.....	66
22.20	Climate Change	67
Appendix 1	- Municipal Road Standards	68

OFFICIAL PLAN FOR
THE
MUNICIPALITY OF WHITESTONE

SECTION 1.0 – TITLE AND COMPONENTS OF THE PLAN

This Plan, when approved by the Ministry of Municipal Affairs and Housing will be known as the:

"OFFICIAL PLAN OF THE MUNICIPALITY OF WHITESTONE"

This Official Plan applies to the Municipality of Whitestone, a member Municipality of the Parry Sound Area Planning Area. The Municipality of Whitestone consists of the Township of Hagerman and the Geographic Townships of Burton, East Burpee, McKenzie, Ferrie and the westerly five lots of Croft.

The Parry Sound Area Planning Area includes Whitestone, McDougall, Carling, and McKellar.

The Plan includes Goals, Objectives, general development policies and land use policies. The mapping schedules are attached and are considered to be part of this Official Plan, including the following:

- Schedule 'A' is the Land Use Plan;
- Schedule 'B' identifies the Natural Heritage Features; and,
- Schedule 'C' identifies Natural Resources.

SECTION 2.0 – PURPOSE OF THE PLAN

The purpose of this Official Plan is to set forth the general policies to shape and guide the physical growth of the Municipality of Whitestone and to promote sustainable economic development in a healthy natural environment within the Municipality.

This Official Plan is intended to provide the basis for a land use planning program that will guide Council and the citizens of the Municipality of Whitestone with a clear and understandable set of goals, objectives and policies for making land use decisions.

This Official Plan was prepared under the Provincial *Planning Act* and as such is in accordance with those items identified as matters of Provincial interest under Section 2 of the *Planning Act*. This Official Plan has been prepared to be consistent with the Provincial Planning Statement prepared under Section 3 of the *Planning Act*.

This Official Plan also recognizes the Growth Plan for Northern Ontario that was prepared as a Provincial Plan under the *Places to Grow Act*.

SECTION 3.0 – GOAL OF THE PLAN

The goal of the Official Plan for the Municipality of Whitestone is to preserve the high quality of life in the Municipality and to enhance that quality through preserving the natural environment while encouraging sustainable growth in all sectors to attract new citizens and visitors to the community.

SECTION 4.0 – BASIS OF THE PLAN

- 4.01 The Municipality of Whitestone was formed on January 1, 2000, as a result of the Central Parry Sound District Restructuring Commission. The Restructuring Commission was part of the province's program to consolidate and strengthen local governments. The formation of the Municipality of Whitestone united Hagerman Township with the Geographic Townships of Burton, East Burpee, McKenzie, Ferrie and part of the geographic Township of Croft, all located in the central area of the Parry Sound District.
- 4.02 The Municipality of Whitestone is characterized by a large, lake-based area with sparse populations. The Canadian Shield produces a rugged appearance with rocky shorelines dominated by white pine trees. These features, together with its proximity to southern Ontario make the area an appealing recreation and retirement community.
- 4.03 There are two north-south highway corridors in Parry Sound District that create two distinct communities of interest. The Highway 11 corridor services those Municipalities along the east side of the District and Highway 69 serves the west side of the District. The Municipality of Whitestone is located halfway between these Provincial Highways on Highway 124, the only major east-west Provincial Highway in the District. Because of its location in the middle of the District, it shares a combined influence between east and west.
- 4.04 In many ways, the Municipality of Whitestone reflects the character of much of the District of Parry Sound. It has a small year-round population, a large proportion of which are seasonal residents that have recreational properties.

Whitestone Population (2021)	1,075
Total Private Dwellings (2021)	1,427
Private Dwellings Occupied by Seasonal Residents (2021)	878

Source: Statistics Canada

- 4.05 The local economy for the Municipality of Whitestone is largely derived from its land owners. Other components of the Municipality's economy that are important including resource extraction, service, retail, agriculture and construction. The Municipality is interested in promoting additional development and diversifying the local economy. In both cases, however, the emphasis must be on sustainability and compatibility with the natural environment.

- 4.06 The Municipality has approximately 94 kilometres of year-round maintained municipal road and 13 kilometres of seasonally maintained municipal road providing access throughout the Municipality.
- 4.07 The Municipality of Whitestone has a significant Crown Land base. Approximately 80% of the land within the Municipality is Crown Land. The Official Plan must recognize the relationship between the differing types of Crown Land and the expression of policy contained in the Ontario Living Legacy and the private land holdings in the Municipality.
- 4.08 The Municipality of Whitestone covers a large geographic area in the central part of the District of Parry Sound. The delivery of local service over this broad region is a challenge, which requires new, sustainable development to offset any increasing local government costs.
- 4.09 The Municipality has undertaken an extensive electronic mapping program including a geographic information system. This new mapping system will be used as part of this Official Plan and the Zoning By-law documents and the information system will assist in the delivery of the land use planning and other Municipal programs. Land use data has been added to this electronic mapping to be used in the Official Plan and Zoning Study.
- 4.10 Public consultation has been an extensive part of the Official Plan Review for the Municipality of Whitestone. Given the nature, geography and the young age of the Municipality, extra care has been taken to ensure the greatest opportunity to participate in the policy review and to consider comments that have been received throughout the review process.
- 4.11 As part of the Official Plan Review, relevant agencies and organizations have been invited to make submissions respecting the new Official Plan for the Municipality of Whitestone. There are numerous submissions that have been reviewed and incorporated into the policy foundation of this Official Plan. Indigenous communities have been included in the review of this Official Plan.
- 4.12 Development activity in the region has been tracked and quantified. The amount of development has been limited over the past 20 years. This is partly due to the economy, the isolation of the region and the competing investment economies. As the real estate market continues to become more competitive, as the number of recreational property opportunities diminishes in the southern parts of the District and as the economy for rural recreational properties increases, growth in the Municipality of Whitestone is anticipated to be steady. This is not anticipated to be a large growth that impacts the Municipality's ability to deliver services.
- 4.13 There are a number of businesses and resorts in the Municipality that will need to be recognized and supported in this Official Plan. The success and survival of these businesses are vital to the long-term health of the Municipality of Whitestone.

- 4.15 The Council of the Municipality of Whitestone, with this Official Plan and other strategies of the Municipality, will attempt to attract growth in all sectors of the population by encouraging settlement, development and business opportunities.
- 4.16 The conversion of cottages to year-round use is permitted by this Official Plan. However, there are servicing limitations that may apply to some areas of the Municipality.
- 4.17 The numerous freshwater lakes and the rivers are the lifeblood of the Municipality of Whitestone. Policies will need to be carefully constructed to ensure the continued maintenance of the quality of these waters while responding to the inevitable demand for additional waterfront recreational land. There are a variety of lake and river conditions that may require lake or river specific policies to properly respond to neighbourhood policy needs.
- 4.18 The Municipality of Whitestone is an area that is rich in history having been part of the original *Free Land Grant Act* of 1879. There have been multiple generations of area families that have contributed to the character and past history of the Municipality and contributions will continue with present and future generations. The policy of this Official Plan will be sensitive to the conservation of this heritage and character.
- 4.19 All of the Municipality's development and future development will be serviced by individual on-site water services and individual on-site sewage services
- 4.20 This Official Plan provides policies for community improvement pursuant to the *Planning Act*.

SECTION 5.0 – OBJECTIVES OF THE PLAN

- 5.01 Maintain, restore and where possible improve the natural environment.
- 5.02 Promote additional growth in the recreational and residential areas that is sustainable, responsible and appropriate to meet a growing demand for such development in the Municipality.
- 5.03 Encourage the orderly development of commercial and light industrial activities to diversify the economic base in the community and generate job opportunities within the community.
- 5.04 Ensure the compatibility of land uses.
- 5.05 Require new development to be responsible for all costs directly associated with the development so that the Municipality does not assume any costs beyond normal maintenance and service.

- 5.06 Encourage the principles of energy and resource conservation, recycling and maintaining the supply of renewable resources.
- 5.07 Encourage an efficient transportation system that allows for the safe convenient movements of traffic within the Municipality, including requiring an appropriate standard for access and road design for all new development.
- 5.08 Preserve elements of the rural character of the Municipality along the major roads and Provincial Highways.
- 5.09 Ensure adequate supply of land for new residential development and supporting those housing programs that preserve housing stocks and introduce affordable housing, including additional dwelling units.
- 5.10 Maintain, expand and support recreational facilities, programs and open space areas throughout the Municipality.
- 5.11 Encourage community improvements in built-up areas of the Municipality in both private and public sectors for the rehabilitation maintenance and preservation of these important neighbourhoods.
- 5.12 Ensure that new structural development will occur in a manner that will minimize the potential for loss of life, property damage, social disruption and the need for emergency evacuation under flood or fire conditions.
- 5.13 Ensure that new development considers the importance of local sand and gravel and other mineral resources to the Municipality.
- 5.14 Encourage development that strengthens the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.
- 5.15 To identify potentially contaminated sites to avoid unanticipated impacts, costs and delays in land use planning.
- 5.16 Maintain the character of the numerous recreational waterbodies in the Municipality by balancing the natural environment and built form in Waterfront areas.
- 5.17 Conserve cultural heritage resources in accordance with the Provincial Planning Statement.

SECTION 6.0 – GROWTH AND SETTLEMENT PATTERN

6.01 General

The Municipality of Whitestone is a rural-recreational Municipality with a large number of freshwater lakes. Most of the area's growth occurs along the shoreline of its lakes. Apart from the shoreline of the larger lakes, the Municipality is sparsely populated covering a large area within the District of Parry Sound. A large portion of the interior area of Municipality is Crown Land.

The composition of the Municipality's population is not expected to change over the period of this Official Plan. There will be a continual, but small amount of growth in both year-round and seasonal populations as demand increases and as the supply of rural-recreational opportunities diminishes elsewhere in the Parry Sound District.

The Council of the Municipality of Whitestone, with this Official Plan and other strategies, will attempt to attract growth in all sectors of the population by encouraging settlement, development and business opportunities.

6.02 Year-Round Population

Modest growth is forecasted, with the settlement areas being the focus of new growth. All growth in the Municipality should ensure that the character, heritage, and the natural landscapes of the Municipality are conserved.

Limited year-round population growth is likely to occur in the waterfront and in the rural areas in accordance with the policies of this Plan.

The Municipality is aware of current limitations imposed by its small population and assessment, and it is currently exploring compatible economic and community development programs through its relationship with other Municipalities, varied ministries and area strategic planning initiatives.

6.03 Seasonal or Waterfront Development

The Municipality encourages new waterfront development. Any new growth along the waterfront will be required to be sustainable in terms of minimizing its impacts on the social, physical and financial environments of the Municipality.

There are a number of general and lake specific policies contained in this Official Plan that recognize the ability of some waterbodies to withstand additional development. These policies should be reviewed in conjunction with Provincial land use policies when assessing the varying capacities of various lakes.

SECTION 7.0 – GENERAL ECONOMIC POLICY

- 7.01 The Municipality of Whitestone supports local economic pursuits that do not have a significant adverse effect on the natural environment or on sensitive land uses.
- 7.02 The Municipality wishes to attract new businesses to create new employment opportunities, to diversify the economic base and to convenience its inhabitants with local services.
- 7.03 Any economic activity that complements the local character of Whitestone and can be shown to be reasonably cost efficient will be supported in principle by the Municipality.
- 7.04 The resource sector provides a number of local businesses particularly in the timber and construction industries. Existing resource industries and new businesses will be encouraged in appropriate locations within the rural area and in isolated instances along the waterfront and in community areas. These industries are supported so long as they are carried out in a responsible environmental manner and so that no adverse impacts are created on any adjacent sensitive land uses.
- 7.05 The Municipality will develop an economic development strategy, including the provisions of this Official Plan, to attract new business and enhance or expand the opportunities for existing businesses.
- 7.06 It is recognized that there are a large number of persons that have established businesses in their homes, cottages or shops that provide an important component of the local economy. This Official Plan supports those businesses based within a residential property so long as the business use is secondary and accessory to the residential use and there are no adverse impacts on adjacent residential/sensitive uses.
- 7.07 The Municipality supports development and activities that seek to strengthen the local economy, attract tourists and visitors to the area and add to the potential employment base. These may include expanding the trail system, assisting businesses with government agencies to improve local business opportunities or joining organizations with programs or projects that are intended to enhance the local economy.

SECTION 8.0 – GENERAL DEVELOPMENT POLICY

8.01 Preferred Method of Lot Creation

- 8.01.1 Lot Creation may proceed by either Plan of Subdivision or Consent in accordance with the *Planning Act* and the policies contained in this Official Plan.
- 8.01.2 Plans of Subdivision will be required for those multiple lot developments of generally more than 5 lots or where an entirely new development pattern is being established in an area of the Municipality.
- 8.01.3 Consents will continue to be the recommended process for land division where a limited number of new lots is proposed.

Commented [JR1]: Revise and come back with revised wording. Keep 3 as the trigger and list the requirements where a P of S would be required.

Commented [JR1R2]: complete

Commented [JR1R3]: Added in 5 lots - for discussion

8.02 New Lot Creation Criteria Requirements

- 8.02.1 In considering applications for the creation of new lots, the consent granting authority shall be satisfied that both the severed and retained lots:
- (a) Conform to the specific land division policies contained in the land use designation sections of this Plan;
 - (b) Have frontage on and are accessed by a public road, a condominium road that is maintained on a year-round basis, or a private road; or

Where located on an island or where the proposed lot is to be accessed by water, the new lot must have mainland parking with direct access to a public road, private road or right-of-way.
 - (c) Will not cause a traffic hazard;
 - (d) Has adequate size and frontage for the proposed use in accordance with the Zoning By-law;
 - (e) The lot and proposed use is compatible with adjacent uses;
 - (f) Can be serviced with an appropriate water supply and means of sewage disposal and is generally a minimum lot size of 1 hectare or as appropriate in accordance with the land use designation Sections of this Plan;
 - (g) Will not have a negative impact on the drainage patterns in the area;
 - (h) Will not have a negative impact on the quality of any lake or waterbody and is within the biological and recreational capacity as determined in accordance with the policies of this Plan;
 - (i) Will not restrict the development of the retained lot or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;

Commented [JR2]: This could mean marina, municipal access point or a waterfront landing.

Commented [JR3]: Add in policy to allow for municipal access points for lot creation

- (j) Will not have a negative impact on the features and functions of any natural heritage feature in the area;
- (k) The shape and dimension shall be appropriate to the use proposed taking into account: the character and topography of the area;
- (l) Prior to the approval of a development application, the applicant shall provide confirmation that arrangements have been made for the treatment of the hauled sewage to be generated from the development at a duly licensed facility;
- (m) Suitable building space exists outside of the regulatory flood elevation or lands prone to flooding and the site can be accessed during times of flooding;
- (n) Meets the requirement of Section 51(24) of the *Planning Act*;
- (o) A condition of the creation of a new shoreline lot shall be that the shore road allowance be purchased; and,
- (p) Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

8.03 New Lots – Exemption from Standard Requirements

- 8.03.1 Exceptions to the minimum standards for new lots as set out in the comprehensive Zoning By-law may be made under one or more of the following conditions:
- (a) Where a deed or title correction is required; or
 - (b) Where there are existing buildings on the severed and retained lands so that there would essentially be no additional development; or
 - (c) Where lots have inadvertently merged and are no longer separately conveyable.
 - (d) Where the shortfall in the standard of the proposed lot is minor and it does not conflict with the purpose and intent of the policies of this Official Plan.
 - (e) The proposal has regard to matters of provincial interest Section 51(24) of the *Planning Act*, the PPS and all other applicable policies of the Official Plan.

8.04 Servicing

8.04.1 Sewage

- 8.04.1.1 All development in the Municipality is on individual on-site sewage services and this is not expected to change when this Official Plan is in effect.
- 8.04.1.2 The Municipality and the land division authority must be satisfied that any land proposed for development must be suitable for the installation of individual on-site sewage services, such as septic systems. A Hydrogeological Study shall be required for new lots proposed under one hectare in lot area to demonstrate that the proposed lot is suitable to accommodate both a well and septic system.
- 8.04.1.3 The standards for new lots and the design of any septic systems must meet current Provincial requirements. D-5 Series Guidelines.
- 8.04.1.4 The land division authority will require confirmation that a licensed sewage hauler has available capacity for the haulage and disposal of any septic waste as a condition of development.
- 8.04.1.5 A Septic System Impact Study will be required for commercial, industrial, institutional or other uses that produce in excess of 10,000 litres per day. Development proposals that produce waste in excess of 10,000 litres per day will require an Environmental Compliance Approval issued under Section 53 of the *Water Resources Act*.
- 8.04.1.6 A Servicing Options Report and Hydrogeological Report shall be required for application for the creation of five or more lots on individual on-site sewage services or where fewer than five lots on individual on-site sewage services are proposed, and would result in more than 4,500 litres of effluent per day.
- 8.04.1.7 Any development proposed on the basis of private communal sewage services shall require an amendment to this Plan and must comply with the standards of the Province and any maintenance, responsibilities and liabilities must be to the satisfaction of the Municipality.
- 8.04.1.8 There are additional policies relating to the provision of sewage systems that apply for new development proposed adjacent to recreational waterbodies in Section 13 of this Official Plan.
- 8.04.1.9 The Municipality of Whitestone supports septic system education and a voluntary septic system inspection program to ensure that septic systems are functioning correctly.

8.04.2 Water Supply

- 8.04.2.1 Domestic water supplies for properties in the Municipality come from surface waters or individual wells, or individual on-site water services. All property owners are responsible for individual water treatment.

- 8.04.2.2 Any applications for land division proposing more than five lots or units will be required to undertake a Hydrogeological Study in accordance with Provincial guidelines.
- 8.04.2.3 A Servicing Options Report and Hydrogeological Report shall be required for a Plan of Subdivision that would permit more than five lots on privately owned and operated individual wells.
- 8.04.2.4 Any development proposed on private communal water services shall require an amendment to this Plan and must comply with the standards of the Province and any maintenance, responsibilities and liabilities must be to the satisfaction of the Municipality.
- 8.04.2.5 The Provincial D-Series Guidelines recommend that any multi lot development that proposes new lots less than one hectare in size using individual septic systems and wells be required to prepare a hydrogeological study to ensure the lot is suitable to accommodate water and sewer.
- 8.04.2.6 All private water supplies should be treated or disinfected to ensure that the water is potable and aesthetically adequate.

8.04.3 Drainage

- 8.04.3.1 A preliminary stormwater management or drainage report from a qualified professional shall be included with the subdivision application or a statement from the applicant how drainage will be managed on the lands.

A stormwater management plan shall include:

- (a) how the drainage complies with a storm water management policy; or
- (b) an analysis of the watershed drainage including the identification of floodplains, an analysis and an evaluation of the management of storm water, its impact on the proposed development including recommendations to the Municipality.

8.05 Accessibility

- 8.05.1 Where applicable, any plans or decisions respecting plans or programs within the Municipality of Whitestone shall be in accordance with the *Accessibility for Ontarians with Disabilities Act*.
- 8.05.2 The Municipality may establish an Accessibility Advisory Committee pursuant to the *Accessibility for Ontarians with Disabilities Act* to provide a long-term strategy to ensure compliance with the Act.

SECTION 9.0 – ROADS AND TRANSPORTATION

9.01 Provincial Highways

- 9.01.1 There are two Provincial Highways in the Municipality. Council supports the continued maintenance and upgrading of Highways 124 and 520 as Provincial highways serving the Municipality. In order to preserve the function and efficiencies of these Provincial Highways, the number of new entrances should be limited. Any proposed new entrance or any change to the use or design of an existing entrance will require a permit from the Ministry of Transportation and will be required to meet operational and safety criteria. Noise studies may be required for sensitive land uses within 100 metres of a Provincial Highway. Provincial Environmental Noise Guideline - Stationery and Transportation Sources - Approval and Planning (NPC-300) provides guidance on noise studies.
- 9.01.2 New development proposed to have an entrance directly on to a Provincial Highway outside of any community will be required to have a minimum frontage that is twice the standard for a rural lot unless it can be demonstrated that the rural standard will not impair the functional or operational qualities of the Highway.
- 9.01.3 Building and land use permits, along with entrance and sign permits, are required from the Ministry of Transportation prior to any construction and/or grading on sites near a Provincial Highway and within a Ministry of Transportation Permit Control Area. New lot frontages may be determined by the Ministry of Transportation.
- 9.01.4 Any development within a specified distance of a Provincial Highway may be required to undertake noise studies to the satisfaction of the Municipality.
- 9.01.5 The Municipality supports the continued expansions of Provincial Highways 400, 69 and 11 through the District of Parry Sound to promote safe and convenient travel into and out of the District.
- 9.01.6 The right-of-way width for Provincial Highways shall be determined by MTO

9.02 Municipal Roads

- 9.02.1 The right-of-way width for municipal roads shall generally be 20 metres.

9.03 Major Roads

- 9.03.1 Major Roads are Provincial Highways, Bunny Trail, Lorimer Lake Road and Balsam Road.
- 9.03.2 New development will be encouraged to minimize direct access on to major roads and Provincial Highways. Where new development is proposed on major

Commented [JR4]: Council wants to permit lot creation on all roads. Public and Private Road Review By-law on Backlots.

Commented [JR5]: Discuss with Public Works ; Reference roads standards appendix.

roads and highways, internal roads will be preferred, or shared driveways to preserve the efficiency of these roadways. In all instances, new access on to or off of major roads and highways will be required to have adequate sight lines for safety.

9.03.3 The right-of-way width of Major Roads shall generally be 30 metres.

9.04 Municipal Road Allowance

Improvements to Municipal road allowances that are not maintained are not permitted unless the following occurs:

- (a) The Municipality declares the road allowance surplus and the Municipal road allowance is stopped up and sold in accordance with the provisions of the *Municipal Act*; or
- (b) The road is brought up to a Municipal standard and assumed by the Municipality for maintenance purposes; or
- (c) The proponents of the road allowance improvements enter into legal agreement with the Municipality that includes provisions for indemnification of liability, signage and liability insurance; and,
- (d) It has been demonstrated that the proposal conforms with Section 12.0 - Natural Heritage of the Official Plan. Prior to approval, the Municipality may require an assessment by a qualified professional to demonstrate that there are no negative impacts to natural heritage features. This policy applies to any crossing of an unopened road allowance.

9.04.6 Where an abutting owner requests to use or authorize a historical use of a portion of a road allowance for any use permitted by this Official Plan, the Municipality may consider the request subject to the following:

- (a) there is no immediate access use for the road allowance;
- (b) the use is authorized by the Municipality, that may include an agreement;
- (c) the landowner is aware of the potential removal of any buildings or structures on short term notice;
- (d) circulation of the request to adjacent owners that may have an interest; and,
- (e) compliance with the Zoning By-law.

Any permission to authorize the use of or occupation of an unassumed road allowance is not to be interpreted to confer any road frontage compliance as otherwise required by this Official Plan.

- 9.04.6 The Municipality shall not sell a road allowance leading to water or providing access to lots that are not capable of being accessed by a municipally maintained road unless there is another municipal access point to the waterbody or there is alternative access to the lots. Where a road allowance is proposed for sale, it shall first be offered to abutting lot owners equally.

9.05 Municipal Road Standards

- 9.05.1 The Municipality may only assume and maintain new roads or existing private roads if the road is brought up to the standards of the Municipality in accordance with Appendix 1. For the assumption of private roads, the benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.
- 9.05.2 The Municipality must be convinced that the assumption of a new road or an upgraded road is in the public interest before it commits to the assumption of the road.
- 9.05.3 Over the long term, the Municipality hopes to achieve a uniform standard for year-round, and seasonal Municipal roads. Council will adopt a program of prioritizing these improvements as need and funds permit.
- 9.05.4 The Municipality may consider seasonal or cottage road standards where it is deemed appropriate for development that is designed for seasonal, or cottage use only. Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards, at the expense of the benefiting property owners.
- 9.05.5 The Municipality may vary the standards up or down to reflect the level of use so long as the determined standard has been established by a professional engineer or qualified consultant.
- 9.05.7 Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards at no cost to the Municipality.

9.06 Private Roads

- 9.06.1 The Municipality may only assume these roads if they are upgraded to the appropriate Municipal standard outlined in Appendix 1. Benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.
- 9.06.2 Development on a private road or private right of way may be placed in a limited service zone in the implementing Zoning By-law. The zoning will reflect that Municipality has no responsibility for the maintenance or standards of the road and is not responsible for the delivery of services..

9.06.3 When reviewing the infilling of new lots in the waterfront on existing rights-of-way, a minor extension at the terminus of the private road may also be considered infilling. However, any significant private road extension may only be allowed to proceed by a condominium road. In reviewing such extensions, Council will have regard to the purpose of the road, its length, the number of condominium road users, the future status of the road, and any relevant road construction or operational standards.

9.06.4 Any new lots that are created on existing private rights-of-way will be required to enter into an agreement with the Municipality to be registered on title to indemnify the Municipality and any other public bodies of all responsibility of any maintenance of the road and all liability for any use of the private road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the lot. In this type of agreement, the Municipality will ensure a maintenance responsibility program is in place for the road.

Commented [JR6]: Review requirement for agreement with Council.

9.06.5 The Municipality is aware of the abundance of ratepayers that access their properties by means of private or unassumed roads. The Municipality has adopted a program to assist in offsetting private road maintenance costs when funds are available.

9.07 Colonization and Deviation Roads

9.07.1 The Municipality will not recognize any former colonization road or deviation road as a publicly maintained road for the purpose of this Plan notwithstanding that it retains ownership of the roadbed. The Municipality must have been maintaining a roadway on a regular basis for the road to be recognized as a year-round publicly maintained road.

9.07.2 Where the Municipality realigns an existing road, the former roadbed will be conveyed to the abutting landowners in accordance with the *Municipal Act*.

9.08 Shore Road Allowances

9.08.1 Shore road allowances are present on a number of lakes in the Municipality. The Municipality is prepared to stop and sell these shore road allowances to the riparian landowners.

9.08.2 That part of the shore road allowance below the controlled high-water mark will be retained by the Municipality.

9.08.3 That part of the shore road allowance identified as having any environmental feature may be retained by the Municipality. Prior to approval, the Municipality will require an assessment by a qualified professional to determine the extent of the environmental feature(s).

9.08.4

That part of the shore road allowance identified as having historical or cultural features may be retained by the Municipality. Prior to approval, the Municipality may require an assessment by a qualified professional to determine the extent of the historical or cultural features.

- 9.08.5 No shore road allowance will be stopped up and sold to the riparian landowner where it is used for access by an adjoining property owner or where the sale will have a negative impact on an adjoining property owner.

9.09 Roads Over Crown Land

- 9.09.1 The Municipality encourages and has no objection to the establishment of roads over Crown Land if the proponent receives the necessary permit from the Ministry of Natural Resources and so long as it is understood that the Municipality has no responsibility for the maintenance of the road.

9.10 Recreational Trails

- 9.10.1 The Municipality supports the continued program of recreational trails in the region as important components of the areas recreational attractions, economy and transportation system. The Municipality will co-operate as far as possible to preserve and improve upon the existing system of trails.
- 9.10.2 The Municipality supports the establishment of trans-provincial trail efforts and will participate in the construction of these trails as far as possible.
- 9.10.3 The Municipality may restrict motorized vehicles from trails on municipally controlled land.

9.11 Railways

- 9.11.1 All proposed residential or other sensitive development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality, in accordance with the Provincial D-Series Guidelines on Land Use Compatibility, Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300), and in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- 9.11.2 All proposed residential or other sensitive development within 300 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality, in accordance with the Provincial D-Series Guidelines on Land Use Compatibility, Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300), and in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

- 9.11.3 All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.

SECTION 10.0 – GENERAL PARKS AND OPEN SPACE

10.01 Parkland Policy

- 10.01.1 Council will encourage the preservation and expansion of its existing parks and lake access points throughout the Municipality provided that such expansions do not overload existing lake neighbourhoods by introducing excessive traffic on any given waterbody.
- 10.01.2 It will be the preference of the Council to require a parkland dedication as a condition of land division or development. The land conveyed or dedicated for parkland shall be an amount in accordance with the *Planning Act*. In cases where the development proposal is too small to be practical for parkland use, Council may consider cash-in-lieu of a land dedication to the value of the land as determined in accordance with the *Planning Act*. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality.
- 10.02.3 As a condition of development or redevelopment on one of the Municipality's waterbodies, Council will attempt to preserve or expand upon public access to that lake.
- 10.02.4 Council will generally discourage the stopping up and transferring of road allowances that lead to a recreational waterbody unless the use of the road allowance, either now or in the future could not feasibly serve as a public access. Alternatively, an applicant interested in acquiring a particular road allowance leading to water, could provide an alternative access to replace the road allowance.
- 10.02.5 Council supports the existing recreational trail system throughout the Municipality and encourages the maintenance and expansion of this system to meet growing demands. Council endorses the ongoing partnerships of governments, organizations and individuals to continue to operate and enhance the trail system.

10.02 Golf Course Policy

- 10.02.1 Golf courses are permitted uses in all land use designations. A rezoning will be required for the establishment of any new golf course(s) or the extension or expansion of any existing golf course, and will be evaluated based on the following:
- (a) an Environmental Impact Study that examines the environmental impacts of the golf course development;

- (b) an inventory of natural features and wildlife;
- (c) a hydrogeology study;
- (d) an environmental management plan that ensures best business management practices and that results in no negative impacts on natural features or their ecological functions;
- (e) the implementation of a monitoring program;
- (f) site plan approval;
- (g) approval of any relevant agency;
- (h) an agreement to ensure the long-term maintenance responsibilities of the golf course use; and,
- (i) a stormwater management plan.

SECTION 11.0 – HOUSING AND SPECIAL LAND USES

11.01 General

- 11.01.1 The primary type of residential use in the Municipality is a single detached dwelling or seasonal residential dwelling. It is the policy of the Municipality of Whitestone to maintain the single detached dwelling unit or seasonal residential unit as the primary permitted housing form in the Municipality. A single detached dwelling unit may be converted to more than one dwelling unit in accordance with the provisions of the Zoning By-law. Other forms of multi-unit residential dwellings may be permitted in the appropriate designation by rezoning and subject to all other applicable policies of this Plan.
- 11.01.2 Higher density residential housing development including medium density housing may be considered in the communities where it may be demonstrated that adequate services are available for such development and subject to rezoning to consider any land use implications.
- 11.01.3 The Municipality of Whitestone supports the continued use of rehabilitation and subsidized housing programs sponsored by the Provincial or Federal Governments where applicable in the Municipality.
- 11.01.4 An acceptable standard of housing design will be established in the Municipality through zoning, property maintenance and occupancy standards, and where necessary, through Site Plan Control, where applicable. In general, new housing design shall not detract from the rural character already established in the Municipality.

- 11.01.5 The Municipality of Whitestone supports subsidized housing programs within the Municipality and will take active steps to pursue sponsoring these programs where eligible under current Provincial and Federal Government criteria.
- 11.01.6 It will be the policy of this Official Plan that unless otherwise provided, only one dwelling unit is permitted on any separate parcel of land subject to all other applicable policies of this Official Plan.
- 11.01.7 The Municipality supports attainable housing initiatives. The Municipality supports the provision of housing which is affordable to low and moderate-income households. In this regard, the overall target is 25% of new residential dwelling units to be attainable as defined in this Plan. This target is intended to apply on aggregate across the Township, but not necessarily to each individual site-specific development proposal.
- 11.01.8 Creative and innovative approaches to the provision of attainable housing may also be considered, including alternative development standards and forms of housing, provided that other objectives of this Plan can be achieved.
- 11.01.9 Lands within settlement areas may be pre-zoned to permit housing styles that may be attainable.
- 11.01.10 Surplus Municipal -owned land and/or buildings should be considered for the provision of housing required to meet the social, health and well-being requirements of current and future residents, including attainable housing.

11.02 Additional Residential Units

The *Planning Act* requires Municipalities to allow additional residential units in detached, semi-detached and row house dwellings as well as in accessory structures. It is the policy of this Plan to recognize this type of permission subject to the following:

- (a) Additional residential units are permitted in all land use designations where detached, semi-detached and row house dwellings and accessory structures are permitted..
- (b) Additional residential units must comply with all applicable laws and standards. Adequate servicing (i.e., well and septic) must be available for the additional residential units;
- (c) The character of the single detached, semi-detached or row house should be preserved when establishing an additional residential unit; and,
- (d) The Zoning By-law shall permit, up to two second units per lot. However, only one second unit shall be permitted in an accessory structure.

Commented [JR7]: Could remove from OP and only include in the zoning by-law.

11.02.5 Additional Residential Units are subject to the following criteria:

- (a) Appropriate on-site parking, sewage, water and drainage is provided for the existing and additional unit(s);
- (b) If serviced by a municipal or communal water supply, confirmation that sufficient reserve capacity is available in the system;
- (c) The Additional Unit is secondary and incidental to the existing dwelling on the same lot;
- (d) The conversion of existing dwelling units to accommodate a Second Unit(s) shall form an integral part of the primary dwelling unit and be designed to maintain the character of the dwelling;
- (e) The lot fronts has legal access; and,
- (f) The number of bedrooms is limited to ensure that the Second Unit is subordinate to the primary dwelling unit.

11.03 Trailers

11.03.1 The Municipality may enact a trailer by-law to regulate the licensing of trailers, motorhomes, and tents.

Commented [JR8]: Confirm with Council that all policies are being removed.

11.04 Mobile Homes

11.04.1 Any policy restricting the use of travel trailers is not intended to apply to mobile or modular homes on permanent foundations.

11.04.2 Mobile or modular homes are permitted in all designations so long as they are placed upon permanent foundations and comply with the minimum standards contained in the Municipality's Zoning By-law.

11.04.3 Mobile home parks will be subject to Site Plan Control.

11.05 Supported Group Living Residences

11.05.1 Supported group living residences will be permitted in accordance with the applicable policies of this Official Plan.

11.06 Home Occupations

11.06.1 Home occupations are businesses that are conducted entirely within a residential dwelling or in an accessory building on a residential property and such businesses are considered to be secondary to the principal residential use of the property. Home occupations shall be promoted by the Municipality to encourage a mix and range of employment opportunities.

11.06.2 Home occupations are permitted in all designations and subject to the following:

- (a) the business must satisfy all statutory requirements for emissions and waste management;
- (b) the business will clearly be secondary and incidental to the residential use;
- (c) the business will be conducted by those persons who occupy the dwelling on a permanent basis;
- (d) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- (e) only a limited portion of the dwelling will be used for the business;
- (f) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- (g) the residential character and appearance of the property and the neighbourhood will be maintained;
- (h) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- (i) the business will be compatible with adjacent residences and the neighbourhood;
- (j) the business will have no negative environmental impacts or adverse effects;
- (k) the business will not be a high traffic generator;
- (l) the business will be a low water user and sewage effluent producer;
- (m) there will be no outdoor storage or display; and,
- (n) the Zoning By-law shall limit the amount of the dwelling or

11.06.3 The implementing Zoning By-law shall further detail the conditions under which a home occupation may be permitted.

11.07 Home Industries

11.07.1 Home industries are small-scale industrial uses that are within an accessory building on a residential property and such businesses are considered to be secondary to the principal residential use of the property. Home industries may include welding, carpentry, contractor/landscaping yards or machine shops, or agriculture-related uses that involve the processing agricultural crops or other

products. Home industries shall be promoted by the Municipality to encourage a mix and range of employment opportunities.

11.07.2 Home industries are permitted in all designations:

- (a) the business must satisfy all statutory requirements for emissions and waste management;
- (b) the business will clearly be secondary and incidental to the residential use;
- (c) the business will be conducted by those persons who occupy the dwelling on a permanent basis;;
- (d) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- (e) only a limited portion of the dwelling will be used for the business;
- (f) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- (g) the residential character and appearance of the property and the neighbourhood will be maintained;
- (h) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- (i) the business will be compatible with adjacent residences and the neighbourhood;
- (j) the business will have a negative impact on natural heritage features;
- (k) the business will not be a high traffic generator; and,
- (l) the Zoning By-law may establish limitations on the amount of floor area or the accessory building dedicated to the home industry.

11.07.3 The implementing Zoning By-law shall further detail the requirements under which a home industry may be permitted.

11.08 Bed and Breakfasts

- 11.08.1 Bed and breakfasts are permitted in any designation.
- 11.08.2 Bed and breakfasts must be a minimum of 0.5 kilometres from an existing bed and breakfast in the waterfront designation.
- 11.08.3 A bed and breakfast is to be considered a home occupation and the policies of Section 11.06 shall apply.
- 11.08.4 No more than three rental bedrooms or guestrooms are permitted in a single bed and breakfast.

11.09 Garden Suites

- 11.09.1 Notwithstanding the provisions of this Plan, a "garden suite" or "granny flat" may be authorized in any community or rural designation of this Plan by a Temporary Use By-law for a period not exceeding 20 years. In considering garden suites, Council, prior to passing a Temporary Use By-law, shall be satisfied that:
 - (a) An agreement is entered into with the Municipality regarding the maintenance, alterations and improvements and eventual removal of the garden suite unit. This agreement may include a bond or security held by the Municipality that would ensure the removal of the unit.

11.10 Hunt Camps

- 11.10.1 The Municipality of Whitestone is an area with a significant number of camps used for hunting and fishing. This Official Plan recognizes that these camps are important to the recreational and economic base of the Municipality. These uses often have special considerations that allow some flexibility in terms of access, building and related services. The Municipality of Whitestone may make specific provisions for hunt camps and fishing camps in any by-law implementing this Official Plan.

SECTION 12.0 – NATURAL HERITAGE

- 12.0.1 The Municipality of Whitestone recognizes that there are a number of known and unknown natural heritage features in the Municipality. It is also understood that there is legislation, regulations, provincial policies, guidelines and manuals prescribing measures to recognize, protect and preserve these natural heritage features. This Plan recognizes the responsibility of the Municipality together with its associated approval authorities to make decisions that reflect these legislative and policy requirements.
- 12.0.2 The Province has provided information on known natural heritage features, and this data has been compiled and added as Schedule 'B' to this Plan.
- 12.0.3 The Planning Board and the Municipality will use this data to determine the need for an ecological assessment.
- 12.0.4 No development or site alteration is permitted within Provincially Significant Wetlands or significant coastal wetlands. If development is proposed within or adjacent to other significant natural heritage features, a site assessment is required to determine if those features are present and to determine if further study is required to prevent negative impacts on the feature or its ecological function.
- 12.0.5 Adjacent lands are those lands that are within:
- (a) 120 metres of: significant habitat of endangered and threatened species; provincially significant wetlands; significant coastal wetlands; significant woodlands and valleylands; Areas of Natural and Scientific Interest (life science); fish habitat and unclassified wetlands greater than 3 hectares. Wetlands are identified on Schedule B to the Official Plan.
 - (b) 50 metres of Areas of Natural and Scientific Interest (earth science).
 - (c) 300 metres of at-capacity inland natural lake trout lakes on the Canadian Shield.
- 12.0.6 In the case of plans for subdivisions, ecological assessments will be required to determine what, if any, natural heritage feature may be present and what measures, if any, are required to ensure no negative impacts on the significant natural heritage features or their ecological functions.
- 12.0.7 If there are significant gaps in the data respecting natural heritage features, the proponent(s) shall be required to undertake an ecological assessment at the proponent's expense to determine what, if any, natural heritage features are present. Where natural heritage features are found, development or site alteration shall not be permitted within or adjacent to the natural heritage features unless it can be demonstrated that there will be no negative impacts on the natural features or on their ecological function.

12.0.8 Plan 42M-625 is a subdivision on the shoreline of Wahwashkesh Lake approved prior to the incorporation of the Municipality of Whitestone. This approval included restrictions in a Minister's Zoning Order to protect a number of specific natural heritage features. This Zoning Order was revoked, and it will be the policy of Whitestone to replace these restrictions where relevant and appropriate to continue to protect these features. These restrictions will be included in the implementing Zoning By-law.

12.01 Fish Habitat

12.01.1 The Municipality recognizes that fish habitat should be protected from incompatible development. New development will only be permitted where it can be carried out without negative impact on fish habitat. The Ontario Ministry of Natural Resources and Forestry has provided the Municipality with fish habitat mapping and other data for all recreational waterbodies in Whitestone. This data and mapping will be used by the Council and all other agencies when reviewing development applications.

12.01.2 (a) Land Division on Shoreline with Type 1 Fish Habitat

All severed and retained lots must have a minimum of 15 metres of their respective shorelines free of Type 1 Fish Habitat;

- (i) where a severed or retained lot does not include a minimum of 15 metres of non-Type 1 Fish Habitat, it may be re-inspected for errors or omissions respecting the mapping;
- (ii) if the re-inspection reveals an accuracy issue, a revised Type 1 Fish Habitat mapping is to be confirmed by the Ministry of Natural Resources and Forestry.
- (b) the Parry Sound Area Planning Board may obtain a report by a qualified biologist to indicate how the development can comply with the Provincial Policy Statements. The costs of such a study will be the expense of the proponent; or
- (c) authorization for a dock and/or boathouse must be received from the Department of Fisheries and Oceans.

12.01.3 The properties may be rezoned to show the extent of fish habitat areas as a result of a change in the Ministry of Natural Resources and Forestry fish habitat mapping.

12.01.4 The applicant must sign an acknowledgement form that they have received and read a copy of the information sheets on docks and shoreline development from the Ministry of Natural Resources and Forestry and the Department of Fisheries and Oceans.

12.01.5 To protect fish habitat along watercourses the Zoning By-law shall establish a minimum 15 metre setback for structures along warm water streams and a minimum of 30 metres for cool or cold-water streams. Staley's Creek and Jordan Creek and their tributaries may provide cool/cold water habitat and should have a 30-metre setback for buildings and structures.

12.01.6 Floating docks shall be permitted in Type 1 Fish Habitat.

12.01.7 The Township supports recreational fisheries and the stocking programs that support recreational fisheries.

12.02 Wetlands

12.02.1 The Municipality recognizes the importance of wetlands for fish and wildlife preservation. It is the Municipality's intention to protect wetlands and restrict development on, in or adjacent to, wetlands unless it is demonstrated that there are no adverse impacts on the wetland.

12.02.2 The Municipality may place wetlands in an environmentally sensitive category in the Official Plan and identify these on the land use schedule or in the comprehensive Zoning By-law. Development will be prohibited in these areas. Where there are wetlands that have not been designated or identified in the implementing Zoning By-law, development should be directed away from these wetlands.

12.02.3 In accordance Provincial policy, no development or site alteration is permitted within a provincially significant wetland. Where development and/or site alteration is proposed adjacent to a Provincially Significant Wetland, the Municipality will require an Environmental Impact Study by a qualified professional to demonstrate that there will be no negative impacts on the natural features or on the ecological functions of the provincially significant wetland. The costs of such a study would be borne by the applicant and completed prior to the approval of the development and/or site alteration.

12.02.4 At the time of preparation of the Official Plan, there are no identified Provincially Significant Wetlands.

12.03 Significant Wildlife Habitat

12.03.1 Significant Wildlife Habitat, such as bird nesting sites or deer yards, are important because of the species they support. It is the policy of this Plan to protect significant wildlife habitat. New development or site alteration in or adjacent to significant wildlife habitat shall not be permitted unless it has been demonstrated through an Environmental Impact Study(EIS) that the development will not result in negative impacts on the natural features or their ecological functions.

12.03.2

The Ministry of Natural Resources have identified a large portion of lands within the Municipality as a Deer Yard (Stratum 2). These areas are identified on Schedule 'B' of the Official Plan. It is understood that these areas may change over time and that development in these areas must be sensitive to the impact on the deer wintering areas. The removal of vegetation in these areas should be minimized.

12.03.3 Within the Deer Yard (Stratum 2) areas shown on Schedule 'B', new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area outside most significant deer wintering habitat areas. The minimum lot frontage shall be 90 metres and the minimum lot size shall be 1 hectare.

12.03.4 In Waterfront areas, development shall be situated in locations that will not result in the removal of significant amounts of shoreline vegetation or affect shoreline habitat. Site specific zoning and site plan control will be used to site development in the most appropriate areas to ensure minimal impact on the natural habitat.

12.04 Areas of Natural and Scientific Interest

12.04.1 There are two types of Areas of Natural and Scientific Interest (ANSI). These include earth science ANSI's and Life Science ANSI's. ANSI's are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. ANSI's are identified on Schedule 'B'. Details about Earth and Life Science ANSI's is found in the Ministry of Natural Resources - Natural Heritage Reference Manual.

Commented [JR10]: Want details about what a Life Science ANSI is.

12.04.2 Prior to development and site alteration occurring within or adjacent to an ANSI, an Environmental Impact Study shall be submitted to the satisfaction of the Municipality demonstrating that there will be no negative impact on the natural features or ecological function of the ANSI.

12.05 Habitat of Endangered and Threatened Species

12.05.1 The Municipality recognizes the importance and value of protecting the habitat of endangered or threatened species. The exact location of habitat for these species is considered sensitive information and cannot be shown on Schedule B but will be used by the Municipality when development or site alteration is proposed. The Municipality may consult with Ministry of Natural Resources on matters related endangered or threatened species.

12.05.2 The Endangered Species Act requires that the habitat of species listed on the Species at Risk in Ontario List as an endangered or threatened species, shall not be damaged or destroyed, except in the accordance with Provincial and federal standards.

- 12.05.3 All development and site alteration must ensure that the habitat of threatened or endangered, species is protected. No development or site alteration shall be permitted in the habitat of endangered or threatened species.
- 12.05.4 Where development and site alteration is proposed adjacent to the habitat of endangered or threatened species an environmental impact study may be required to ensure development and site alteration does not occur within habitat except in accordance with provincial and federal standards.
- 12.05.5 Where development is proposed in areas that have the potential to contain habitat of endangered or threatened species, an Environmental Impact Study shall be required.
- 12.05.6 Where an Environmental Impact Study has been prepared, prior to approving any development the Municipality shall ensure, through land use planning controls, that the appropriate measures are in place to mitigate potential negative impacts to the habitat of endangered and threatened species. If an Environmental Impact Study identifies species-at-risk habitat, the Study shall be circulated to the Ministry of Natural Resources. As a condition of an approval under the Planning Act, the proponent may be required to obtain an authorization from the Ministry of Natural Resources, or a written indication from Ministry that an application under the Endangered Species Act is complete and is likely meet the legislated requirements of the Act.

12.06 Mineral Aggregates - Pits and Quarries

- 12.06.1 The Municipality of Whitestone is now designated under the *Aggregate Resources Act*. Only those existing aggregate resources that are currently licenced under the *Aggregate Resources Act* will be recognized in the Municipality's Zoning By-law.
- 12.06.2 It is understood that any new pits and quarries proposed in the Municipality will be required to comply with the licencing criteria set out in the regulations under the *Aggregate Resources Act*. Because of the costs associated with undertaking any assessments related to obtaining a new pit or quarry license, it is most likely that limited new pits or quarries are likely to be established over the period of this Plan. Notwithstanding this reality the Municipality supports the establishing of new pits or quarries subject to complying with the *Aggregate Resources Act* requirements, the Provincial Planning Statement and the implementing Zoning By-law.
- 12.06.3 The Zoning By-law shall permit existing pits and quarries in the Rural Zone. Any new pits or quarries will be required to be rezoned to afford neighbouring property owners an opportunity to assess the aggregate operation proposal. Pit and quarry operations can have similar impacts to sensitive uses as a Class III Industry with a potential influence area of 1,000 metres. It is the policy of the Municipality to prevent incompatible land uses and activities both on site and adjacent to existing pits and quarries and any significant deposits of aggregate resources. New quarries shall also require an amendment to the Official Plan.

12.06.4 Applications to expand existing mineral aggregate quarry operations will require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

Applications to develop new or expand existing sand and gravel aggregate operations shall require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

Any application for Amendment to the Official Plan and/or the Zoning By-law shall be supported by studies that address:

- a) the potential impacts of the operation on:
 - i) the ~~significant~~ natural heritage features and ecological functions on the site and on adjacent lands;
 - ii) nearby communities and residential uses;
 - iii) agricultural resources and activities;
 - iv) the character of the area;
 - v) the quality and quantity of groundwater and surface water;
 - vi) the cultural heritage resources in the area;
 - vii) significant geologic formations on the site and in the area;
 - viii) the groundwater recharge functions on the site and on adjacent lands; and,
 - ix) nearby wells used for drinking water purposes.
- b) the effect of the increased truck traffic on the environment and the land uses in the area;
- c) the suitability of the proposed haul routes;
- d) the effect of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) how the natural features and functions on the site and on adjacent lands can be protected and/or enhanced as part of the design of the operation and through progressive rehabilitation;
- f) how the impacts from the proposed operation on adjacent uses will be mitigated; and,

- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

In addition to the above, the appropriate studies shall take into account the added impact of the proposed operation on the items listed in this Section and also take into account the impacts from existing operations in the immediate area. In considering the cumulative impact of the new operation and existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed and existing operations on the general area.

Applicants shall consult with the Municipality to determine the nature, scope, and terms of reference for the required supporting studies under this section.

- 12.06.4 The Province has provided mapping of existing sand and gravel deposits in the Municipality. The Municipality will make use of this data when assessing any new development to ensure any compatibility issues are resolved as part of a development review. Sensitive land uses will not be permitted in close proximity to viable mineral aggregate resources. Mapping of sand and gravel deposits are attached as a Schedule to this Plan and shall be protected.
- 12.06.5 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an Official Plan Amendment, Zoning By-law Amendment, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

12.07 Mineral Resources - Mines

- 12.07.1 Mineral resources and mining operations will be protected from activities that would be incompatible for reasons of public health, safety or environmental impact. In areas of known mineral resources or mining activity no development will be permitted that would preclude or hinder viable mining operations. Sensitive uses will be separated and/or buffered from mining operations in accordance with provincial legislation, policies and guidelines.
- 12.07.2 Mine hazards are any feature of a mine defined in the *Mining Act* or any related ground disturbance that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. There are currently three abandoned mine hazard sites (AMIS) in the Municipality of Whitestone. The one kilometre area that surrounds each AMIS point is to be considered a flag to contact the Ministry of Energy and Mines when development is proposed within that area. In some cases, a smaller area may be justified due to specific characteristics of the hazard. These decisions will be made on a case-by-case basis in consultation with the Ministry of Energy and Mines.

12.08 Hazard Lands

- 12.08.1 Historically, only Wahwashkesh Lake has been identified as having a potential flood hazard. Flooding on Wahwashkesh occurs annually during the spring freshet where fluctuations of 3 to 4 metres are natural because of the large numbers of inlets to the lake and the restriction at the outlet where the Magnetawan River is narrowed by a significant gorge. The summer level of Wahwashkesh is controlled by a fixed dam with an elevation of approximately 224 metres above sea level.
- 12.08.2 The regulatory flood elevation (flood plain) for Wahwashkesh Lake, based on the 1:100 year flood, is established at 229.57 metres above Canadian Geodetic Datum (229.14 metres, stillwater conditions, plus 0.43 for wind set-up and wave run-up).
- 12.08.3 The regulatory flood elevations (flood plains) for Kashegaba and Gooseneck Lakes are based upon the Timmins flood and are 1.44 metres and 1.45 metres, respectively, above the top of the weir and the main spillway for these lakes, respectively.
- 12.08.4 The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain of the aforementioned three lakes. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new buildings must have a minimum elevation for openings at or above the flood elevations. These flood elevations will be implemented in the Zoning By-law.
- 12.08.5 Septic systems shall be above the required flood elevation on any Lake. Except for Lake Wahwashkesh where the Zoning By-law shall establish a minimum elevation for septic systems based on a Council initiated study.
- 12.08.6 The regulatory flood elevation (flood plan) for all other lakes and rivers is based on the 1:100 year flood. The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new building must have a minimum elevation for openings at or above the flood elevation. These flood elevations will be implemented in the Zoning By-law.
- 12.08.7 Because there is no engineered mapping available for the Municipality of Whitestone and because the boundaries of the flood plain may be designated on Schedule 'A' through aerial photograph interpretation by qualified professionals, marginal refinements to the boundaries of the Flood Plain areas will not require an amendment to this Plan provided that any boundary adjustments are in keeping with the intent of the flood plain mapping and

Commented [JR11]: Confirm if this is the correct elevation

Commented [JR12]: Confirm these numbers are up to date.

Commented [JR13]: To be discussed July 15th

provided that the refinements are acceptable to both Council and the Ministry of Natural Resources and that the adjoining land use designation will apply.

- 12.08.8 The Official Plan will be amended to incorporate engineered flood plain mapping should this become available. Where mapping exists, it will be shown on the schedules to this Plan.
- 12.08.9 Under certain circumstances, within or near designated Flood Plains, an application for new development may be required to obtain a detailed engineering study to more accurately determine the level and extent of the regulatory flood elevation.
- 12.08.10 The expansion of existing non-conforming uses, i.e. those uses below the current regulatory flood elevation, will also generally be subject to review and Municipal approval in the Flood Plain. However, minor additions to existing development may be permitted by rezoning.
- 12.08.11 New lots may be created by consent or plan of subdivision along a flood plain boundary where there is adequate development area outside the flood plain in each proposed lot and where there would be safe access under flood conditions. Development and site alteration shall be prohibited in areas with potential erosion hazards unless it has been demonstrated that the site and its access would be safe using the 100 year erosion rate.
- 12.08.12 The Zoning By-law implementing this policy will zone flood plains in a separate restrictive land use category.

12.09 Land Use Compatibility

- 12.09.1 This Plan recognizes that the Ministry of the Environment, Conservation and Parks establishes a number of guidelines to supplement the Province's air, noise and odour approvals under the *Environmental Protection Act* and *Ontario Water Resources Act*. The Municipality will continue to recognize these guidelines when reviewing land use compatibility for any of its planning approvals.
- 12.09.2 All proposed development in the Municipality of Whitestone shall meet provincial standards for air, ground, light, noise, and water pollution control.
- 12.09.3 Any proposed change from an industrial or commercial use to a residential use will require the submission of a Record of Site Condition in accordance with the *Environmental Protection Act* prior to any rezoning.

12.09.4 Brownfield Development

12.09.4.1 There are properties in the Municipality of Whitestone that may have been contaminated from a historic use of the land. Any proposed development or redevelopment on any land suspected to be contaminated will be the subject of a study by a qualified professional, in accordance with any applicable senior government guidelines, that will investigate and provide a remedial plan as required.

12.09.4.2 Where the need for any remediation work is confirmed, the proposed restoration work will be completed or implemented prior to any development taking place.

12.09.5 Land Use Change and Land Use Compatibility

12.09.5.1 Changes in land use must be managed with the utmost care. It is a goal of this Plan that no change in land use should be approved that would lead to land use conflicts as a result of incompatible land uses locating near one another (or as a result of new land uses locating in proximity to other features which might create compatibility issues). Therefore, all applications for a change in land use shall be assessed with respect to the compatibility of the proposed new use and the impacts or likely impacts of the change in land use on existing or proposed features and uses within the area. The Approval Authority will ensure, through the application of the following land use compatibility policies of this Plan, and through the application of provincial and federal policies and guidelines regarding land use compatibility, that no incompatible land uses are permitted within the Municipality.

12.09.5.1 The Approval Authority may request, in accordance with this Plan, appropriate studies to address identified and potential issues related to land use compatibility prior to consideration and approval of any planning applications submitted to the Approval Authority. These studies shall be in accord with applicable provincial guidelines.

12.09.6 Compatibility Between Land Uses

Incompatible land uses are to be protected from one another. While buffers between incompatible land uses may be used to prevent or minimize adverse effects, distance is often the only effective buffer, and therefore adequate separation distance, based on a major facility's influence area, is the preferred method of mitigating adverse effects. The separation distance should be sufficient to permit the functioning of the incompatible land uses without adverse effect occurring. Separation of incompatible land uses should not result in the sterilization of intervening land usage.

12.09.7 Establishing Influence Areas for Industrial Land Uses

In absence of establishing actual areas of influence for industrial land uses, separation distances between industrial and sensitive land uses should be in accord with applicable Ministry of the Environment, Conservation and Parks.

12.10.8 Development in Proximity to Waste Disposal Sites and Unidentified Waste Disposal Sites

Where new development is proposed within 500 metres of the boundary of any waste disposal site, a feasibility study in keeping with the provincial D-Series Guidelines will need to be prepared by a qualified professional.

SECTION 13.0 WATERFRONT POLICIES

13.01 Definition

13.01.1 All of the lands adjacent to the recreational waterbodies in the Municipality are available for waterfront development with the exception of those lands that are constrained by significant ecological, environmental or physical constraints. Generally, lands available for waterfront development are those lands designated as Waterfront on Schedule 'A' – Land Use Plan

13.01.1 The depth of the lands adjacent to recreational waterbodies varies but generally these lands are intended to be those lands within the first 300 metres or those parcels of land adjacent to the waterbodies.

13.02 Form of Development

13.02.1 The general form of development includes:

- (a) low density, single detached residential development;
- (b) open space uses;
- (c) tourist commercial uses;
- (d) waterfront landings; and
- (e) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, if applicable.

Commented [JR14]: 90 metres of lot frontage for all lots

Commented [JR14R2]: To be discussed further

Commented [JR15]: Do we want the reference to the trailer by-law to be and AND requirement?

Commented [JR15R2]: Make sure in zoning definition, it refers to access

13.03 Principles of Waterfront Development

- 13.03.1 The principles of waterfront development are based upon the relevant objectives of this Plan.
- 13.03.2 These principles include maintaining the low-density residential shoreline density together with limited tourist commercial uses.
- 13.03.3 The Municipality is interested in preserving the character of its waterfront communities.
- 13.03.4 These principles include ensuring that any development complies with the Lakeshore Capacity Assessment Handbook carrying capacity for any particular lake or part thereof.
- 13.03.5 A strong principle in considering any waterfront development will be the protection of natural heritage values. The Municipality will require the assessment of impacts and in particular environmental impacts and protecting against any negative or adverse impacts on any ecological functions.
- 13.03.6 An important principle for the consideration of any waterfront development will be to prevent any negative impacts on water quality or quantity.
- 13.03.7 The Municipality shall consider the scale of built form to ensure the compatibility of any new development. To this end, boathouses and boatports are not permitted over the water.
- 13.03.8 The Municipality shall ensure that all development is evaluated for risks in terms of traffic, navigation, natural or man-made hazards.
- 13.03.9 In considering applications for waterfront development the Municipality shall ensure that cultural heritage resources both on shore and in the water are not adversely affected. When necessary, the Municipality will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.
- 13.03.10 All new waterfront lots shall have a minimum lot frontage of 90 metres.

Commented [JR16]: Consideration for a potential definition of carrying capacity

13.04 Water Quality Protection

- 13.04.1 The preservation of water quality of recreational waterbodies is paramount to the Municipality. The Municipality supports the tenets of the guidelines set out in the Lakeshore Capacity Assessment Handbook and recognizes that the science on lake capacity is evolving. .
- 13.04.2 The Municipality of Whitestone has both warm water lakes and cold-water lakes. The cold water lakes include Fairholme, Lorimer, Miskokway, Trout Lake and Lake Wahwashkesh. Development on or upstream of any of these lakes that

Commented [JR17]: Make comment about current science as well as the LSCAH

Commented [JR17R2]: Included in the waterfront section where the reference to development setback is included.

are deemed to be at capacity shall only occur in accordance with the Lakeshore Capacity Assessment Handbook.

Commented [JR18]: Consider adding criteria from MNRF in this location. Review email from Jan 28th from MNR

Commented [JR18R2]: 30 metres is included in 13.04.3

- 13.04.3 It is the policy of this Plan to encourage an increased front yard setback for sewage disposal systems. The Ontario Building Code requires a clearance of 15 metres. However, for the purposes of mitigating against the potential of phosphorus loading of the waterbody, it is recommended that sewage disposal systems (either conventional septic tank tile field or Ontario Building Code approved filter beds, or tertiary treatment systems) be located at least 30 metres from the shoreline of the lake whenever possible.
- 13.04.4 To the greatest extent possible, the lot owners and/or their contractors make use of B Horizon soils in constructing their leaching beds. These soils have high and beneficial capabilities to irreversibly complex phosphorus.
- 13.04.5 When importing soils to construct leaching beds, tested B horizon soil that may have high capabilities to retain phosphorus (in the order of 50 milligrams phosphorus per 100 grams of soil), based on electrostatic absorption or binding, and mineralization with reactive iron and aluminum, must be used.
- 13.04.6 French drains or soakaway pits be used for treating stormwater from hard surfaces (roof-tops) as a method of decreasing potential phosphorus impacts to down-gradient surface waters.
- 13.04.7 Prior to the construction of any buildings or septic systems, properly constructed sediment fencing be installed along the inner limit of the required shoreline setback in area adjacent to or down-gradient from the proposed site disturbances and construction activities.
- 13.04.8 The sediment fencing be properly maintained until all construction has been completed and the soils have been fully stabilized following construction to avoid excess sedimentation and potential loss of fish and wildlife habitat.
- 13.04.9 The Municipality should undertake independent lake capacity studies to assist in guiding future planning and encourages the Lake Partners Programs for water quality testing. .
- 13.04.10 The Municipality should establish a water monitoring program for lakes to guide future planning and development policies.
- 13.04.11 The Zoning By-law shall establish a minimum setback of 30 metres for all new dwellings from the shoreline of any lake or coldwater watercourse.
- 13.04.12 On lots that are at capacity for development, limited development such as one new lot may be considered where it is demonstrated through an approved site evaluation report that there are native and undisturbed soils to a depth of over 3 metres meeting specified chemical composition and hydrologic conditions.

Commented [JR19]: To be discussed with Council at July Meeting

13.05 Recreational Carrying Capacity

- 13.05.1 The Municipality of Whitestone is aware that inland waterbodies may have limited capacity to accommodate additional waterfront activities like boating, fishing, swimming and other in water recreation. While it is recognized that this aspect of a waterbody use is a subjective analysis, the Municipality may require an assessment of the development on the present users of the lake.
- 13.05.2 Marinas and boat access facilities are important elements in a waterfront community. While existing marinas and boat access facilities need protection, new and expanding facilities may have significant impacts on existing waterfront activities. As a result, new marinas and boat access facilities will be required to undertake an assessment to determine the appropriateness and suitability of such uses.

13.06 New Waterfront Commercial Development

- 13.06.1 This Plan recognizes that there are a variety but limited number of commercial land uses along the shores of recreational waterbodies. These include marinas, cottage rentals, campgrounds and isolated historical businesses.
- 13.06.2 Given the fact that most shoreline areas on the Municipality's recreational waterbodies have been developed as low density residential or cottage area, any new commercial development proposed in these areas will have a potential to be incompatible with these existing uses.
- 13.06.3 Commercial uses are permitted in the Waterfront designation. Tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis (which includes tent and trailer camps, rental cabins and housekeeping cottages), lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the resort commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personal and staff members.
- 13.06.4 It is the intent of this Plan to provide for the continuation of tourist establishments and resort commercial uses and, wherever possible, to recognize their future viability and contribution to the local economy in keeping with changing lifestyles and leisure activities.
- 13.06.5 Prior to considering a rezoning application to allow the conversion of existing tourist commercial uses to residential uses, the Municipality shall be satisfied that the change in use has a positive long-term impact on the economy, the environment and the surrounding area.

13.06.6 New commercial developments shall be considered by Zoning By-law Amendment. . In considering applications for new commercial uses or expand aexisting commercial uses, an OPA to permit a new commercial use , the following shall be addressed:

- (a) Regard shall be had for the layout and design of commercial uses such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.
- (b) It is the intent of this Plan to encourage increased setbacks of large-scale development from the shoreline. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boathouses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law.
- (c) A detailed hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services may be required. All individual sewage systems and water systems shall be installed in accordance with the authority responsible for their approval. Tertiary treatment systems may be required in accordance with the recommendations of a Site Evaluation Report.
- (d) In considering new or expanded commercial uses, the Municipality shall have regard for the physical suitability of the site, the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan.
- (e) Specific regard shall also be had for such matters as the provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable degree of compatibility with adjacent land uses.
- (f) Site Plan Control shall be required.
- (g) New commercial use or expansions of existing tourist commercial uses shall not be permitted within 300 metres of at-capacity or over threshold lakes as set out on Appendix I, Appendix II, and Appendix III respectively to this Plan.

13.07 Shoreline Structures and Modifications

13.07.1 The principal objectives of the policies for development in the waterfront area of the Municipality of Whitestone are to preserve, maintain and enhance the natural features of the shoreline and ridgelines.

Commented [JR20]: Council wants to make commercial uses a permitted use. Without the need for an OPA. JR to update policies accordingly

Commented [JR20R2]: Completed

13.07.2 There are a range of accessory buildings and structures that can be expected to be developed along the shoreline of the recreational waterbodies. These structures include saunas, docks, pumphouses, storage buildings and gazebos. These buildings and structures may be allowed in the front yard of shoreline properties subject to the provisions of any implementing Zoning By-law, and the applicable policies of this Plan, operation statements or any other applicable approvals of government agencies.

13.07.3 In-water Boathouses and Boatports are not permitted. These shoreline structures have the potential to impact the character of a lake.

Commented [JR21]: Make Criteria for an OPA or ZBA

Commented [JR21R2]: Complete

13.07.4 In-water boathouse or boatport shall only be permitted where it is demonstrated that the accessory structure will not have negative impact on the character of the lake or the shoreline and where it is in keeping with development in the area.

SECTION 14.0 – COMMERCIAL OR INDUSTRIAL DEVELOPMENT

- 14.01 The Council of the Municipality of Whitestone supports the establishment of new businesses in all areas to improve employment opportunities and to provide an increased commercial assessment base.
- 14.02 Commercial and dry industrial uses are permitted in any designation subject to the following conditions in accordance with Provincial D-Series Guidelines:
- a) Submission of a report by the applicant describing the use and what measures, if any, that are proposed to mitigate against any impacts: financial; environmental; social; or physical;
 - b) An amendment to the Zoning By-law;
 - c) The approval of a site plan; and,
 - d) Consultation with any relevant agency.

Commented [JR22]: Does Council want to permit these uses in every designation including the waterfront?

Commented [JR22R2]: yes

SECTION 15.0 – CULTURAL HERITAGE

15.01 Cultural Heritage Policies

- 15.01.1 For the purpose of this Plan, cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes, either individually or in groups, and are considered by the Municipality or other agencies as being of cultural heritage value or interest. The conservation, which includes identification or recognition, protection, use and proper management, of significant cultural heritage resources is encouraged by the Council of the Municipality of Whitestone. The Council of the Municipality of Whitestone will encourage the conservation of cultural heritage resources or properties of cultural heritage value or interest.
- 15.01.2 Pursuant to the Ontario Heritage Act, Council may by by-law, and in consultation with the municipal heritage committee, where one has been established:
- a) designate properties to be of cultural heritage value or interest;
 - b) define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
 - c) designate the municipality, or any area or areas within the municipality, as a heritage conservation district.
- 15.01.3 Alteration or demolition of designated property may also be postponed until such time as the Municipality is satisfied that the heritage attributes of the property are conserved by alternative or altered development proposals.

- 15.01.4 Council will require any person who proposes to demolish or alter a property designated under Part IV of the *Ontario Heritage Act* to submit an application to Council for approval under the *Ontario Heritage Act*.
- 15.01.5 The Municipality shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Alteration or demolition should be supported by technical cultural heritage studies (e.g., heritage impact assessment).
- 15.01.6 The Municipality shall ensure that residential and/or commercial infill in significant areas of cultural heritage value or interest is sensitive to the existing scale, massing, and pattern of those areas; is consistent with existing landscape and streetscape qualities; and does not result in the loss of any significant cultural heritage resources.
- 15.01.7 The Municipality shall maintain a Register of Heritage Properties which will include properties that have been designated under Part IV or Part V of the *Ontario Heritage Act*. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register, in accordance with relevant provisions of the *Ontario Heritage Act*. The Register of Heritage Properties will be available on a publicly accessible website and will be updated regularly to ensure effective conservation.
- 15.01.8 A Municipal Heritage Committee may be established pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist council on matters related to Parts IV and V of the *Ontario Heritage Act*.
- 15.01.9 In partnership with Indigenous communities, Council will develop a protocol and collaborative process for conserving cultural heritage resources that may be of interest to Indigenous communities.

15.02 Heritage Impact Assessments

- 15.02.1 A heritage impact assessment conducted by a qualified professional shall be required whenever a development has the potential to affect a protected heritage property/cultural heritage resource.

15.03 Archaeological Resources

- 15.03.1 The Municipality recognizes that there may be significant (terrestrial and/or marine) archaeological sites or areas of archaeological potential in Whitestone. Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved.

- 15.03.2 The Municipality may require archaeological assessments to be carried out by consultant archaeologists licensed under the *Ontario Heritage Act* as a condition of any development proposal affecting areas containing an archaeological site or considered to have archaeological potential.
- 15.03.3 Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as set out by the Ministry of Citizenship and Multiculturalism, as well as the terms and conditions of an archaeological licence under the *Ontario Heritage Act*.
- 15.03.4 Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.
- 15.03.5 The preservation of archaeological sites in an intact condition is the preferred means for the mitigation of impacts to archaeological sites. Archaeological excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.
- 15.03.6 When development has the potential to impact a known or suspected cemetery or burial site, the Municipality shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply. Development shall be guided by this legislation and any direction from the Ministry of Public and Business Service Delivery and Procurement.
- 15.03.7 The Municipality will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Citizenship and Multiculturalism under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.
- 15.03.8 The Municipality will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.
- 15.03.9 The Municipality may develop an Archaeological Management Plan which includes but not limited to:
- a) maps that identify known archaeological sites, and areas of archaeological potential, and archaeologically sensitive areas where known significant or culturally sensitive archaeological sites are present and where probability of finding another site is high;
 - b) processes and procedures for identifying and managing archaeological resources in a municipality; and
 - c) a protocol for collaborative approaches with Indigenous communities to identify known or potential archaeological sites.

Areas of archaeological potential are identified through the application of criteria established by the Province or an Archaeological Management Plan

15.04 Marine Archaeological Resources

- 15.04.1 The Municipality recognizes that there may be marine archaeological remains from the pre-contact period through the modern era up to the last 50 years. A marine archaeological assessment conducted by a licenced marine archaeologist pursuant to the *Ontario Heritage Act* may be required if partially or fully submerged marine archaeological resources such as the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value or interest are identified and impacted by shoreline and waterfront developments or in-water works. The remains may currently be under water or were, at one time, under water but are no longer submerged.

SECTION 16.0 – LAND USE POLICY AREAS

The following land use policy areas are identified on Schedule 'A' – The Land Use Plan.

16.01 Rural Designation

- 16.01.1 This designation will apply to the interior areas of the Municipality away from the recreational waterfront areas and beyond the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.
- 16.01.2 Permitted uses in the Rural designation include:
- a) resource extraction – existing pits and existing quarries
 - b) agricultural
 - c) residential
 - d) parks and recreation
 - e) institutional
 - f) utilities
 - g) commercial/industrial by rezoning
 - h) bed and breakfasts
 - i) home occupations
 - j) forestry
 - k) home industries
 - l) access to crownland
 - m) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, as applicable.
- 16.01.3 The Rural areas of the Municipality are a significant part of Whitestone's character. It is the intention of this Plan to preserve this character..

- 16.01.4 New lot creation in the Rural area shall occur by consent. New lots should be at a larger standard to maintain the qualities of the Rural area.
- 16.01.5 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. The application of Minimum Distance Formulae will include the flexibility of all implementation guidelines where applicable.
- 16.01.6 In addition to the permitted uses of this Section, On-farm diversified uses and agriculture related uses shall be permitted.
- 16.01.7 Whitestone has a rich history of agricultural uses. Agricultural lots shall be protected from incompatible development.

16.02 Waterfront Designation

- 16.02.1 Lands that are physically and functionally located adjacent to recreational waterbodies have been designated in the Waterfront policy designation. A broad band around each lake has been identified on the Land Use Schedule intending to apply to a single depth of properties. Second tier or back lot development is not permitted in these areas.
- 16.02.2 Permitted uses in the Waterfront designation include:
- a) detached residential dwellings;
 - b) marinas and
 - c) tourist commercial uses;
 - d) access points and waterfront landings in accordance with all other policies of this Plan; and,
 - e) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, if applicable.
- 16.02.3 The base standard for new development in the Waterfront designation are set out in the Specific Lake Policies set out below.
- 16.02.4 The Zoning By-law will establish standards for new or expanding tourist commercial facilities. These standards will include a maximum density and minimum lot frontage requirements.
- 16.02.5 Lakes or rivers not designated in the Waterfront Policy Area but that are considered as recreational waterbodies, may be developed provided the applicable policies of this Plan are met. Land division for these parcels will be at larger standards to reflect the more limited recreational qualities of these waterways.
- 16.02.6 Any expansion of existing tourist commercial uses on lakes that are currently at capacity, must demonstrate, to the satisfaction of Municipality, that these facilities will not increase the nutrient concentration of the lake.

16.02.7 It will be the policy of the Municipality to obtain public access to each of the recreational waterbodies where none currently exists and where available and appropriate.

16.02.8 All lands adjacent to or fronting recreational waterbodies may be considered as Site Plan Control areas.

16.02.9 The Municipality of Whitestone recognizes the interest of a number of lake neighbourhoods to undertake planning programs for lakes. The results of these lake planning studies may form the basis for additional lake specific planning policies as set out in Section 17.0.

16.02.10 In order to protect the quality of the lake environment and to ensure there is an appropriate balance between the built form and natural environment the Zoning By-law shall establish a maximum shoreline activity area of up to 25% of the shoreline frontage. The Zoning By-law may also cap the width of shoreline activity areas.

Commented [JR23]: Look to determine if this is in the correct spot. This might be addressed in 13.04.6. JR to review.

16.02.11 New septic systems shall be setback a minimum of 30 metres from the high watermark of lakes and rivers, where possible.

Commented [JR23R2]: Removed from 13.04.6.

16.02.12 New lot creation in the Waterfront Designation and on Rivers in the Municipality shall generally have a minimum lot frontage of 90 metres. Lesser lot frontages shall only be considered where site specific justification is provided. This could involve the greater building setbacks, restrictions on shoreline structures or increased vegetation preservation areas. The minimum lot area shall be 1.0 hectares unless a study such as a hydrogeological study has been provided to demonstrate site conditions are suitable for the long-term provision of private individual sewer and water services.

Commented [JR24]: Review this further and whether this is broad or lake specific.

16.02.13 An Environmental Impact Study shall be completed prior to any new lot creation in the Waterfront Designation. The Study shall review fish habitat, shoreline vegetation and any natural heritage features in accordance with the policies of this Plan. The Study may also make recommendations regarding building envelopes and dock locations and identify any mitigation measures that may be appropriate.

Commented [JR25]: Review with Council

16.03 Crown Land Designation

16.03.1 General

A significant portion of the Municipality of Whitestone's land base is Crown land. The policies of the Official Plan and Zoning By-law are not binding on Crown land activities. The use of Crown lands will be determined by the province with regard for the established planning policies of the Municipality. The Ministry of Energy and Mines issues mining leases, Exploratory Licenses of Occupation, mining claims and other forms of land tenure on Crown Land.

- 16.03.2 Crown lands including parks and conservation reserves will be identified on the land use plan.
- 16.03.3 While the Municipality supports the Ministry of Natural Resources and its management programs for Crown land, there may be a number of opportunities to dispose of Crown lands not identified as protected areas, that could be developed in a sustainable manner and that would contribute to the economic base of Whitestone without compromising the environment or the quiet enjoyment of the inhabitants of the area. Council supports Crown land dispositions in these instances.
- 16.03.4 The Municipality may be concerned over conflicts that occur between parks, conservation reserves and historical uses that are permitted in these protected areas. Council will support whatever measures are available to resolve these conflicts in favour of historical land use activities.
- 16.03.5 The Municipality may work with the MNR to encourage Crown Lands to be appropriately managed in order to reduce conflict between users of Crown Land and area residents and to ensure that the infrastructure that supports the use of Crown Land is appropriately managed.

16.04 Environmental Protection Designation

- 16.04.1 Environmental Protection designation incorporates land and water areas containing natural features or ecological functions of Provincial and local significance as identified by the Province or the Municipality.
- 16.04.2 *Environmental Protection Area* lands contain features such as locally significant wetlands, watercourses, habitat of endangered and threatened species, significant wildlife habitat, fish habitat, lands prone to flooding, steep slopes or erosion hazards.
- 16.04.3 Permitted uses include:
- a) passive recreational uses, such as nature viewing and pedestrian trail activities;
 - b) floating docks accessory to a residential use;
 - c) forestry and resource management use where undertaken in a manner that minimizes any potential impact on the natural features and functions of the area; and
 - d) watershed management and flood and erosion control projects carried out or supervised by a public agency and archaeological conservation.
- 16.04.4 It is the policy of this Plan to restrict the alteration of the physical or ecological features of lands designated *Environmental Protection Area*. Any proposed site alteration to an *Environmental Protection Area* shall be supported by appropriate justification in the form of an Environmental Impact Study. The

precise boundary of any *Environmental Protection Area* shall be determined as a component of the required Environmental Impact Study.

- 16.04.5 Not all of the natural heritage features in the Municipality have been designated *Environmental Protection Area* or incorporated on the Land Use Schedules at the date of the adoption of this Plan. As new information becomes available, additional lands may be incorporated into the *Environmental Protection Area* designation as part of the five-year review or as an Amendment to the Official Plan required by the *Planning Act*.
- 16.04.6 It is essential that *Environmental Protection Areas* be protected from future development to preserve the Municipality's natural environment. As such, an application for the redesignation of an area of private lands designated *Environmental Protection Area*, may be given due consideration only if it is established to the satisfaction of the Municipality through an Environmental Impact Study that the lands and/or adjacent lands are not part of the environmental feature and that any development proposed will have no negative impact on the environmental feature or ecological function of the area. Nothing in this Official Plan shall be construed to imply that *Environmental Protection Area* lands are free and open to the general public or that such areas will be purchased by the Municipality or any other public agency.
- 16.04.7 The Zoning By-law shall incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands designated *Environmental Protection Area* in relation to the extent and importance of the natural environmental features and ecological functions of the area.

SECTION 17.0 – LAKE SPECIFIC POLICIES

Commented [JR26]: Review – can there be policies

17.01 Bolger/Kashegaba Lakes

- 17.01.1 Bolger and Kashegaba Lakes are located in Burton Township and straddle the CNR railway line. Historically, the railway was the primary access into these lakes. Access to the lakes remains poor. However, the inhabitants of these lakes understand the isolation and difficulty of access. There are opportunities for a land division by consent where a limited number of lots are created. The standard for new lots should reflect the pattern of existing development on the lakes.
- 17.01.2 Access to Kashegaba and Bolger Lakes is increasing the trail or roadway into the access point is in poor condition and can often be impassable. The Municipality recognizes the efforts of lake residents to maintain this access arrangement and it supports this facility so long as the Province continues to allow the access and it is recognized that the Municipality has no liability or responsibility for this facility.

17.02 Gooseneck Lake

- 17.02.1 Gooseneck Lake is located partly in Burton Township and partly in McKenzie Township and empties into the south basin of Lake Wahwashkesh. Although the Lake is small (217 hectares) it has over 22.8 kilometres of shoreline. Gooseneck Lake is a medium sized, lake comprised of low density residential lots and Crown Land. The landscape is typical Canadian Shield, and the rocky shorelines have a rugged and natural appearance that contributes to its character. Thirty percent of its shorelines are Crown land and this contributes to its predominantly natural character.
- 17.02.2 Much of the lake is water access. There is a historical public access on the Lake that the Municipality supports using proceeds of any cash-in-lieu of parkland collected as a condition of development or the sale of shore road allowances.

17.03 Magnetawan River

- 17.03.1 The Magnetawan River flows from one end of the Municipality westward eventually into the Georgian Bay. The River and its tributaries are a significant recreational waterbody in Whitestone, and it has attracted considerable growth and development including communities like Maple Island. The Municipality supports additional development along the River outside of the Maple Island community.
- 17.03.2 Due to the historic flooding along the river system, the Magnetawan River Basin Regulatory Flood Levels Study has examined the issue of water levels along the Magnetawan River and the lakes that it connects. This waterway and its associated lakes are subject to flooding particularly during the spring thaw. While few lakes and rivers have had a detailed engineering study to determine actual flood plain levels or potential floodways, any development along the river or its connecting waterbodies may need the determination of these flood levels by a qualified engineer.

17.04 Fairholme Lake

- 17.04.1 Fairholme Lake in Hagerman Township is a lake trout lake that is at capacity. New lot creation may only be considered in accordance with the LCAH.
- 17.04.2 A historical subdivision development on Fairholme Lake being Plans M-430 and M-431 were designed so that few of the lots had direct frontage on the lake. Instead, two Blocks, A and G were designed to require any building to be off the lake and to limit or reduce the impact of human activity on the Lake. Block A and G of Plans M-430 and M-431 may be used for shoreline structures including docks, decks, boathouses, saunas or pump houses so long as these structures are approved by the collective owners of these blocks and the Municipality.

17.05 Limestone Lake

- 17.05.1 Limestone Lake is a small lake in Hagerman that abuts Highway No. 124 at Limestone Lake Lodge.

17.06 Lorimer Lake

- 17.06.1 Lorimer Lake is managed as a lake trout lake and the lake has been identified as being at capacity. New lot creation shall only be permitted in accordance with the Lakeshore Capacity Assessment Handbook and where sewage disposal systems are a minimum of 300 metres from the Lake.

Commented [JR27]: Review where Lorimer Lake is identified as an at capacity lake trout lake.

Commented [JR27R2]: This section still needs review.

Commented [JR27R3]: updated

Commented [JR28]: JR to review in context of MNR email and further review of LCAH

17.07 Manson Lake

- 17.07.1 Manson Lake is a small lake that is partly in Whitestone and partly in McKellar. The Lake is subject to heavy fishing pressure partly because of the convenient landing at a nearby public road.
- 17.07.2 Due to the Lake being partly located within McKellar, the Municipality encourages its neighbour to adopt similar policy and land regulations for this lake.

17.08 Shawanaga Lake / Shawanaga River

- 17.08.1 Shawanaga Lake is a warm water lake with considerable shoreline in Whitestone and McDougall.
- 17.08.2 Because of the long, narrow shape of Shawanaga Lake, it is heavily impacted by recreational boats. New development should be available on a limited basis to recognize the crowding that is occurring on the lake.
- 17.08.3 There is limited land available for additional development on Shawanaga Lake for new lot creation although the lake is considered to have excellent water quality.

Commented [JR29]: Consider revised policy related to narrow waterbodies.

Commented [JR29R2]: See general narrow waterbody policy

17.09 Whitestone Lake

- 17.09.1 Whitestone Lake is the second largest Lake in the Municipality with a large number of homes and cottages. The water quality of Whitestone Lake is good.
- 17.09.2 There is only two good public access located on Whitestone Lake in the Village of Dunchurch.

Commented [JR30]: Consider including the flood elevation

17.10 Wahwashkesh Lake

- 17.10.1 Wahwashkesh Lake is the largest lake in the Parry Sound area with 1,721 hectares of surface area. The Lake is comprised of two distinct basins. The north basin is considered the smaller of the two, and the south basin is called "the Big Lake".

Wahwashkesh is part of the Magnetawan River System and while the Lake has over a dozen inlets, there is only one outlet to the Magnetawan River. The Lake is renowned for an extremely severe spring freshet with the lake levels often rising 3 to 4 metres above the control dam at the outlet of the river.

Wahwashkesh Lake is also well known for its diverse fishery. There are at least twelve species of sport fish in the Lake. The south basin is a naturally producing lake trout lake while the top lake, also a good lake trout lake, is a high-quality middle level lake. However, due to fishing pressures in the last few years, severe angling regulations, including closing Wahwashkesh to winter fishing, have been implemented.

- 17.10.2 The water quality of the north and south basins of Lake Wahwashkesh are sensitive to additional shoreline development. The residual development capacity will change in the future as more up-to-date scientific approaches are used to determine an appropriate level of development capacity.
- 17.10.3 A large number of property owners on Wahwashkesh Lake access their properties by water. There are only three public access points (all on the north basin) two marinas and a private landing. This Plan requires that any new water access lots be subject to the policies of Section 8.03.
- 17.10.4 There are two marinas on Wahwashkesh Lake. The Municipality will support the continued operation of these marinas as far as possible to ensure the continuation of these important services on the Lake.
- 17.10.5 The water levels of Wahwashkesh Lake rise dramatically during the spring causing potential flood hazards. It will be the policy of this Plan that the openings of any habitable buildings must be above the theoretical flood elevation as set out in Section 12.05.1. Foundations, footings and non-habitable structures should be adequately designed to recognize the potential for flooding at elevations lower than the flood elevation.
- 17.10.6 In order to properly respond to a diverse number of issues that may arise during the development of properties along the shoreline of Wahwashkesh Lake, these properties will be designated as a site plan control area. Site Plan Control is a necessary and valuable tool to protect the character of the shoreline of Lake Wahwashkesh and to provide vegetated buffers to mitigate the impacts of development on the natural environment and the lake.
- 17.10.7 Lake Wahwashkesh is known for its Atlantic Coastal Plain Flora. The Lake is ranked in the top five of all lakes in Ontario for such flora. This has been

extensively documented by the Natural Heritage League and the World Wildlife Fund in a 1989 study. Any development along the shores of Lake Wahwashkesh should have regard for its impact on this rare coastal flora environment.

17.11 Miskokway Lake and Trout Lake

- 17.11.1 The development capacity of Miskokway Lake and Trout Lake, has not been determined. These are known cold water lakes that support a cold water fishery. No further consents or land division that results in the creation of new lot development within 300 metres of the lakes will be permitted unless studies have been undertaken to demonstrate that there is capacity without adversely impacting the habitat features of these lakes.

17.12 Labrash Lake

- 17.12.1 Labrash Lake is a small lake that flows into the Magnetawan River. The Lake is small with few cottages and the residents of the Lake have expressed an interest in preserving the low density on the Lake.
- 17.12.2 All development on Labrash Lake will be subject to Site Plan Control.

SECTION 18.0 – COMMUNITY AREAS OVERLAY

- 18.01 The Municipality of Whitestone has four distinct communities. These include Dunchurch, Maple Island, Whitestone Village and the Village of Ardbeg. These communities vary in size but they all function similarly in terms of identifying a community of interest, provide a number of non-residential service-type uses and having a concentration of smaller lot sizes distinct from the rural areas around the communities. In the case of Maple Island and Dunchurch, the communities are partly located on recreational waterbodies.
- 18.02 The predominant use for community areas will be detached dwellings and local commercial uses, institutional uses including churches, schools and community centres. Home occupations and bed and breakfasts will be permitted in the Community designation.
- 18.03 In addition to the above, new commercial uses and industrial uses will be permitted in the Community designation subject to the other policies of this Plan and so long as these uses are compatibly with existing residential uses.
- 18.04 The minimum lot area for new development in the residential areas will be 1.0 hectares with a minimum frontage of 45 metres on a year-round Municipal road. Lesser lot areas may be considered where it is demonstrated that an individual sewage and individual water service can be sited on the lot.
- 18.05 No traffic hazards shall be created by the establishment of new driveways on major roadways due to increased traffic or limited sight lines on curves or grades.
- 18.06 Lots in the original surveys for the Village of Dunchurch are approximately 20 metres by 40 metres. This density of development may potentially lead to a need for municipal sewer and water services. Wherever possible and appropriate, the Municipality will encourage these existing surveyed lots to be merged with adjoining lots to reduce the overall density in the Village.
- 18.07 The extent of the areas identified as Community are shown on Schedule 'A'. These areas have been identified in the broadest way and the actual communities may consist of a much smaller area. Some of the above policies may not necessarily apply to lands on the perimeter of the lands designated Community.
- 18.08 The Municipality will support the establishment of committees from each community area to provide ongoing recommendations for the upgrading and rejuvenation of these communities including any specific plans or programs that may be delivered by the Municipality with the support of senior levels of government where available.

SECTION 19.0 – COMMUNITY IMPROVEMENT POLICIES

19.01 Goal

It is the goal of the Municipality of Whitestone to maintain and improve the physical living environment in the Municipality.

19.02 Objective

The objectives of the Municipality of Whitestone are to:

- (a) upgrade the present Municipal services, utilities and facilities throughout the Municipality;
- (b) encourage the upgrading of existing private properties;
- (c) undertake a program of physical improvements which are fiscally responsible;
- (d) expand upon the number of services and facilities available in the Municipality where economically feasible;
- (e) encourage the expansion of commercial enterprises in the Municipality to improve the availability of local services and to improve the local economy;
- (f) upgrade the public services provided at the waterfront to increase the appearance and level of services offered to both Municipal visitors and residents; and,
- (g) encourage the upgrading of private services at the waterfront.

19.03 Improvement Criteria

To achieve the community improvement objectives of this Plan, improvements will be identified based on one or more of the following criteria:

- (a) the deficiencies or inadequacies of recreational services and facilities;
- (b) street conditions;
- (c) the inadequacy of hydro-electric services;
- (d) absence of street lighting;
- (e) land use conflicts;
- (f) improved waterfront facilities;

- (g) the physical condition and age of buildings and structures;
- (h) need for increased fire protection services; and,
- (i) proposed commercial developments.

19.04 Phasing

The Council of the Municipality of Whitestone has identified needed or desired improvements to the present services and facilities in the Municipality. A system of phased improvements will be identified to recognize priorities and fiscal constraints in the Municipality.

19.05 Community Improvement Area

The whole of the Municipality of Whitestone as outlined on Schedule 'A' to this Plan will henceforth be known as the Municipality of Whitestone Community Improvement Area.

19.06 Implementation

In order to implement the Whitestone Community Improvement policies, the following activities and programs may be employed (but not limited to):

- (a) designating community improvement areas and prepare community improvement plans under the Planning Act;
- (b) the enforcement of Section 6 - Property Standards By-law, through a Property Standards By-law;
- (c) supporting the Municipal residents in rehabilitation programs;
- (d) participating in provincial and federal rehabilitation programs;
- (e) petitioning the relevant provincial agencies in order to apply for special assistance for new recreational facilities where available;
- (f) encouraging and supporting new development, particularly commercial development;
- (g) participating in any local improvements which support the community improvement objectives;
- (h) co-operation with local service clubs and organizations to undertake local improvements;
- (i) the sale of surplus Municipal land may be applied to community improvements subject to the requirements of the *Municipal Act*; and,

- (j) applying Municipal reserve funds towards an eligible community improvement project.

SECTION 20.0 – PROPERTY STANDARDS

20.01 Council may enact by-laws prescribing the minimum standards for maintenance and occupancy of all types of property and their enforcement. To protect the amenities of the natural environment and existing and future development, a Property Standards By-law will contain requirements with respect to:

- (a) garbage disposal;
- (b) pest prevention;
- (c) structural maintenance of buildings;
- (d) building safety;
- (e) cleanliness of buildings;
- (f) plumbing, heating and electricity (where applicable);
- (g) keeping lands and particularly waterfront properties free from rubbish, debris, abandoned vehicles, trailers, boats or materials;
- (h) maintaining yards, lands, parking and storage areas;
- (i) maintaining fences, accessory buildings and signs; and,
- (j) occupancy standards.

20.02 The Municipality may amend this by-law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the *Ontario Heritage Act*.

SECTION 21.0 – IMPLEMENTATION

21.01 Accessory Uses

Wherever a use is permitted in the land use policy in this Plan, it is intended that any uses, buildings or structures normally incidental, accessory and subordinate to the principal permitted use will also be permitted within that policy provision.

21.02 Boundaries

The boundaries illustrated on Schedule 'A' - Land Use Plan are to be considered as approximate only. Amendments to the policy categories will not be required for minor interpretations of boundary locations shown on Schedule 'A'.

21.03 Numerical Interpretation

Wherever numerical figures have been used in this policy document to refer to physical standards including lot areas or dimensions of lots, so long as the spirit and intent of the policy is maintained minor adjustments to these figures up or down may be considered.

21.04 Deeming By-laws

There are several older registered plans of subdivision located within the Municipality of Whitestone. Some of these registered plans contain lots that do not or can not meet minimal standards for construction purposes. The Municipality may exercise its authority to deem such subdivisions or parts thereof not to be considered as registered plans under the *Planning Act*.

21.05 Site Plan Control

All development in the whole of the Municipality may be subject to the provisions of the Site Plan Control requirements under the *Planning Act*. Commercial, industrial, institutional and certain residential uses may be designated as Site Plan Control Areas by by-law of the Municipality in accordance with the requirements of the *Planning Act*. Site Plan Control can be utilized wherever possible to conserve cultural heritage resources by ensuring that new development is compatible with and/or does not adversely impact those resources. This may include requiring the owner of a property with cultural heritage value or interest to satisfy conditions as part of the Site Plan Control agreement with the Municipality.

21.07 Special Exceptions For Existing Uses

Where there are existing building and structures or uses on a lot proposed to be divided, the Municipality may make an exception to the minimum standards for the retained or severed parcel subject to the passage of an amending Zoning By-law or a minor variance being obtained.

21.08 Holding Provisions

- 21.08.1 The *Planning Act* provides for the use of the holding symbol "H" in conjunction with any land use zone found within the implementing Zoning By-law.
- 21.08.2 The purpose of the holding zone is to prevent or limit the use of land until such time as Council is satisfied that further development may take place and the appropriate environmental studies and services have been reviewed and approved. The objectives and use of this symbol are set out herein.
- 21.08.3 The holding symbol may be applied to lands to be developed where the ultimate use of the land has been clearly established but:

- (a) development or redevelopment is to be phased; or
- (b) the implementation of policies requires special design features.

21.08.4 The holding symbol may be applied to undeveloped or unserviced land, land being proposed for development, lands having special constraints not related to use and lands adjacent to railways, highways or major Municipal roads.

21.08.5 In accordance with the *Planning Act*, the Zoning By-law implementing this Plan will identify lands subject to holding provisions by the inclusion of an "H" suffix to the zone symbol.

21.08.6 The Zoning By-law provisions relating to the use of the "H" suffix will specify what uses are permitted while the holding provision applies.

21.08.7 The holding symbol may be removed by by-law to allow development to proceed in accordance with the relevant zoning category as long as the following condition or conditions are met:

- (a) extensions for services are approved by the appropriate authority;
- (b) site plans are approved in the case of commercial and industrial development;
- (c) approvals are received from the Ministries of Natural Resources and Environment, Conservation and Parks where applicable; and
- (d) the objectives of the Official Plan including development criteria are met.

21.09 Zoning

The Municipality will be responsible for enacting implementing Zoning By-laws that reflect current Official Plan policies as amended. Through the Zoning By-law, Council may conserve the integrity of archaeological resources to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource. Should any existing Zoning By-laws contain provisions that do not conform to the Official Plan as amended, Council will take whatever steps are necessary to properly implement current Official Plan policies.

21.10 Non-Conforming Uses

This Plan recognizes legal nonconforming uses in accordance with section 34(9) of the *Planning Act*.

21.11 Special Notices

Council by resolution, may forego public notification and public meeting(s) in connection with Official Plan, Community Improvement Plan and Zoning By-law Amendments if such amendments relate to matters which will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and will be restricted to the following matters:

- (a) altering the numbering and location of the text, schedules and maps;
- (b) altering punctuation or language to obtain a uniform mode of expression;
- (c) correcting clerical, grammatical, dimensional, boundary, mathematical or typographical errors;
- (d) inserting historical footnotes or similar annotations to indicate the original and approval of each provision;
- (e) consolidating amendments;
- (f) transferring Official Plan, Community Improvement Plan and Zoning By-law designations to new base maps such as new Ontario Base maps or other maps which might be prepared in conjunction with a specific study; and,
- (g) adding technical information such as plans of subdivision, buildings, contours and elevations to base maps or schedules.

21.12 Plan Review

This Plan shall be reviewed in accordance with the requirements of the Planning Act to ensure it is up to date.

21.13 Amendments

In considering Amendment to this Plan, Council shall have regard to the following criteria:

- (a) the need for the proposed use;
- (b) the extent to which the existing areas which are designated for the use are developed, and the nature and adequacy of such existing development;
- (c) the physical suitability of the land for such proposed use;
- (d) the location of the areas under consideration with respect to:

- i. the adequacy of the existing and proposed roadway system;
- ii. the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
- iii. the adequacy of the water supply, sewage disposal facilities, and other Municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council shall request from the developer and subject to the approval authority having jurisdiction;
- iv. the compatibility of such proposed use with uses in the surrounding area;
- v. the potential effect of the proposed use on the financial position of the Municipality;
- vi. the impacts of the proposed use on the natural environment; and

(e) the Provincial Planning Statement.

21.14 Amenity Policies

21.14.1 Adequate buffering shall be required between all uses where one use may adversely affect or conflict with an adjoining use. The buffering may include the following:

- (a) an appropriate tree screen;
- (b) fence;
- (c) berming;
- (d) sufficient distance; or
- (e) a combination of the above.

21.14.2 Development proponents should contact the local Ministry of the Environment, Conservation, and Parks office to ensure that there is compliance with separation requirements and environmental objectives where applicable.

21.14.2 All residential and non-residential uses including commercial, industrial or institutional uses are identified as site plan control areas. The Municipality may designate these areas by By-law as site plan control areas and require the proponents of such uses to file site plans and agreements as provided for under the *Planning Act*.

21.15 Development Charges/ Community Benefits

21.15.1 The Municipality may enact a Development Charges By-law or Community Benefits By-law in accordance with the provisions of the *Planning Act*.

21.16 Pre-consultation and Complete Application

21.16.1 Prospective applicants are encouraged to pre-consult with the Municipality prior to the submission of a *Planning Act* application.

21.16.2 As part of a Pre-consultation application, Staff will identify the material needed to support an application. Based site specific circumstances, technical studies may be required to support Planning Act Applications. In the consideration of more complex applications where development limitations exist, supporting technical studies may be required. These studies may include:

- (a) Planning Justification Report;
- (b) Environmental Impact Study;
- (c) Master Servicing Study/Servicing Options Report;
- (d) Traffic Impact Study;
- (e) D-4 Landfill Study;
- (f) Agricultural Impact Assessment and/or MDS calculation;
- (g) Environmental Site Assessment;
- (h) Hydrogeological Study/Hydrology Study;
- (i) Stormwater Management Report;
- (j) Wellhead Protection – Risk Assessment Report;
- (k) Flooding, Erosion, Slope Stability Report
- (l) Noise and Vibration Impact Analysis;
- (m) Odour, Dust and Nuisance Impact Analysis;
- (n) Geotechnical/Soils Stability Report;
- (o) Wind Study;
- (p) Archaeological Assessment;
- (q) Cultural Heritage Report and/or Heritage Impact Study;

Commented [JR31]: Larger preface here to provide background an soften.

Commented [JR31R2]: completed

- (r) Tree Preservation Plan
- (s) Functional Servicing Report;
- (t) Illumination Study; and/or
- (u) Any additional information identified by the Municipality during pre-consultation.

21.16.3 The cost associated with all the required studies shall be the sole responsibility of the applicant. Costs incurred for the Municipality to peer review the studies, as required, shall also be the responsibility of the applicant. Peer review studies may be required where the technical material provided is beyond the expertise of municipal staff to review.

Commented [JR32]: Provide details about where a peer review is required.

Commented [JR32R2]: Completed.

21.17 Future Studies to Address Emerging Issues

21.17.1 Through the Official Plan Review a number of issues or emerging issues have been identified. These issues may require separate study to research the issues and consider the most appropriate policy and/or implementation options. The following list provides examples of existing and emerging issues that may require additional study, but is not intended to be an exhaustive list:

- a) Public and municipal access points to lakes for cottage lots.
- b) Disposition of Crown Land for municipal purposes.
- c) Roads inventory and Roads Needs Study.
- d) Lake Study
- e) Municipal Employment Area Study.
- f) Municipal property review
- g) Solid Waste Management Study

Council may determine the scope of any of these studies or other study to be completed.

SECTION 22.0 – SPECIAL POLICIES

22.01 Exceptions

From time to time, the Council of the Municipality of Whitestone will find it appropriate and necessary to adopt a site-specific exception to the policies of this Plan to provide for a particular land use, development or to apply special provisions. These exceptions are set out below:

22.02 Water Use

22.02.1 The Council of the Municipality of Whitestone recognize the overlapping but limited jurisdiction over navigable waters. The Municipality will support and participate in any planning programs over water use with senior levels of

government to manage such activities in accordance with the goals and objectives of this Official Plan.

22.02.2 It is the policy of the Municipality to support applications for new or expanded water lot licenses for commercial uses subject to the following conditions:

- (a) approval of relevant agencies including the Department of Fisheries and Oceans Canada and the Ministry of Natural Resources;
- (b) ensuring that there is a buffer between the water lot and any adjoining residential uses;
- (c) complying with any Municipal standards governing setbacks from major or minor navigation channels;
- (d) where applicable, there is adequate car parking available to service boat docking rental customers and visitors;
- (e) the configuration and size of the water lot has regard for orientation of adjoining property lines such that egress and ingress are considered and protected as far as possible;
- (f) the size of the water lot does not exceed the size of the onshore lands including adjacent Crown reserves or shore road allowance;
- (g) there are adequate onshore services including sewage disposal, water treatment, hydro and solid waste disposal facilities to accommodate the use of the docking facility.

22.02.2 In addition to the Zoning By-law and Site Plan Control, Council may implement other controls including the imposition of speed limits or special signage regulations in conjunction with lake associations.

22.03 Signs

The Municipality may enact a by-law to regulate against the proliferation of signs which conflict with the natural environment of the Municipality.

22.04 Lights

The Municipality will take whatever measures are necessary to restrict any offensive lighting away from adjacent residential lands and to restrict on-shore lighting that may be hazardous to navigation.

22.05 Sleeping Cabins

Sleeping or guest cabins are permitted accessory uses so long as they remain subordinate and incidental to the main dwelling subject to the requirements of the Zoning By-law implementing this Plan. The Zoning By-law will include

regulations that ensure that sleeping cabins are: subordinate in size to any residential use; retained as an accessory function (i.e. no cooking facilities); and restricted in number so as to preserve the principal residential use.

22.06 Channels

No development will be permitted on a portion of the shoreline of any lot which is located on any customarily and regularly travelled channel or water course to which there is no convenient alternative where docks, wharves or other shoreline structures could be hazardous to navigation or where the passage of boats could be hazardous to the users of such shoreline facilities.

22.07 Second Cottages

It is the policy of this Plan to permit one additional cottage and accessory buildings by Zoning By-law Amendment where the parcel would otherwise be eligible for a severance and the additional buildings are located in conformity with all provisions of this Plan and the Zoning By-law as if the lots were separated.

22.08 Navigability

Development will only be permitted where the water frontage is deemed to be navigable. Navigability, in this context, refers to one's ability to gain convenient access to and from a proposed lot during all normal water level conditions without environmental degradation in an appropriate-sized runabout.

22.09 Common Docks

Access to and from certain existing lots of record may be gained by common dockage involving at least a right-of-way if suitable access as described in 22.08 is unattainable.

22.10 Derelict Vehicles, Boats and Docks

The Municipality may enact by-laws to control derelict motor vehicles, boats or docks.

22.11 Boathouses

22.11.1 In-water boathouses and boatports are not permitted. Dry-land boathouses are permitted accessory structures in the Waterfront designation.

22.11.2 The use of structures to store boats along or at the shoreline of properties is a planning concern in the Municipality, particularly where the said structures are large and/or obtrusive on the natural landscape.

22.11.3 The Zoning By-law shall provide for size, setback, and height regulations for dryland boathouses.

Commented [JR33]: Lamb wants boatports permitted - the cloth ones in particular.

Commented [JR33R2]: To be discussed July 15th

22.11.4 Dry land boathouses that exceed the regulations set out in the Zoning By-law will be reviewed and assessed in accordance with the following criteria:

- (a) the size of the structure relative to the shoreline frontage and area of the property;
- (b) the need for such a structure;
- (c) the visibility of the structure from adjoining channels and properties;
- (d) the public reaction to the oversized boathouse as determined in the processing of a Zoning By-law amendment to allow for the structure;
- (e) the elevation of the boathouse and special design and locational features used to lessen its impact;
- (f) the location and size of the boathouse relative to existing buildings and structures on the adjoining land;
- (g) the proposed internal uses of the boathouse space; and,
- (h) the policies that may affect limits of boathouses.

22.11.5 All such oversized dryland boathouses will be subject to Site Plan Control.

22.12 Noise/Vibration/Land Use Compatibility

22.12.1 Residential areas and other uses of similar sensitivity, such as the sites of hospitals, nursing homes, and homes for the aged, will be protected from situations of undesirable air quality and excessive noise/vibration through good land use planning and site plan control.

22.12.2 Developers will be required to carry out noise and/or vibration assessments and determine control measures which are satisfactory to the Municipality and the Planning Board in accordance with M provincial D-Series Guidelines.

22.12.3 There are additional land use compatibility matters that must be considered in the Official Plan. Long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants. Development and land use patterns which may cause environmental or public health and safety concerns will be avoided. When assessing land use compatibility issues, the Municipality shall have regard to the Provincial D-Series Guidelines and recognize minimum separation distances where required.

22.13 Crown Lakebed

As a condition of development or redevelopment, flooded land below the controlled high-water mark may be required to be conveyed to a public authority.

22.14 Narrow Waterbodies

22.14.1 Development on narrow waterbodies and channels will be limited, where the width of the channel or waterbody is less than 100 metres.

Commented [JR34]: Review Muskoka policies Reference Navigation, Character, building spacing.

22.14.2 Where lot creation is proposed in narrow waterbodies, larger lot frontages shall be required to maintain the character of the shoreline.

Commented [JR34R2]: Remove references to shall and replace with should.

22.14.3 New shoreline structures development in narrow waterbodies shall consider the impact of the proposed development on the character of the narrow waterbody and the safety of boat navigation and winter ice travel.

22.14.4 New development or site alteration in narrow waterbodies shall be subject to Site Plan Control. New shoreline structure development shall be subject to the preparation of a Site Evaluation Report to identify the location of development on the property in a manner that will minimize the risk to navigation safety and environmental features to the satisfaction of the Municipality.

22.14.5 Properties in narrow waterbodies may be placed in a separate zone that requires greater lot frontages, greater development setbacks and limits the development of shoreline structures in comparison to other waterfront areas in order to limit the density of development to ensure the character of the area is maintained. Character shall include a variety of considerations including but not limited to, density of development, balance between the natural environment and built form, building separation, building location on a lot, lot size and lot frontage

22.16 Dark Sky Lighting

22.16.1 The Municipality supports efforts to reduce, light pollution while ensuring safe access to lots. The Municipality will support future stewardship initiatives that promote public education on dark sky lighting initiatives.

22.17 Telecommunication Facilities

22.17.1 Wireless communications are increasingly required for personal, business and emergency requirements. Emergency response services such as 911, police, fire and ambulance services rely on wireless communication to reduce response times and ultimately keep the Municipality's residents safe.

22.17.2 In order to increase the level of service that telecommunication carriers provide, there must also be an increase in the associated infrastructure. In anticipation of this increased demand, this policy is intended to mitigate the potential land-use conflicts between new large-scale telecommunication towers, encourage

co-location, encourage the use of existing structures (buildings or towers) and stealth and unobtrusive design. In the future, as service providers scope-down and localize their networks, it is anticipated that stealth design in telecommunication towers will be the vehicle of choice for carriers. As a result, this policy encourages stealth applications in all areas of the Municipality. Before stealth design becomes viable throughout the Municipality, the Municipality will promote co-location and unobtrusive design. It must be noted that co-location and unobtrusive design are mutually exclusive. Co-location towers are more bulky in order to support increased load and therefore a more obtrusive design. The Municipality will work with service providers to determine which option best suits each location. Emphasis will be placed on co-location.

22.17.3 Telecommunications and telecommunication infrastructure in Canada fall under the jurisdiction of the Federal government and as such, is regulated by Innovation, Science and Economic Development Canada (ISED). Through CPC-2-0-03, (Environmental Process, Radio frequency Fields and Land-Use Consultation), ISED has recognized that local land-use authorities should have an opportunity to influence the location of telecommunication towers and facilities. Although ISED requires consultation with land-use planning authorities, it is not obligated to act upon the recommendations of these authorities. It is therefore a policy of this Plan to establish a co-operative approach in its attempt to direct the siting of telecommunication structures and facilities to desired locations within the Municipality.

22.17.4 The Municipality may develop a Siting Protocol to assist in public consultation and to ensure that efforts are made to appropriately site telecommunications facilities in the Municipality.

22.18 Renewable Energy Systems

22.18.1 The Municipality supports the reduction of greenhouse gas emissions and preparing for the impacts of a changing climate through the use of energy efficient building materials and designs, and low impact development and landscaping design practices, and the use and development of alternative energy systems and renewable energy systems.

22.18.2 The Municipality supports the establishment of location requirements and setback requirements for the establishment of renewable energy infrastructure including solar panels and wind turbines. This infrastructure, whether for personal or commercial purposes, shall be directed away from waterbodies and the view sheds surrounding waterbodies.

22.19 Short-Term Rental Accommodation

22.19.1 The Municipality recognizes that dwelling units (including cottages) have been rented for years for various timeframes.

22.19.2 The recent phenomenon of dwelling units being used as dedicated short-term accommodations has precipitated the need for management and regulation of

short-term rental accommodations to protect the planned function of residential areas.

22.19.3 The Municipality may enact both Zoning By-law regulations and a Licensing By-law to regulate short-term rental accommodations which together shall:

- a) Establish a definition of short-term rental accommodations;
- b) Permit short-term rental accommodations within zones that permit a dwelling unit;
- c) Establish regulations to ensure the planned function of residential areas is maintained;
- d) Establish regulations to ensure the character of residential areas and residential uses are maintained; and,
- e) Establish regulations to minimize the potential negative impacts of short-term rental accommodations.

22.20 Climate Change

22.20.1 The Municipality supports energy and water conservation, air improvement and protection, and climate change adaptation.

22.20.2 Future development and public works shall be designed to consider potential impacts of climate change.

Appendix 1 - Municipal Road Standards

Year-Round Road Standards are as follows:

- right-of-way 20 metres
- clearing width 20 metres
- surface width 6 metres
- granular depth 450mm to 600mm (300 mm to 450 mm of sub base (granular "B"), and 150 mm of Surface ("A") gravel.)
- surface treatment asphalt, tar and chip, gravel
- shoulder width 1 metre (each side)
- ditches 0.5 metres
- culverts 450mm, unless demonstrated that 400mm is sufficient.
- cover over bedrock 450mm
- maximum grade 12%
- dead ends 12 metres

Seasonal Road and Cottage Road Standards are as follows:

Commented [JR36]: Combine cottage and seasonal road.

Minimum standards for subdivision roads and streets – Cottage Standard Roads for estimated volumes below 50 vehicles per day.

- right-of-way 20 metres
- clearing width 12 metres
- surface width 6 metres
- granular depth 450mm to 600mm (300 mm to 450 mm of sub base (granular "B"), and 150 mm of Surface ("A") gravel.)
- shoulder width 0.5 metres (each side)
- ditches 0.5 metres
- culverts 450mm, unless demonstrated that 400mm is sufficient.
- cover over bedrock 450mm
- maximum grade 14%
- dead ends 12 metres

Caution: The above standards may be subject to change without notice.