

# Community Profile

## Town of Spanish Official Plan Review



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# Town of Spanish Community Profile

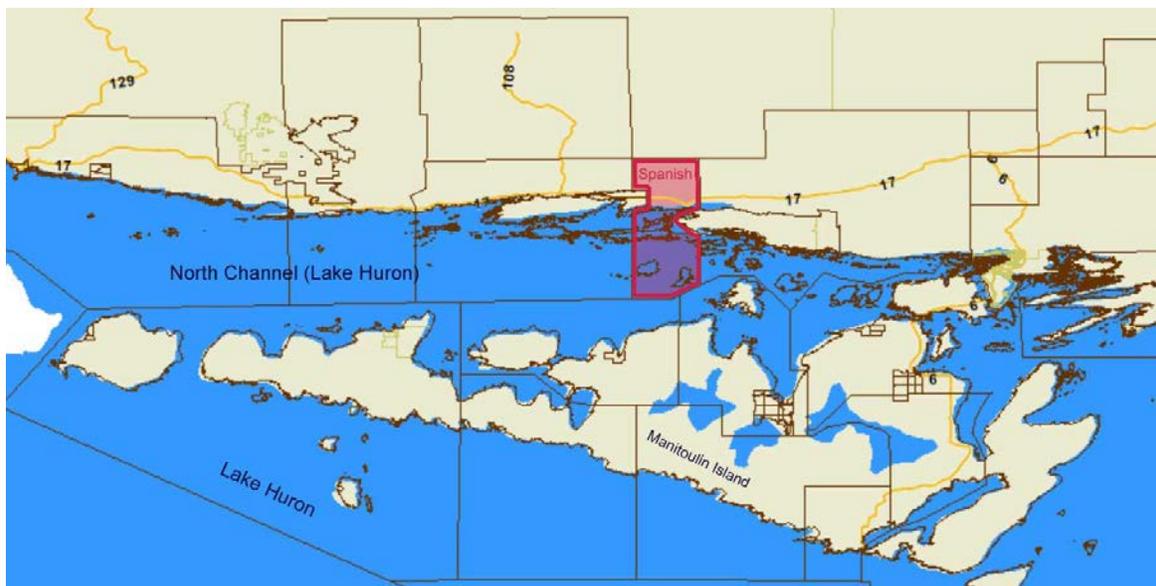
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## 1 Introduction

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An Official Plan is based on the merits of good land-use planning principles as well various factors, trends and circumstances that are identified in a community profile. This Community Profile of the Town of Spanish is intended to provide a summary of information collected as part of the development of the Official Plan. As such, it may be considered as a reference document or as a background for developing the goals, objective and the policies of the Town's Official Plan. The Community Profile will bring the Town of Spanish into focus and will permit a better understanding of the realities of life in Spanish. It also provides a basis for which other stakeholders from the public or private sectors can gain an understanding of the Town. Knowledge of statistics, trends, and existing conditions help residents and stakeholders understand where the community stands, where it is coming from and how to effectively plan for the future.

Figure 1: Location of Spanish



The creation of an Official Plan is an opportunity for elected officials, the public and the private sector to consider the policy framework for directing growth and development in the Town. Public consultation is an important part of this process. *The Planning Act* requires the Municipality to seek the views of the community in formulating the Plan to ensure that the various interests are recognized, and that the entire scope and all important aspects of the planning area are understood and reflected in the Plan. The Plan will promote the efficient use of land through land use decisions in order to protect both local and Provincial interests.

The Planning Act and the Provincial Policy Statement (2005) are important as guides for ensuring that the Official Plan addresses the relevant issues and planning considerations for the municipality. The policies of an Official Plan must be consistent with the Provincial Policy Statement (2005).

## **1.1 Setting**

The Town of Spanish is located in the District of Algoma on the Highway 17 corridor between Sudbury and Sault Ste. Marie on the north shore of Lake Huron. Spanish is made up of a small urban community with a large rural area with limited development pressures. The economic mainstay of the region is increasingly associated with tourism and transportation but is also partially linked to traditional sectors such as forestry.

## **1.2 Planning Environment**

Spanish has an Official Plan which provides a blueprint for how development is to occur in the Town. The specific development standards in the Town's Zoning By-law are intended to implement the vision, goals and policies in the Official Plan.

More than a decade has passed since the drafting and adoption of the Official Plan for the Town of Spanish and the former Township of Shedden. There are new policy requirements and new economic realities facing Spanish; both challenges and opportunities. A new Official Plan is an opportunity to ensure that decisions are consistent with Provincial legislation and the Provincial Policy Statement, 2005. Therefore this report sets the policy basis for an entirely new Official Plan for Spanish. A new Official Plan will set the policy framework and the goals and objectives to guide new growth and development in the Town over the next 20 years. In addition, it will provide authority for the drafting of a new Zoning By-law. While the Official Plan will be new, it will borrow from the old Official Plan to help ensure that the new Plan continues to capture the spirit of past land use planning decisions.

## **1.3 Goals and Objectives of the Planning Program**

The goal of the planning program is to update the Official Plan to reflect the needs of residents of Spanish over the next twenty years and to ensure that it is consistent with the Provincial Policy Statement. Objectives of the planning program are as follows:

- To ensure that the information base upon which policies are drafted is thorough and well-analysed;
- To be consistent with the 2005 Provincial Policy Statement or successor thereto, as issued under Section 3 of the *Planning Act*, as it would apply in the Township. Specifically:
  - To develop a strong community in which the focus of growth is directed toward the serviced Settlement Area in a way that efficiently uses land;
  - To protect sensitive land uses from incompatible development;
  - To restrict development in the Rural Area of the Town to that which maintains the rural character of the Town;

- To maintain a sufficient mix of land uses within the urban settlement area to meet future needs, including residential, employment, parks and open spaces, and infrastructure and public service facilities;
  - To protect natural heritage features from development which would negatively impact such features;
  - To protect natural resource extraction activities from development or land use activities which would preclude or hinder the continuation of extraction activities.
- To ensure that the elements of the natural environment are conserved for their resource value (e.g., Lake Huron, wetlands, wildlife, fish habitat, inland lakes, etc.);
  - To plan for the wise utilization of the area's natural resources including minerals, aggregates, wetlands and forested areas;
  - To optimize the use of infrastructure in planning for the growth and development of settlement areas;
  - To incorporate economic initiatives of the community as an integral component of the Official Plan;
  - To provide measures for conservation, particularly through water and waste management and recycling;
  - To ensure that settlement areas do not occur where they may be threatened by unstable slopes or floodplain areas;
  - To ensure an adequate level of public consultation in the drafting of policies;
  - To review existing policies to ensure land development approval practices are environmentally sound;
  - To re-evaluate the definition of Home Occupation, recognizing the reality of the typical small town rural Northern Ontario economy;
  - To consider ways of dealing with non-conforming land uses whether grandfathered or illegal;
  - To provide for an enhanced level of involvement by Ministries and other agencies whose interests may be affected within the planning area; and
  - To propose a mapping program appropriate to the community's needs and resources.

#### **1.4 Information on the Community Profile**

The Community Profile is made of background information from a wide range of sources. The following list represents some of the information used in putting together a Community Profile such as this:

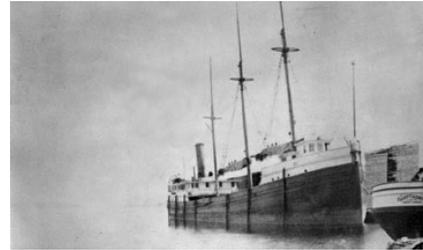
- The existing 2000 Official Plan for the Town of Spanish and Township of Shedden;
- Statistics Canada: Censuses from 2006 and 2011 (population, housing, employment, etc.)
- Town of Spanish: Building permits, consents, infrastructure, facilities, fire services, water and sewer, input on improvements needed to Official Plan;
- Ministry of Natural Resources (MNR): natural heritage features and areas, aggregate resources, lake trout lakes, and other policy recommendations;

- Ministry of Transportation (MTO): Highway traffic data and policy recommendations
- Ministry of Northern Development and Mines (MNDM): Mineral resource mapping, mineral extraction activities, mine hazards, and policy recommendations;
- Ministry of the Environment (MOE): Environmental guidelines, policies and recommendations
- Ministry of Tourism, Culture and Sport (MTC): Cultural heritage protection policies and guidelines
- Other: historical sources such as the Township's website, and input from local residents and municipal staff.

## 2 Historical Beginnings

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The Town of Spanish was amalgamated in 2004 to include the surrounding Township of Shedden. The Town was named by British Admiralty surveyor Henry Wolsey Bayfield, for the river upon which it is located, the Spanish River. The Town's early economic mainstay was logging while fishing also played a role in the Town's development.



The name "Spanish" may seem strange to those travelling through this part of Canada which was historically part of New France. There are several different theories regarding the name of the community which are discussed briefly in this paragraph. According to local legends a French Jesuit father was travelling in the area in the 1700s and encountered a Spanish-speaking woman with children. The woman had been captured by local warriors in a battle in Spanish controlled lands far to the south in what is now the United States of America, and had been married to a local Ojibway chief, the family taking on the name "Espaniel" (which is still a common surname amongst the local Ojibway communities). Another variant of the story has it that it was in fact a Spanish man who had fled the Spain-controlled lower Mississippi Valley during the fur trade days and had taken refuge along the North Shore and married into a local Ojibway community. Other theories on the name of Spanish include a claim that Dr. J.J. Bigsby, a geologist with the Canadian Boundary Commission, named the river to contrast with the nearby French River. Further intrigue arises from the 1980 discovery of two Mexican coins from 1742 found near the mouth of the Spanish River. This has led to speculation of very early Spanish-speaking explorers along the North Shore.<sup>1 2</sup> Despite the conflicting stories regarding the name Spanish, the Spanish River has since time immemorial been known as Eskimanetigon in the Ojibway language.

Beyond the River's importance as a major First Nations transportation corridor for thousands of years, the river also gained importance in the European fur trade. Due to its presence on the North Shore of Lake Huron and at the mouth of the Spanish River, the Town of Spanish was an important location in the lumber industry in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Aided by shipping and the coming of the railway in 1883, lumber from Spanish found its way to urban markets such as Chicago and other urban centres along the Great Lakes. Logs began to be fallen in the 1870s after timber resources in the east and south had been largely exhausted. Logs were floated down the river and loaded onto ships at Spanish where they took the logs to be milled in Michigan. The arrival of the railway to the Spanish area in 1884 quickened the pace of development in the Spanish area although a proper railway station was not constructed until 1902. The settlement at Spanish was referred to as "Spanish River Station" by the railway company. Spanish had a population of 200 in 1904. Two timber companies operated in the area around this time: the Huron Lumber Co and the Spanish River Co. There was also a general store, a hotel, a postmaster and a local blacksmith

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<sup>1</sup> Alan Rayburn, *Naming Canada: Stories about Canadian Place Names*, (Toronto: University of Toronto Press, 2001), pp.115-116.

<sup>2</sup> Ontario Parks, *Spanish River Valley Signature Site*, (Toronto: Queen's Printer for Ontario, 2002), p. 2

in Spanish. The community of Spanish Mills on Aird Island was developed around 1968. The community included houses, boarding homes, a cookhouse, a school, a church, and the sawmill operated by the Spanish River Lumber Company. Although Spanish Mills once had approximately 200 residents, it would now be considered a “ghost town” since the mill closed during the depression in 1927. Today there is nothing left here but some old remnants of former buildings.<sup>3</sup>

A residential school for Aboriginal boys was constructed at Spanish in 1913. In addition to classrooms and dormitories, the school had offices, a bakery, an infirmary, a laundry room, and a chapel. Adjacent to the school there was a windmill power station, a shoe shop, a mill, a storage area and barn for cows and milled products, horse stables, a bull, a dairy operation, a blacksmith shop, a pig and sheep operation, a chicken coop and a garden. Boys from as far away as Manitoba attended the school. A school for Aboriginal girls was constructed in Spanish 1916 opposite the boy’s school. The girl’s school building remained standing until 1981 when it burned down. The boys’ school was demolished in 2004 although parts of the structure remain visible.<sup>4</sup>

In 1956, Noranda Inc. opened a Sulphuric Acid Plant in Cutler. Land was purchased in Spanish for a Townsite that could accommodate 12,000 residents in expectation of further development related to Noranda as well as to the mining industry in the Elliot Lake region.

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<sup>3</sup> Ontario Abandoned Places, <http://www.ontarioabandonedplaces.com/spanishmill/spanishmill.asp> (Retrieved January 18, 2012).

<sup>4</sup> Town of Spanish, *History of Spanish: Historical Background*, Retrieved online, November 23, 2012 at <http://townofspanish.com/pages/history.php>

### 3 Population, Demographics and Housing

#### 3.1 Existing Situation

The population of Spanish has experienced a gradual decline in population over the past three decades. In 1981 the population stood at 1074 while in 2011 the population was 696, a decline of 35.2%. This represents an average loss of 12 persons per year or 1.17% per year on average since 1981. Between 2006 and 2011 the population declined by 4% (32 persons), a rate which is down from the 11% (88 persons) in population loss between 2001 and 2006 (see Table 1). By way of comparison, Figure 2 shows that other area census divisions have followed a similar pattern with the exception of neighbouring First Nations communities Serpent River and Sagamok which have experienced a significant positive rate of population growth (9.7% and 17.2% respectively). The lack of population growth places Spanish in a similar situation of other area communities. By way of comparison, the population of Algoma District as a whole fell by -1.4% between 2011 and 2006, or from 117,461 to 115,870 persons. Figure 2 and 3 shows that rural regions tend to experience similar situations to that in Spanish while larger populations (i.e., Elliot Lake) tend to be more stable in their rate of population growth or decline.

Table 1: Population Change

	Population	% Change
1981	1074	
1986	920	-14%
1991	927	1%
1996	889	-4%
2001	816	-8%
2006	728	-11%
2011	696	-4%

Figure 2: Population Growth and Decline Rates

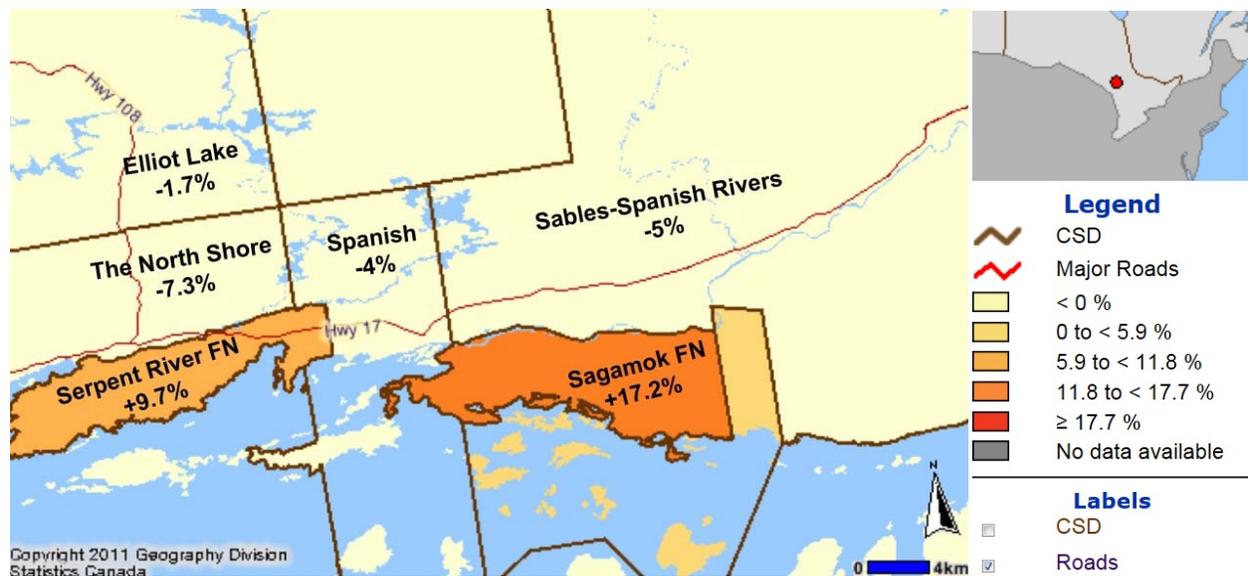


Figure 3: Population Change in Spanish and Select Adjacent Communities (Source, Statistics Canada, 2001, 2011)

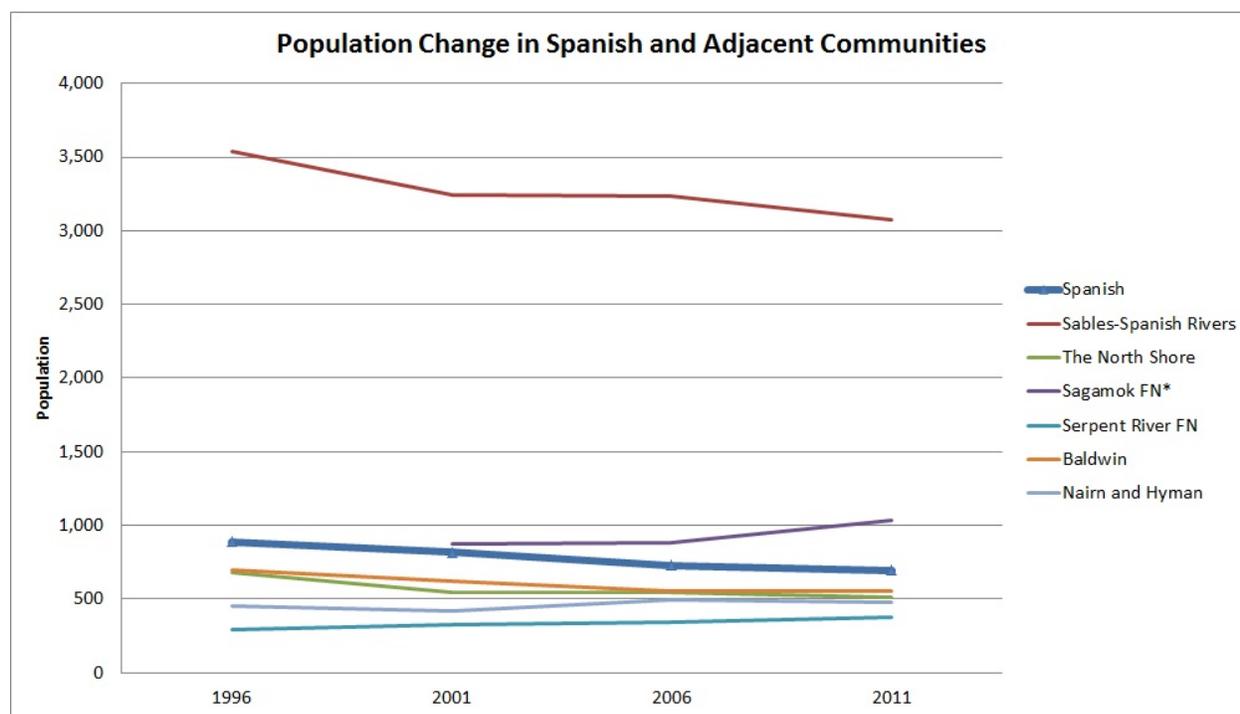


Table 2: 2011 Demographics (as %) (Source: Statistics Canada, 2011)

### 3.2 Demographics

In terms of demographics, Table 2 demonstrates that Spanish's population in 2011 has a lower percentage of young children (age 9 and under) than the Province of Ontario as a whole (5.72% compared to 11.03%). However, Spanish has a slightly higher proportion of adolescents and teens than the Province of Ontario as a whole (12.86% compared to 12.66%). Spanish has a significantly lower proportion of population between the ages of 20 and 44 than the Province as a whole (22.85% compared to 32.97%). Spanish has a higher proportion of persons aged 44 and higher (56.43%) than the Province as a whole (43.34%).<sup>5</sup>

Age	Spanish	Ontario
	Total%	Total%
0 to 4 years	2.86%	5.48%
5 to 9 years	2.86%	5.55%
10 to 14 years	5.00%	5.94%
15 to 19 years	7.86%	6.72%
20 to 24 years	5.71%	6.64%
25 to 29 years	3.57%	6.34%
30 to 34 years	5.00%	6.23%
35 to 39 years	3.57%	6.57%
40 to 44 years	5.00%	7.19%
45 to 49 years	10.00%	8.22%
50 to 54 years	10.00%	7.83%
55 to 59 years	10.71%	6.73%
60 to 64 years	7.86%	5.96%
65 to 69 years	6.43%	4.38%
70 to 74 years	4.29%	3.43%
75 to 79 years	3.57%	2.77%
80 to 84 years	2.14%	2.11%
85 years and over	1.43%	1.92%

<sup>5</sup> Statistics Canada. 2012. Spanish, Ontario (Code 3557039) and Algoma, Ontario (Code 3557) (table). Census Profile. 2011 Census. Statistics Canada Catalogue no. 98-316-XWE. Ottawa. Released October 24, 2012. <http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/prof/index.cfm?Lang=E> (accessed November 26, 2012).

Figure 4: Percentages in Demographic Cohorts, 2001-2011 (Source: Statistics Canada 2001, 2006 and 2011)

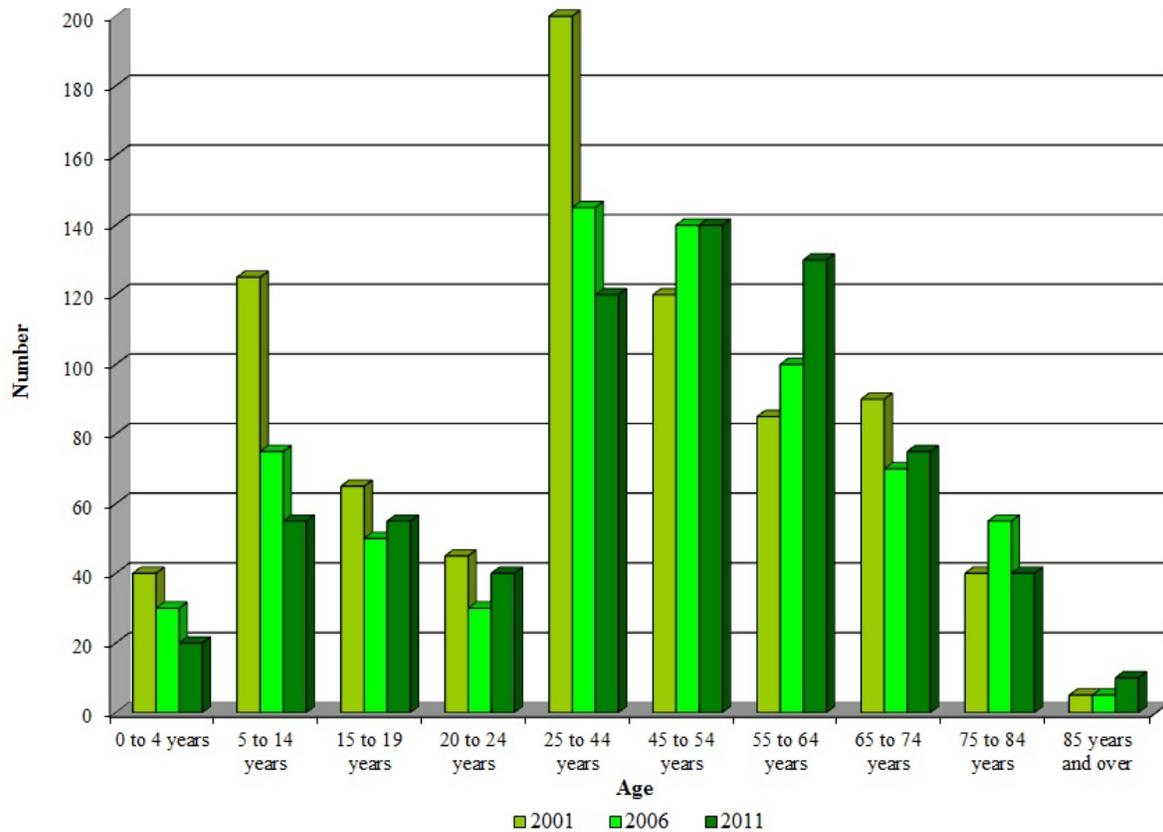


Table 3: Comparing Age Cohorts – (Source: Statistics Canada, 2001, 2006 and 2011)

	2001			2006			2011		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Total - All Persons	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
0 to 4 years	4.9%	4.9%	4.8%	4.1%	4.1%	4.2%	2.9%	2.7%	3.1%
5 to 14 years	15.3%	16.0%	14.5%	10.3%	16.4%	15.3%	7.9%	9.5%	7.7%
15 to 19 years	8.0%	7.4%	7.2%	6.8%	8.2%	5.6%	7.9%	8.1%	7.7%
20 to 24 years	5.5%	4.9%	6.0%	4.1%	2.7%	4.2%	5.7%	5.4%	4.6%
25 to 44 years	24.5%	24.7%	22.9%	19.9%	17.8%	22.2%	17.1%	14.9%	16.9%
45 to 54 years	14.7%	14.8%	14.5%	19.2%	21.9%	18.1%	20.0%	20.3%	20.0%
55 to 64 years	10.4%	11.1%	8.4%	13.7%	15.1%	13.9%	18.6%	18.9%	16.9%
65 to 74 years	11.0%	9.9%	12.0%	9.6%	9.6%	11.1%	10.7%	10.8%	16.9%
75 to 84 years	4.9%	3.7%	7.2%	7.5%	6.8%	6.9%	5.7%	5.4%	7.7%
85 years and over	0.6%	0.0%	1.2%	0.7%	0.0%	1.4%	1.4%	0.0%	1.5%
Median age of the population	39.9	40.6	38.8	45.2	45.8	44.6	49.5	50.9	49.0
% of population aged 15 and over	79.1	80.0	79.5	80.1	79.7	81.9	87.1	90.0	89.2

Figure 4 shows the growth and decline of particular age cohorts over the past three census periods: 2001, 2006 and 2011. Figure 4, together with Table 2, show that the population of Spanish is not replacing itself given that the youngest cohorts in Spanish (0-9 years of age) are half of the percentage of the Provincial average for the same cohort (see Table 2). Figure 4, Table 2 and Table 3 show that between 2001 and 2011 the population between 0 and 44 years of age has declined by 16.9%, from 58.3% of the population in 2001 to 41.4% in 2011. Meanwhile the population aged 45 years and older increased by 14.7% from 41.7% in 2001 to 56.4% of the population in 2011. We can also see that the population in the “working age” (25 years of age to 65 years of age) is lower in Spanish than it has been in the past, although there has been an increase in the cohort of 45-64 year olds (indicative of the post-World War II “baby boom”). During the period between 2001 and 2011, Spanish lost a total of 80 residents within this age category while it gained 55 residents in the age category 45 and above. This indicates that many youth migrate to larger centres in search of employment opportunities and tend to stay in those centres at least until retirement. Spanish benefits from a return of some of those former residents upon reaching retirement, and those that already live in Spanish tend to stay here upon retirement. An opportunity for Spanish is also present in the number of seasonal residents who are originally from other cities but who decide to retire to Spanish. One of the end results of this picture is an increase in the median age of the population from 39.9 years of age in 2001 to 50.9 years of age in 2011, an increase of precisely 20 years of age. We also indicate that the proportion of females in Spanish has declined from 50.9% of the population in 2001 to 46.4% of the population in 2011.

The trend of an ageing population in Spanish is also supported by the North East Local Health Integration Network’s report *“Seniors Residential and Housing Options – Capacity Assessment and Projections”*.

These trends of population decline and ageing population do not make Spanish unique. In fact, these trends are characteristic of many other communities across rural and northern Ontario. To counter these trends, municipalities such as Spanish need to be creative in how they market their communities to take advantage of their positive attributes including the affordable cost of living, a friendly and neighbourly atmosphere, and an abundance of scenery and natural beauty. As an example, interest in shoreline residential development locally means Spanish can capitalize on the trend of retiring baby-boomers seeking to retire in a more relaxed and affordable small-towns setting than what is offered in many urban centres. As discussed in the Section of this report on Economic Development (Section 4), successful rural areas also attract creative workers such as artists and small-scale entrepreneurs which in turn attracts tourism to the community. Furthermore, a key opportunity for Spanish lies in the provision of housing that includes smaller units and senior-friendly accommodations.

### **3.3 Building Activity**

It should be kept in mind that the above projections of a population decline are only for permanent year-round residents and therefore do not take into account the positive rate of construction of waterfront residential dwellings which are occupied on a seasonal basis. Since 2006, there has been a positive rate of construction of 18 single-detached dwellings. According to Town staff, approximately half of these building permits are for seasonal dwellings, and the other half are for permanent year-round dwellings.

Many of the seasonal dwellings could be renovated in the future to become permanent dwellings according to Town staff. Upon reaching retirement age it is reasonable to assume that at least some of the seasonal occupants of Spanish will decide to reside in their cottages on a full-time year-round basis. In between 2006 and 2011 there were 39 building permits issued for single-detached dwellings (including both permanent and seasonal). There were 21 demolitions of single-detached dwellings during this time. Therefore there was a positive rate of construction of 18 single detached dwellings over the time period 2006 to 2011.

Table 4: Building Permit Summary - 2006-2011

Total Residential Building Permits for Single-Detached Dwellings (2006 – 2011)	39
Total Demolitions of Single-Detached Dwellings (2006 – 2011)	21
Total new single-detached dwellings (2006 – 2011)	18
Seasonal versus residential single-detached dwellings (2006 – 2011)	50%

Section 1.1.3.5 of the Provincial Policy Statement requires planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas so as not to unduly extend municipal services and infrastructure. According to staff, approximately two thirds of new housing starts are for waterfront residential developments, while one third are for developments within the urban settlement area. Therefore the current balance of development favours the rural area. We support the promotion of the urban settlement area as the focus for new growth. Given the current ratio of rural versus urban settlement area development, a 50% target would represent a starting point for an ambitious target to satisfy this policy objective.

### 3.4 Subdivision and Consent Activity

There is one residential subdivision proposed on Kecil Lake with fourteen (14) lots. Between 2005 and 2011 there have been 16 new lots created by consent in the Town. The consents included 5 new lots created in the Evergreen Shores area in 2005.

### 3.5 Household Characteristics and Housing

Between 2001 and 2006 the population of Spanish declined by 32 persons while the number of private households declined by 5 as shown on Table 5. As indicated above, there was still a positive rate of construction of single-detached dwellings. The discrepancy may give credence to the hypothesis that even though the population of permanent residents (and therefore

Table 5: Household Characteristics

Household Characteristics	Year	Spanish	Algoma District	Ontario
Total private households	2006	325	50,010	4,555,025
	2011	320	50,580	4,887,510
Households containing a couple with children*	2006	55	11,995	1,420,515
	2011	75	12,365	1,680,810
Households containing a couple without children*	2006	115	16,795	1,288,140
	2011	105	16,235	1,326,750
One-person households	2006	115	14,320	1,104,865
	2011	100	15,135	1,230,980
Other household types**	2006	35	6,900	741,505
	2011	10	2,055	371,515
Average household size	2001	2.1	-	2.7
	2006	2.3	2.3	2.6
	2011	2.2	2.3	2.6

Source: Statistics Canada  
 \* Married or common-law  
 \*\* Includes multiple-family households, lone-parent family households and non-family

permanent households) has been on the decline, there is a counterbalancing trend of seasonal residential development that is occurring in the Town. It is important to emphasize that the censuses do not include data on seasonal residential dwellers in the Town, therefore indicators of the interest in seasonal residential dwelling are largely based on local knowledge and the aforementioned building permit activity. Furthermore, seasonal dwellings are not counted as "households" in Table 5.

Table 5 also indicates that the average household size has fluctuated from 2.1 persons per household in 2001 to 2.3 in 2006 and to 2.2 in 2011. In 2011, by comparison, the District of Algoma had on average 2.3 persons per household, while the Province of Ontario had 2.6 persons per household. This indicates a preference and need for smaller lodgings suitable for retirees, empty-nesters and seniors. For example, the Official Plan will permit garden suites provided site conditions are suitable.

The vast majority of the 385 private dwellings in the Town (93%) are single-detached dwellings. The remainder include 5 semi-detached homes, 5 rowhouse dwellings, 5 apartment (duplex) dwellings and 15 dwelling units characterized as apartment buildings with less than 5 stories. The Algoma District Social Services Board operates three public housing sites in the Town. These include the North Shore Villa which has 22 units, Garnier Road Homes (5 units) and Stolar Crescent Homes (10 units).

The housing stock in Spanish is predominantly single-detached dwellings and seasonal dwellings. Section 1.4.1 of the PPS requires planning authorities to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area. This includes the provision of housing that is affordable to low and moderate income households. Section 1.4.3 also requires planning authorities establish and implement minimum targets for the provision of housing that is affordable to low and moderate income households. Based on our work with other nearby municipalities, we suggest a target of one quarter of all new housing should be affordable to low and moderate income households. In order to assist the Town meet this target we suggest the inclusion of policies to support garden suites and second units within dwellings. Bill 140, the *Strong Communities through Affordable Housing Act*, 2011 received royal assent in 2011. The Act repeals a number of sections of the *Planning Act* in order to implement the *Long Term Housing Strategy*. Amendments to the *Planning Act* from Bill 140 include the inclusion of affordable housing as a matter of Provincial interest under Section 2 of the *Planning Act* and the requirement that municipalities add policies that would provide for second units in dwellings (within single detached, multiple residential and row house dwellings) in both new and existing neighbourhoods. Also, such policies and by-laws cannot be appealed, and the time period for authorizing a temporary use by-law to permit a garden suite has been extended to twenty (20) years. The Official Plan will provide for garden suites in the Residential and the Rural designation and for permanent year-round dwellings in the Lakeshore Development designation where lot conditions are suitable for such uses (i.e., in terms of servicing, impacts on the environment and parking requirements). Second units within dwellings are also an important way of accommodating the needs of large segments of our population. Second units are “private, self-contained residential units with their own kitchen and bathroom, either located in a house or as accessory units, such as...laneway garages”<sup>6</sup>. According to the Long Term Housing Strategy, such units shall still comply with all applicable requirements, such as those intended for health and safety. These legislative changes do not grandfather or legalize any existing second unit which does not comply with these local requirements. We recommend that second units be permitted as of right within single-detached dwellings.

These legislative changes do not grandfather or legalize any existing second unit which does not comply with these local requirements. We recommend that second units be permitted as of right within single-detached dwellings.

### 3.6 Population Projections

In the absence of significant economic development in the Spanish area generating new

Table 6: Population Projections

Year	Algoma	% Change	Spanish (Current Rate)	% Change (Continue at current Rate)	Spanish at Same Projected Rate of Change as Algoma District (-3.75% from 2011 to 2031)	
1991	127,270		927	1.00%		
1996	125,455	-1.43%	889	-4.10%		
2001	118,567	-5.49%	816	-8.21%		
2006	117,461	-0.93%	728	-10.78%		
2011	115,870	-1.35%	696	-4.40%		
<b>TOTAL</b>	<b>-11,400</b>	<b>-8.96%</b>	<b>-231</b>	<b>-24.92%</b>		
2016*	117,770	-1.03%	659	-5.30%	689	-1.03%
2021*	116,790	-0.83%	624	-5.30%	683	-0.83%
2026*	115,810	-0.84%	591	-5.30%	677	-0.84%
2031*	114,590	-1.05%	560	-5.30%	670	-1.05%
2033*	114,030	-0.48%	548	-2.13%	667	-0.48%

<sup>6</sup> Ontario. Ministry of Municipal Affairs and Housing, *Building Foundations: Building Futures – Ontario's Long-term Affordable Housing Strategy* (Toronto: Queen's Printer for Ontario, 2011) p. 13.

employment, it is not anticipated that there will be significant growth in the population in terms of housing over the lifespan of the Official Plan. Changes in the composition of housing are however expected due to the need for smaller unit sizes and housing geared toward seniors. The population trends in Spanish include a slightly faster rate of population loss than for the District of Algoma as a whole as projected by the Ministry of Finance. The District is projected to decline in population by -4.01% over the planning period from 2012 to 2032 for a total of 114,310 persons in 2032.<sup>7</sup> It is interesting to note that the District of Algoma's population is projected to decline at a very slow rate compared to Spanish. Based on a continuation of the existing population decline trend for Spanish, the Town's population would lose -19.5% of its population, for a total of 560 persons by 2031. If the rate of population loss slowed and was closer to the more stable levels found in Algoma District as a whole, the population would only decline by -3.75% for a total of 670 persons in 2031 (see Table 6).

Projections based on the above rates do not take into account future economic development activity related to, for example, the establishment of a deep geological repository for spent nuclear fuel. They also do not take into account other economic development initiatives suggested in the Strategic Plan Update. They also do not take into account the demand for seasonal waterfront development. In other words, although Statistics Canada paints a 'gloomy' picture of a declining population, there are positive factors that will continue to influence the need for waterfront residential lands. Meanwhile, the need for smaller and senior-friendly housing accommodations highlights the importance of ensuring there is adequate serviced and designated land for future residential development in the urban settlement area as well as the need to ensure Spanish is marketed as a senior-friendly lakeside retirement destination.

### **3.7 Settlement Pattern**

The settlement pattern may be best described as a compact urban community surrounded by a sparsely populated rural area. The Town is situated on the North Channel of Lake Huron along Highway 17 and the Huron Central Railway. The railway and the highway together have been the genesis of development in the Town. Early development in Spanish also took advantage of the presence of the harbour. Consequently the Town's layout is focused not just along the highway and railway but also further to the south along the shoreline of Lake Huron in the vicinity of the Marina.

### **3.8 Land Supply**

Section 1.4.1(a) of the Provincial Policy Statement (2005) requires planning authorities to maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment, and, if necessary, lands which are designated and available for residential development. Planning authorities are also required to maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3-year supply of

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<sup>7</sup> Ontario Ministry of Finance, *Ontario Population Projections Update, 2011-2036 – Reference Scenarios – Census Divisions in Northeastern Ontario*. Retrieved October 18, 2012 from <http://www.fin.gov.on.ca/en/economy/demographics/projections/table10ne.html>

residential units through lands suitably zoned to facilitate residential intensification and redevelopment. The amount of land required to accommodate residential development over the next 20 years is a function of demand and supply for the type of housing constructed and the density at which the housing is built. The land supply for future development was calculated based on existing vacant privately-owned parcels or parcels with potential to be developed within the Town. Table 7 shows that there are sufficient lands available for future development within the existing urban settlement area. Section 1.1.3.6 of the PPS requires planning authorities to establish and implement phasing policies to ensure that specific targets for intensification and redevelopment are achieved prior to or concurrent with new development in designated growth areas. Accordingly, the Official Plan should include policies that require new development in the urban settlement area to be on the basis of a municipal sewage and water system.

**Table 7: Available Land Supply**

	Municipal sewer and water	Municipal sewer OR water Proposed Lot Size	Unserviced Existing Min. Lot Size	Unserviced – Proposed Minimum Lot Size
Minimum Lot Area Requirement	600 m <sup>2</sup> [0.14 ac]	1,250 m <sup>2</sup> [0.3 ac]	0.33 ha [0.8 ac]	0.4 ha [1 ac]
Total Lands Identified	87.4 ha [216 ac]	0	183.7 ha [454 ac]	
Potential lot yield	1542	0	556	459.2

Meanwhile, Table 8 highlights the potential supply of waterfront lots in the Town looking at patented (privately owned) parcels of land adjacent to water bodies. While we do not expect that such lands to become fully developed in the foreseeable future it is nevertheless important to include these lands as those which could theoretically be developed in the future in order to provide a full picture of Spanish's existing land supply. We highlight that in addition to the potential waterfront lot supply below there are 15 existing undeveloped lots in the Evergreen Shores subdivision on Kecil Lake. Some lands with potential for future waterfront residential development have been identified on Fryer (Moose) Lake.

**Table 8: Waterfront Land Supply**

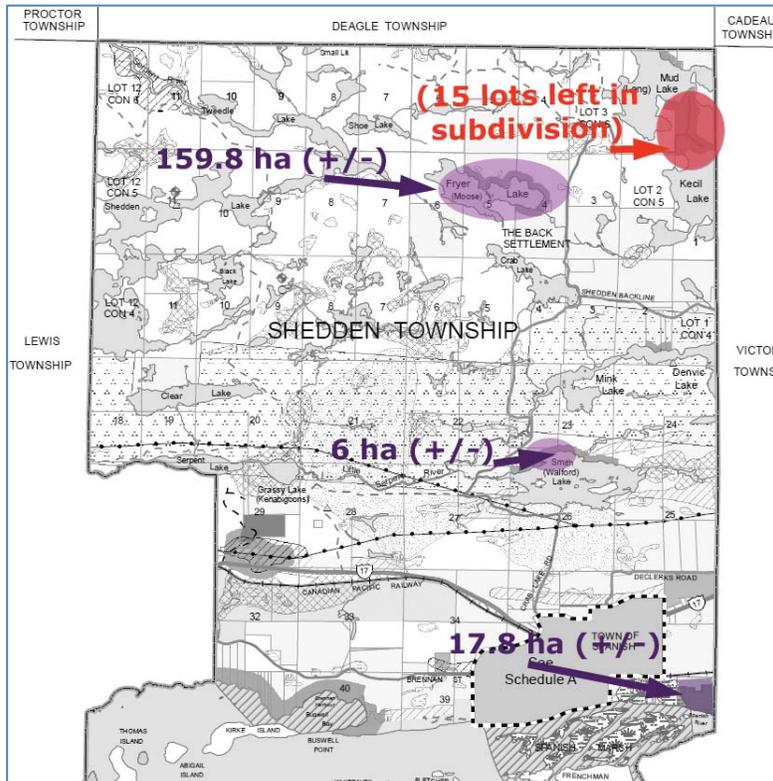
Waterfront Lands	Lot Supply 0.4 ha [1 ac]	Lot Supply 1 ha [2.47 ac]
17.8 ha [44 ac] – Spanish River	44	17
159.8 ha [395 ac] – Moose and Fryer Lakes	395	159
6 ha [15 ac] – Moose Lake	15	16
Total	454	192

An approximate depiction of the location of lands which could potentially be developed, as shown on Table 7 and 8, is provided below (see Figure 5 and Figure 6). The potential lot yield shown above on Tables 7 and 8 are arrived at by dividing the land area shown on Figure 5 and Figure 6 by the proposed minimum lot area requirement shown on Table 7.

Figure 5: Approximate Location of Potential Development Lands (Urban Settlement Area)



Figure 6: Approximate Location Potential Development Lands (Rural Area)



Section 1.1.2 of the Provincial Policy Statement states that sufficient land shall be made available through intensification and redevelopment, and if necessary, designated growth areas, to accommodate an appropriate range of employment opportunities, housing and other land uses to meet projected needs for a time horizon of 20 years. Furthermore, Section 1.3.1 of the Provincial Policy Statement states that planning authorities shall promote economic development and competitiveness by providing for an appropriate range and mix of employment (including industrial, commercial and institutional uses) in order to meet long-term needs. There has been virtually no increase in demand for new commercial lands since the previous Official Plan was adopted in 2000. There are available commercial lands along the Highway 17 corridor through the Town which should be sufficient for the immediate future. The ability to expand commercial lands along Highway 17 to the east and west is restricted due to issues related to access and servicing. The Town would like to eventually see lands developed for an industrial park toward the landfill however no concrete plans have been advanced.

As shown on Table 7, there are also sufficient lands available in the Rural area to meet projected needs. Section 1.1.4.1 of the PPS states that permitted uses and activities in Rural areas of municipalities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. Development in the rural area shall be appropriate to the infrastructure which is planned or available, and shall avoid the need for undue extensions to such services and infrastructure. New land uses shall comply with the Minimum Distance Separation (MDS) Formulae. Development shall be compatible with the rural landscape and shall be sustained by rural service levels. Opportunities should be retained to locate new or existing land uses that require separation from each other (e.g., the separation of a house from a quarry). Also, recreational, tourism and other economic opportunities should be promoted.

### ***Population and Housing Policy Implications for the Official Plan***

The Town of Spanish has experienced an average rate of population decline of -1.3% per year for the past thirty years. The Town declined in population by 4% between 2006 and 2011 from 728 to 696. The Plan will anticipate no significant changes from the existing rate of population change in the immediate (i.e., 5 year) future. The Official Plan should therefore plan for a permanent population of between 548 and 667 permanent residents by 2033. These figures represent a low projection which utilizes the existing rate of population decline (548), versus a slowing down of the population decline in accordance with the average population change rate for the District of Algoma as a whole (667). However, over the course of the planning period (2013-2033) a stabilizing factor could be the increase in retirees seeking to live in their cottages on a year-round basis as well as the provision of new waterfront development opportunities. There is already a moderate demand, as explained above, for seasonal waterfront dwellings in the Town. Given that population statistics do not reflect seasonal residents we anticipate a continuation of the moderate growth in building permit and consent activity that has been experienced over the past five years (Table 4). Population changes should be carefully monitored in response to economic development initiatives to ensure that growth and development correlates to the available supply of serviced land in the town site and to the available supply of waterfront lands.

Furthermore, Section 1.4.1 of the PPS states that planning authorities should provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents. With a current average household size in the Town of 2.1 persons per household combined with an ageing population, we project a need for smaller single-detached dwellings as well as senior-friendly accommodations. We expect retirees to be attracted to the Town due to factors such as the rural lifestyle offered, the marketing of Spanish as a destination for retirees, and the desire of retirees to return to areas that they grew up in.

In addition to the above, the Official Plan should permit a garden suite in association with a year-round residential use (i.e., in the Residential, Rural and Lakeshore Development designations) provided the lot is suitable for such an accessory use. Temporary use provisions in the Plan should permit a garden suite for a twenty (20) year period. Second units within dwellings should likewise be permitted where appropriate.

Section 1.4.3 of the PPS requires planning authorities to provide a range of housing types for current and future residents including housing that is affordable to low-income and moderate-income households. Affordable housing is described as housing (rental or owned) that requires 30% or less of a household's gross annual income. The Algoma District Social Services Board does not have a set target for housing in the District that should be affordable to low and medium income households. The Plan should therefore set a target that at least one quarter of all new dwellings built in the Town should be affordable to this income bracket based on our experience with other planning programs in the region. The Plan should direct new housing towards areas which have appropriate levels of infrastructure and public services and which efficiently use land, resources, infrastructure and services. The Plan should also include development standards which promote residential intensification and redevelopment, which minimize the cost of housing and facilitate compact form while maintaining appropriate levels of public health and safety. The Official Plan should not carry forth provisions for group homes found in the former Official Plan since they discriminate against a residential population.

The population projections combined with the lot supply figures and the consent information for the Town mean that there are more than sufficient lands available to meet the development needs for the foreseeable future within the urban settlement area. Given the limited development projected, the Town's strategy should focus on the development of infill lots on existing services in the town site as a cost-effective approach and to minimize the extension of services for new development.

The Plan should also provide for limited rural residential development in accordance with Section 1.1.2 of the PPS and should also provide opportunities for limited rural residential development. Planning authorities are expected by the Ministry to decide upon what constitutes "limited" rural residential development. The Plan should set a target that limited residential development would mean the creation of no more than forty (40) lots by consent over the life of the Plan (2033). There are also enough lands available for development within the area serviced with a municipal sewage

and/or water system to serve expected development in the urban settlement area over the life of the Official Plan.

In accordance with Section 1.1.3.1 of the Provincial Policy Statement, the Official Plan should ensure that the urban settlement area of the Town of Spanish is the focus of new permanent residential growth as well as commercial growth. The vitality and regeneration of the Spanish urban settlement area should be promoted.

In accordance with Section 1.1.3.2 of the Provincial Policy Statement, the policies of the Official Plan should ensure that land use patterns in the settlement area are based on densities and a mix of land uses that efficiently use land and resources, and which are appropriate for and efficiently use the infrastructure and public service facilities which are available or planned, and which avoid the need for their unjustified and/or uneconomical expansion. Development patterns should also minimize negative impacts to air quality and climate change and promote energy efficiency.

In accordance with Section 1.1.3.3 of the Provincial Policy Statement, the Plan's policies should prioritize development via the redevelopment of the existing building stock, including brownfield development and development that does not require the extension of municipal infrastructure and public services.

In accordance with Section 1.1.3.4 of the PPS, development standards in the Official Plan should facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

In order to satisfy the requirements of Section 1.1.3.5 of the PPS, the Official Plan should establish a target that 50% of new development shall be on the basis of intensification and redevelopment within the built-up area of Spanish (the "urban settlement area") with a focus on infill on vacant serviced lots.

The Official Plan should require that development in the urban settlement area be serviced with the existing sewage and water infrastructure prior to permitting proposed developments that would require new extensions to such services. This will satisfy the policy requirement of Section 1.1.3.6 and 1.1.3.8 of the PPS. The Official Plan should include a policy that states a preference for development in the urban settlement area to occur adjacent to other developments, therefore promoting a compact form and allowing for the efficient use of land in accordance with Section 1.1.3.7 of the PPS.

In order to be consistent with Section 1.1.3.9 of the PPS, the new Official Plan will include a policy that permits an expansion to the urban settlement area only at the time of a comprehensive review where it is demonstrated that sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs; and that the infrastructure and public service facilities that are planned or available are suitable for the development over the long term and protect public safety. Expansion of the urban settlement

area boundary is not anticipated during the life of the Plan given the current rate of growth and the available land supply.

In accordance with Section 1.3.1 of the PPS, the Official Plan shall include policies which promote economic development and competitiveness by promoting an appropriate mix and range of employment uses to meet long-term needs, and by providing opportunities for a diversified economic base including a range and choice of suitable sites for employment uses taking into account the needs of future businesses. Policies should provide criteria for the development of an appropriately-sited future industrial or business park.

In order to be consistent with Section 1.1.4.1, the Official Plan should permit uses in the Rural area of Spanish that are related to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. The policies for land division should ensure that new development in the Rural designation is appropriate to the infrastructure and public services which are planned and available, and also that development avoids the need for any uneconomical or undue expansion of such services and infrastructure. Lot creation shall also comply with the Minimum Distance Separation (MDS) Formulae. The policies for the Rural designation should permit Council to designate any locally significant agricultural areas that it deems should be protected, and should permit Council to direct new development away from such areas where such development may have a negative impact on these uses. The policies for development in the Rural designation should also highlight the importance of ensuring that new land uses are compatible with surrounding land uses. Finally, the Official Plan should promote recreational, tourism and other economic opportunities in the Rural designation.

In order to be consistent with Section 1.8.1, the Official Plan should support energy efficiency and improved air quality through land use development patterns which promote a compact form, which promote the use of alternative methods of transportation, which focus commercial and industrial uses in areas which are well served with the existing transportation system, which improve the mix of employment and housing, and which promote a design and orientation that maximizes the use of alternative or renewable energy. In accordance with Section 1.8.2, the Plan should promote the provision of opportunities for energy generation facilities to accommodate current and projected needs.

## 4 Economic Development

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Economic development is key to future growth and development in the Town of Spanish. There are several policies in the Provincial Policy Statement which encourage economic development initiatives. The PPS promotes long term economic prosperity through municipal planning decisions which optimize the long-term availability of land, resources, infrastructure and public service facilities; maintaining and enhancing the viability of downtowns and main streets; by promoting the redevelopment of brownfield areas; by providing for an efficient, cost-effective and reliable multi-modal transportation system that is integrated with adjacent systems and those of other jurisdictions and is appropriate to address projected needs; planning so that major facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other; providing opportunities for sustainable tourism development; promoting the sustainability of the agri-food sector; and by providing opportunities for increased energy generation, supply and conservation (see Section 1.7.1). Section 1.1.4.1 states that recreational, tourism and other economic opportunities should be promoted in rural areas of municipalities. Section 1.2.1 of the PPS states that a co-ordinated, integrated and comprehensive approach should be used when dealing with planning matters that cross municipal boundaries such as issues related to the management and promotion of growth and development. Section 1.3.1 states that planning authorities shall promote economic competitiveness by providing an appropriate mix and range of employment to meet long-term needs, and by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses.

Much research on economic development initiatives in rural Ontario highlights the themes of embracing the “knowledge economy”. Likewise, research on economic development in Northern Ontario has highlighted the importance of creative synergies in high-tech mining, forestry, remote health care and cultural production<sup>8</sup>. Researchers in economic development have pointed to the presence of “creative” enterprises in the North such as digital animation and film and sectors such as health, in addition to innovation in traditional mining and forestry sectors which show that there are ways northern and rural communities can challenge urban-centred conceptions of creativity, talent and indeed economic development. It is important that Spanish forge an involvement with regional economic development and innovation strategies as they begin to be developed, and to work toward a strong regional vision that emphasizes the potential of our region as opposed to its challenges<sup>9</sup>.

Recent demographic trends mean that Spanish needs to emphasize the need to plan for an ageing community and to ensure that the community is marketed as an attractive destination for future retirees seeking a permanent home in a scenic location. The presence of Lake Huron’s shoreline helps Spanish in terms of destination marketing. Furthermore, the Province has recently authored the Growth Plan for Northern Ontario, which aims at increasing the economic and social health of the North’s communities by

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<sup>8</sup> Hall and Donald, p. 1

<sup>9</sup> Heather Hall and Betsy Donald, *Innovation and Creativity on the Periphery: Challenges and Opportunities in Northern Ontario*. (Toronto: Rotman School of Management, Martin Prosperity Institute, Working Paper Series: Ontario in the Creative Age, 2009) p. 1.

building on existing regional strengths. Recent municipal initiated strategies such as the Strategic Plan are consistent with an underlying theme of the Growth Plan which is supporting and creating communities that are visually attractive as a precursor to attracting new permanent residents.

In addition, the Province has recently released the Growth Plan for Northern Ontario which further promotes such economic goals.

## **4.1 Community Improvement**

Community improvement planning is a tool found in Section 28 of the Planning Act which permits municipalities to improve municipal infrastructure and to finance certain development activities that result in the sustainable and efficient use and re-use of land, buildings and infrastructure. Community improvement includes municipal initiatives such as landscaping and streetscape improvements, or assistance to private sector developments through the issuance of grants and loans to private landowners to make improvements to their properties and buildings. In order to use a Community Improvement Plan, the municipality must adopt policies into their Official Plan and a by-law to designate a community improvement project area.

Specific incentives that may be offered through community improvement planning often include the reduction or elimination of planning or building fees; increased densities for residential development; reduction of property taxes for a specified time period that reflects the land owner's contribution to public infrastructure or parkland; and the provision of specific grants to property owners to improve the appearance of private lands and buildings. Grants, loans and tax assistance may be therefore be used to rehabilitate private lands and buildings and to achieve desired community improvement outcomes. Community improvement has also been used to provide incentives for encouraging development that meets a particular environmental standard such as LEED. Specific incentives are identified through a Community Improvement Plan.<sup>10</sup>

Recent changes to the Planning Act include adding affordable housing to the list of provincial interests. Community Improvement policies should therefore include the provision of affordable housing as a potential goal of community project plans.

There are community improvement policies in the existing Official Plan. Many of these can be carried forth into the new Official Plan. Specifically, the new Official Plan should include a section on community improvement which outlines the Town's community improvement goals. These should be linked to the improvement of community infrastructure. Criteria for community improvement projects should focus on improvements in deteriorated municipal services and infrastructure and shall include other goals for community improvement identified by the community.

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<sup>10</sup> Ontario Ministry of Municipal Affairs and Housing, *Community Improvement Planning Handbook* (Toronto: Queen's Printer for Ontario, 2008) pp. 1-34.

## 4.2 Strategic Planning

An update to the 1994 Strategic Plan is also being undertaken alongside the creation of the new Official Plan and Zoning By-law of the Town. The Strategic Plan was undertaken to address changes in the local economy such as the closure of area mines in Elliot Lake. The Plan was built on the understanding that Spanish has several competitive advantages from which to build upon. These include a stunning natural environment and waterfront, a strong sense of community and history, a location along the Trans Canada Highway, and the presence of good infrastructure which has capacity for new growth. The Plan focuses on helping Spanish respond to changes in the economy, and the need to embrace changes and recognize that natural resources are no longer the backbone of the economy. The Strategic Plan notes a recent expansion of tourism and service-related industries and the need to promote small business and commercial expansion along Highway 17 in Spanish. The Strategic Plan also speaks of the need to undertake economic development initiatives in conjunction with neighbouring First Nations and municipalities. Strategic Plan action items included:

- Expand and upgrade marina facilities along the North Channel and the Spanish River, including a new marina and a “four season complex” (completed);
- To encourage the private sector to expand; to upgrade and develop new camp accommodations along the waterfront area (partially complete but ongoing);
- To encourage the private sector to expand, upgrade and develop a new marina and related facilities along the North Channel and the Spanish River (ongoing);
- To encourage the private sector to expand, upgrade and develop new boating services (i.e., storage and repair) along the North Channel of Lake Huron (not completed);
- To develop official plan policies that provide opportunities to access local natural areas for public and private development (i.e., seasonal residential);
- To develop official plan policies to protect natural environmental features for passive tourism uses (i.e., marshland) (see Section 9.4);
- To develop official plan and zoning by-law provisions that permit home occupations (underway);
- To develop official plan and zoning by-law provisions which identify light industrial areas (not completed);
- To encourage the investigation and promotion of opportunities for “start-up” light industries to combine activities in a single location (ongoing);
- To continue involvement in joint regional economic development initiatives with Blind River and the North Shore (ongoing);
- To develop park facilities along Highway 17 and the waterfront to accommodate recreation and leisure needs of visitors (i.e., picnic and rest areas) (not completed);
- To maintain and improve protection and preservation of environmental features in conjunction with future development (i.e., identify environmentally sensitive areas in Official Plan and Zoning By-law) (underway);

- To maintain and improve access to recreational opportunities in natural areas (e.g., beach and marsh access) in conjunction with future waterfront and residential development, including easements through private developments, public docks and boat launches, trail and hiking systems and land use controls (underway);
- Investigate development of a seniors complex and/or nursing home and a day care facility (not completed);
- To support the development of non-profit housing units by Provincial agencies or community organizations (not completed but land is available);
- To support the development of additional Canada Mortgage Housing Corp housing in the Township (not completed but land is available);
- To support the development of affordable housing by private interests (ongoing);
- To include official plan and zoning by-law provisions that protect the natural environment when development takes place, (e.g., setbacks from watercourses) (underway); and
- To ensure that official plan and zoning by-law provisions provide specific direction regarding residential, seasonal residential and tourism development (underway).

The Official Plan was amended in 1995 in order to implement the strategic directions from the Strategic Plan. A section called "Strategic Plan Implementation" was included with the amendment in order to summarize strategic initiatives. New land use designations were added to apply to Service Commercial/Light Industrial, Industrial and Lakeshore Development. The scope of permitted home based businesses and uses permitted in a Residential designation were expanded to include offices, day care facilities, and bed and breakfast establishments. Lands were also pre-designated for service commercial, light industrial and industrial purposes in order to encourage these types of commercial activities. Several restrictions were added to the Plan to restrict development adjacent to flood-prone lands.

Furthermore, the Introduction to the Official Plan includes a section on *Strategic Plan Initiatives* arising from Official Plan Amendment No. 1. Initiatives to be considered by Council based on the amendment include:

- Partnerships or joint ventures with private developers, public agencies, regional organizations, First Nations and North Shore Communities to achieve economic development objectives (ongoing);
- The establishment of an incubator mall or similar facility to provide space for industrial or service commercial `start-up` industries (not completed);
- The establishment of a municipal industrial area (not completed);
- The protection and preservation of the *Spanish Marsh* as a provincially significant wetland area (completed and ongoing);
- Council will investigate funding to undertake an Environmental Impact Study on public and private lands in the Spanish Marsh and within adjacent lands within 120 metres of the Spanish Marsh boundary in undertaking economic opportunities related to the wetlands including wetland education, promotion and interpretation, construction of a boardwalk, growth in waterfront business, and public and private marinas, etc. (completed and ongoing);
- The development of the Spanish Marsh as a regional tourist attraction (ongoing);

- Applications for funding under federal, provincial and regional programs designed to assist with community and economic development initiatives (ongoing);
- The purchase or acquisition of land further to Council's economic development objectives (not completed);
- The investigation and development of a seniors' complex and/or nursing home, non-profit housing units, CMHC housing units, and a day care facility (not completed).

The new Official Plan should continue to play a role in implementing the updated Strategic Plan. We note that Spanish has already begun to implement some of its action items. Spanish has made significant improvements to the waterfront with the development of its marina. The "Rock and Roar" festival in Spanish has increased demand for campgrounds and such facilities are now offered. Several interpretive signs and a walking trail have been developed in order to develop tourism in the area however these features are not maintained on a regular basis.

### **4.3 Growth Plan for Northern Ontario**

In 2011 the Province released the Growth Plan for Northern Ontario, a partnership economic development plan between the Ministry of Northern Development and the Ministry of Energy and Infrastructure<sup>11</sup>. The Plan is based on the recognition that future economic success is based on a diversified economy that embraces innovation; a population that is healthy, educated, creative and skilled; communities that are vibrant and attractive; the provision of modern and efficient infrastructure; and a clean and healthy environment. In sum, the Plan calls communities in the North to position themselves for a future in which value-added resource production and refinement takes the place of a sole focus on primary resource extraction, and where attracting new residents depends on the provision of amenities such as an arts and cultural scene and a vibrant main street that shows visitors and newcomers that residents take pride in their community and its heritage.

The Growth Plan focuses Provincial attention to "existing and emerging priority economic sectors" as well as Northern Ontario's competitive advantages, including:

- Advanced manufacturing;
- Agriculture, aquaculture and food processing;
- Arts, culture and creative industries;
- Digital economy;
- Forestry and value-added forestry-related industries;
- Health sciences;
- Minerals sector and mining supply and services;
- Renewable energy and services;

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<sup>11</sup> Ontario Ministry of Northern Development and Mines, Ministry of Energy and Infrastructure, *Growth Plan for Northern Ontario*, (Toronto: Queen's Printer for Ontario), 2011.

- Tourism;
- Transportation, aviation and aerospace;
- Water technologies and services.

Many of the economic development strategies can be addressed in the Official Plan while some of these are addressed already. Many of the strategic plan initiatives discussed in this report and to be included in the new Official Plan are examples of projects and objectives which are consistent with the Growth Plan for Northern Ontario. Spanish's new Official Plan should continue to make linkages to the Town's economic development initiatives such as the strategic plan, and should connect them to the Growth Plan's existing and emerging priority economic sectors.

### *Economic Development Implications for the Official Plan*

The Official Plan should promote long term economic prosperity through municipal planning decisions which optimize the long-term availability of land, resources, infrastructure and public service facilities; maintaining and enhancing the viability of downtowns and main streets; by promoting the redevelopment of brownfield areas; by providing for an efficient, cost-effective and reliable multi-modal transportation system that is integrated with adjacent systems and those of other jurisdictions and is appropriate to address projected needs; planning so that major facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other; providing opportunities for sustainable tourism development; promoting the sustainability of the agri-food sector; and by providing opportunities for increased energy generation, supply and conservation (as per Section 1.7 of the PPS). The Official Plan will promote recreational, tourism and other economic opportunities should be promoted in rural areas of the Town in accordance with Section 1.1.4.1. In accordance with Section 1.3.1 of the PPS, the Official Plan will promote economic competitiveness by providing an appropriate mix and range of employment to meet long-term needs, and by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses. The Official Plan should continue to embrace the initiatives set out in the Town's Strategic Plan (concurrently being updated) as these initiatives not only coincide with the intent of the PPS and the Growth Plan for Northern Ontario, but also set out a plan of action upon which to stimulate new growth and prosperity for the community. The actions will require aggressive actions and a partnership approach; however, without a proactive vision, the community will continue to decline.

The Official Plan should contain policies for community improvement planning.

In accordance with Section 1.2.1 of the PPS, the Official Plan should highlight the need for a coordinated, integrated and comprehensive approach to planning matters between other municipalities, First Nations and other agencies in the region when dealing with planning matters which cross jurisdictional boundaries. The Official Plan should include a section in the Introduction of the Plan that addresses the need to consult with neighbouring municipalities and Aboriginal Communities when a land-use planning matter has cross-boundary implications (e.g.,

related to the management of natural resources or sharing of public services or planning of economic development).

## ***5 Public Service Uses and Infrastructure***

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### **5.1 Health Care Services**

There is one medical clinic in the Town of Spanish. Hospitals in Blind River, Elliot Lake and Espanola provide more advanced health care to the population.

### **5.2 Library**

The Spanish Public Library is open three days per week and has a staff of four. The library offers programs for children in the summer and contains a range of services including internet and computer access, photocopying, scanning, and services for readers with disabilities. The library also has an extensive collection of historical photographs of local residential schools for First Nations.

### **5.3 Education**

There is one school in Spanish, École Sainte-Anne, which is operated by the French language catholic school board (Conseil Scolaire Catholique du Nouvel-Ontario). The Town's public English language students are bussed to school in Blind River at the Blind River Public School and the WC Eaket Secondary School in Blind River. Many English-language students also go to St. Mary's School, a Catholic elementary school, in Massey since it is geographically closest. French-language high school students normally go to École Jeunesse Nord in Blind River.

### **5.4 Water Supply and Sewage**

The Provincial Policy Statement (2005) states that planning for water and sewage services shall direct and accommodate growth in a manner that promotes the efficient use of municipal sewage services, and that there shall only be lot confirmation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage and water systems. The Town of Spanish has municipally owned water and sewage disposal services. The Town has a permit to take water. The average water flow per year is 78,216,530 L per year, with a three year average flow of 103,036.4 L per year. The water use is running at 39.6% of its design capacity of 712,000 L per day (or 259,880,000 L per year). There is one planned expansion to the services to provide new services to Johnston Street. This would involve extending an existing sewer line and looping the water but it is uncertain as of this point whether money will be available for this desired project.

Figure 7: Water and Sewage Infrastructure

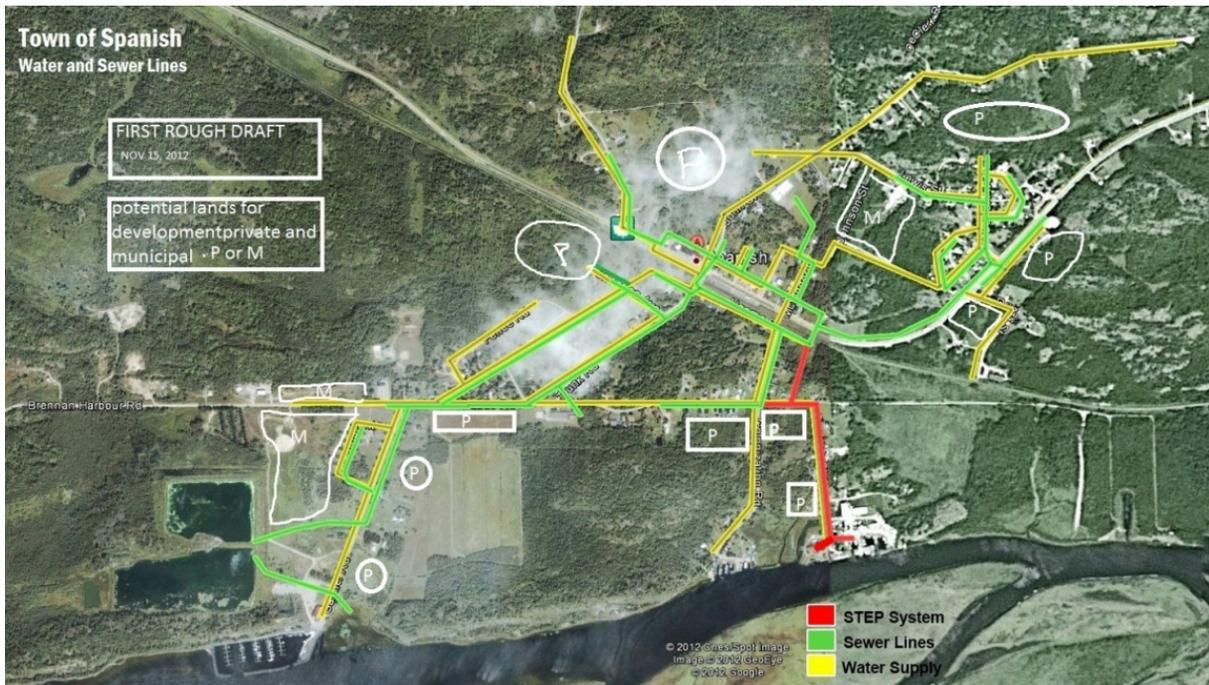
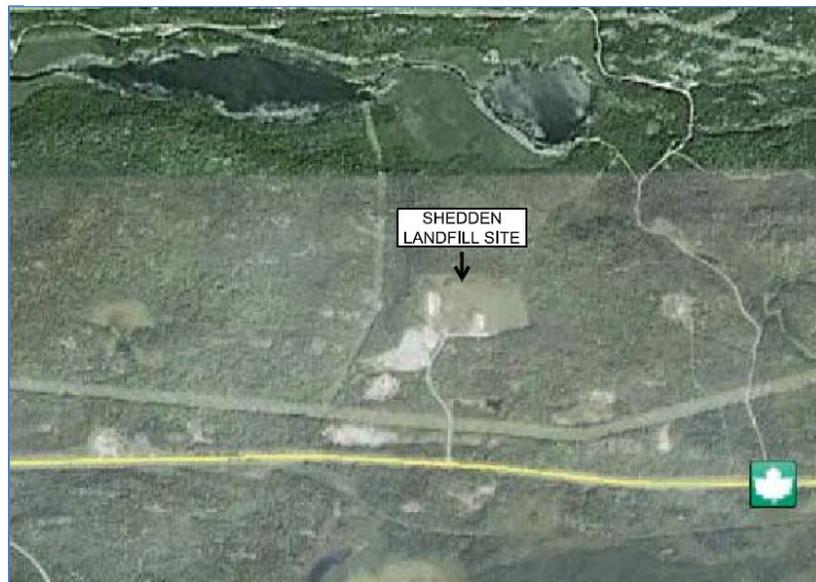


Figure 8: Location of Shedden Waste Disposal Site



The Town's sewage lagoon is located in the south and west portion of the urban settlement area close to the marina. It was designed to accommodate a population of 1600 persons. Currently the Town's population is 700 and the lagoons are being used at less than half of their capacity. There are no immediate plans to expand sewer services in the community. As shown on Figure 5, the sewer lines do not service the entire urban area of Spanish. It is proposed that future development proposals would drive any expansion plans in the future. The current sewage works program consists of maintaining the existing sewage lines. Development potential in Spanish has taken into account the existence of several parcels of land which could be easily serviced with the existing sewage infrastructure (see Table 7 and Figure 5). Figure 5 also shows the location of the "STEP" sewage disposal system which was installed in order to overcome topographical barriers to the reliability of sewage flows into the main system.

## 5.5 Waste Management

The Provincial Policy Statement (2005) requires that waste management systems be provided that are of an appropriate size and type to accommodate present and future requirements, and which facilitate, encourage and promote reduction, reuse and recycling objectives (Section 1.6.8.1). Furthermore, Section 1.7.1 of the PPS states that long-term economic prosperity is achieved by planning so that major facilities such as sewage treatment facilities and waste management systems are properly separated or buffered from sensitive land uses. Solid waste in Spanish is collected and sent to the Shedden Waste Disposal Site, which operates under the Ministry of the Environment (MOE) Provisional Certificate of Approval No A562301 (dated August 8, 1998). The approval is for a 6.5 hectare landfill site within a 35.5 hectare total site area. The site is located in part of Section 29 in the Former Township of Shedden, now in the Town of Spanish, and approximately 560 metres north of Highway 17. The site includes an engineered secure landfill (called the Industrial Landfill) and a non-engineered section which accepts household domestic wastes. The industrial section is closed, and contains 100,000 m<sup>3</sup> of non-hazardous solid industrial wastes. As of 2011, the landfill had an estimated remaining life of 37 years (2048) which is beyond the twenty year planning horizon of this Official Plan.

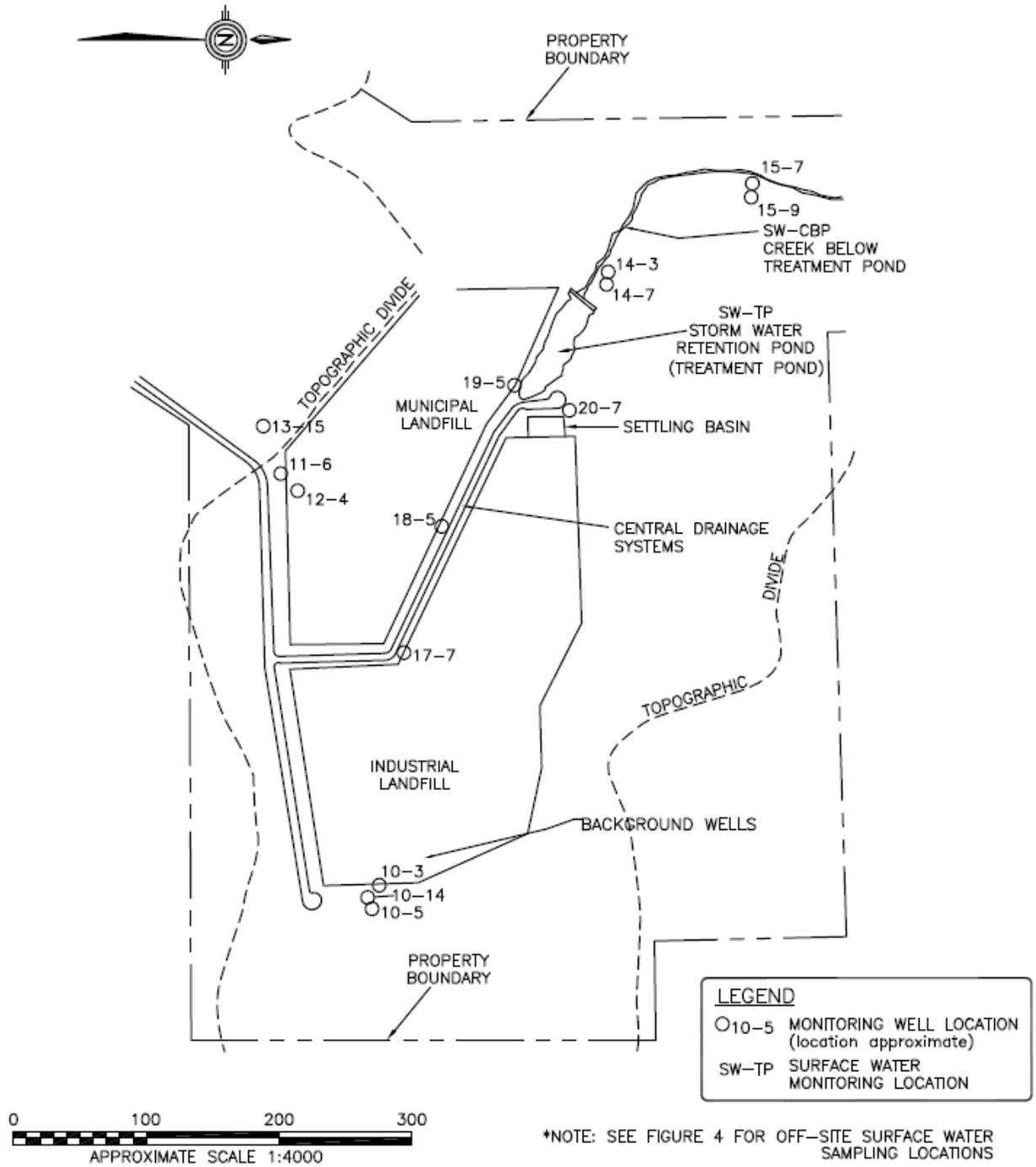
Several monitoring wells and surface water sampling points are located in the area surrounding the landfill site. Monitoring wells have found that water quality impacts occur only in the immediate downgradient areas, and that the site is generally operating as expected in terms of groundwater leachate.<sup>12</sup> Figure 8 shows the location of the Shedden landfill while Figure 9 shows the limits of the landfill area.

Based on this information, we are confident that the Spanish Waste Disposal Facility is appropriate in size and in type to meet the projected needs of Spanish over the planning period of the Official Plan.

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<sup>12</sup> exp Services Inc., *Town of Spanish 2011 Annual Water Quality Monitoring Report – Shedden Landfill*. (Sudbury: exp Services Inc., 2011).

Figure 9: Shedden Landfill Site Plan



**exp Services Inc.**  
 Sudbury Branch  
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PROJECT TITLE AND LOCATION:  
 Site Plan  
 Shedden Waste Disposal Site  
 Spanish, Ontario

PROJECT NO.:	SUEN00003115	DWN.:	SV
SCALE:	NTS	CHKD.:	TW
DATE:	APRIL 2012	FIGURE:	3

## **5.6 Rural Sewage and Water Services**

There are significant parts of the Town that are serviced with individual on-site sewage disposal and water systems. The new Official Plan will ensure that lot creation is only permitted where site conditions are suitable and where there is confirmation of sufficient reserve sewage system capacity which includes treatment capacity for hauled sewage from individual on-site sewage disposal systems (see Section 1.6.4.1 of the Provincial Policy Statement). Although municipal sewage services and water services are the preferred method of servicing development, individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services are not provided and where site conditions are suitable for the long-term provision of such services.

## **5.7 Transportation Systems**

The Town of Spanish has an extensive network of public roads, including municipal and provincial roads, in varying conditions. The Town provides year-round maintenance on most publicly owned roads. There are also a number of logging roads and private laneways in the Town which are not maintained by the Town and for which the Town is not responsible for.

The Provincial Policy Statement sets out policies for the protection of safe functions of transportation systems as well as the efficient use of those systems. The policies promote a land use pattern, density and mix of uses which reduce the length and number of vehicle trips and which support the development of viable choices and plans for alternative transportation modes.

Snowmobile trails operated under the auspices of local snowmobile clubs traverse the Town of Spanish.

The other transportation corridor in the Town is the Huron Central Rail Line which extends east to west across the municipality.

### **5.7.1 Provincial Highways**

Provincially owned and maintained roads within the Town are limited to Highway 17 (the Trans Canada Highway). Highway 17 is classified by the Ministry of Transportation (MTO) as a Class 2 Staged Freeway. The Ministry of Transportation permits access to Highway 17 via local or collector roads. The MTO permits direct access to Highway 17 from lots of record if their safety and operational requirements are met. No new commercial entrances are permitted except if the property was zoned for such use prior to the designation of the highway as a Class 2 Staged Freeway.

### **5.7.2 Municipal Roads**

The Town maintains a number of municipally owned and maintained roads. The Plan will set out that development is permitted where it fronts on a municipal road maintained year round by the Town. The Town owns and maintains a total of 29.6 kilometres of roads of which approximately 13.8 kilometres are

located in the rural area and the remainder (approximately 15.8 kilometres) are located in the urban settlement area. There are no planned extensions to the municipal road system. It is anticipated that any expansions to the public road network will be driven by proposals for development that do not have an undue negative financial impact to the Town.

The policies of the Plan will protect transportation corridors and rights-of-way to meet current and projected needs.

### **5.7.3 Other Roads**

A small network of logging roads and private lanes also exists in the Town. Logging roads are reflective of the resource-based economic activities that occur in the Town. These roads where known have been identified on the land use schedule to the Official Plan for informational purposes. It is the position of the Ministry of Municipal Affairs and Housing that development on private roads poses liability risks to municipalities should any accidents occur on such roads.

#### *Public Service Uses and Infrastructure Implications for the Official Plan*

##### *Sewage and Water*

In accordance with Section 1.6.1 of the PPS, infrastructure and public service facilities shall be provided in a co-ordinated, efficient and cost-effective manner to accommodate projected needs. Planning for new development will be integrated with the planning for new infrastructure and public service facilities. In order to be consistent with Section 1.6.2, the use of existing public service facilities and infrastructure should be optimized where feasible before consideration is given to developing new infrastructure and public service facilities. This will also satisfy the requirement of Section 1.1.3.8.

In accordance with the requirements of Section 1.6.4 of the Provincial Policy Statement, the Draft Official Plan should direct and accommodate expected growth in a manner that promotes the efficient use of existing municipal sewage and municipal water services. In accordance with Section 1.6.4.2, the Plan should include a statement that municipal sewage and water services are the preferred form of servicing in the urban settlement area: the intensification and redevelopment within the settlement area on such services should be promoted wherever feasible. The Plan should include a policy that ensures that new or expanded water and sewage services shall be sustained by the water resources upon which such services rely, and that they are financially viable and comply with all regulatory requirements and that servicing and land use considerations are integrated at all stages of the planning process. In accordance with Section 1.6.4.4, the draft Official Plan should contain policies for the creation of new lots which ensure that a suitable method of sewage disposal and water services can be provided. The Plan should include a policy that new development on private services is permitted for new lots only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. Determination of sufficient reserve sewage system capacity should include

treatment capacity for hauled sewage from individual on-site (septic) systems. Servicing via individual on-site sewage disposal and water services (septic systems and wells) should be permitted only where municipal water and sewage services are not provided and where site conditions are deemed suitable for the long-term provision of such services.

The Plan should state that partial services are only permitted where they are necessary to address failed, individual on-site sewage services and individual on-site water services in existing development, and within settlement areas to allow for infilling and rounding out of existing development that is already on partial services provided that development is within the reserve sewage system and water system capacity and that site conditions are suitable for the long-term provision of such services. This will satisfy the policy requirement of Section 1.6.4.5 of the PPS.

In accordance with Section 1.6.4.3 of the PPS, the Official Plan should set out the circumstances where servicing with private communal water and sewage services could be permitted.

The Plan should also include policies to promote water conservation and the efficient use of water.

### *Waste Management*

In accordance with Section 1.6.8 of the PPS, Spanish's waste management system is of an appropriate size and type to accommodate present and future requirements and to facilitate, encourage, and promote reduction, re-use and recycling objectives. Waste management systems shall be located and designed in accordance with Provincial legislation and standards. An influence area should be identified within 500 m of the waste disposal facility in order to identify an area within which negative land use impacts may be experienced for proposed development of sensitive land uses.

### *Transportation*

In order to be consistent with Section 1.6.5.1 of the PPS, the Town should ensure that transportation systems are provided which are safe, energy efficient and which facilitate the movement of people and goods, and which are appropriate to address projected needs. The Official Plan's policies should ensure the efficient use of existing and planned infrastructure (see Section 1.6.5.2 of the PPS). The Plan should also include a policy that promotes connectivity within and among transportation systems (see Section 1.6.5.3 of the PPS). In order to be consistent with Section 1.6.5.4 of the PPS, the Official Plan should promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and which support the development of viable choices for alternative methods of transportation such as cycling and walking.

In order to be consistent with Section 1.6.6.1 of the PPS, the policies of the Official Plan should protect corridors, rights-of-ways for transportation and infrastructure facilities to meet current and projected needs. To be consistent with Section 1.6.6.2 of the PPS, the Plan should not permit any development which would preclude or negatively affect the use of a transportation corridor for its intended purpose. The Official Plan should establish policies which prohibit lot creation that

requires direct access to Highway 17. Access should be permitted via local or collector roads. Access to lots of record should be permitted if the Ministry of Transportation's safety and operational requirements are met. New commercial entrances are prohibited unless the property was zoned for such use prior to the designation of the highway.

The Plan should reference the need to consult with the Ministry of Transportation for any development proposed within the permit control area and also when a home based business or industry is proposed adjacent to a Provincial highway. The Plan should also make reference to a traffic impact study or a lumination study, which may be required in some instances to satisfy the Ministry of Transportation's development criteria for developments adjacent to provincial highways.

In addition, the Official Plan should include a policy that encourages the preservation and re-use of abandoned corridors.

The Official Plan should not permit new private roads and should include a policy that Council is not responsible for providing municipal services on private roads and is under no obligation to assume a private road.

#### *Other Services*

The Official Plan should include a policy about the strategic positioning of future infrastructure and public service facilities to support the effective and efficient delivery of emergency management services, as well as the collocation of such public service facilities where possible to promote cost-effectiveness.

## 6 *Parks and Recreation*

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According to Section 1.5.1 of the Provincial Policy Statement, 2005, healthy and active communities are promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians and to facilitate pedestrian and non-motorized movement, including but not limited to walking and cycling, by providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including parklands, facilities, open space areas, trails and where practical, water-based resources. Healthy and active communities are also provided by providing opportunities for public access to shorelines and by considering the impact of planning decisions on provincial parks, conservation reserves and conservation areas.

Recreational facilities in Spanish include:

- An outdoor skating rink at Brennan Harbour Park;
- A sports field at Brennan Harbour Park;
- Two playgrounds – one at Brennan Harbour Park and one on Deagle Crescent;
- Boat launches – There are two boat launches where money is charged for their use, one at Almenara en el Rio Marina and Campground and another at the Town Marina. Both of these are on Lake Huron. There are also other boat launches on inland lake which are free to use;
- There is a community centre at the Four Seasons Waterfront Complex; and
- There is an unsupervised beach along the Spanish River.

In addition to these facilities, Spanish is blessed with a number of recreational opportunities both within and outside the urban settlement area. The 2.4 kilometre long Shoreline Discovery Trail begins at the marina and follows a high ridge of land westward providing incredible views of Lake Huron. Bird and wildlife watching is a popular activity given the abundance of natural habitats including the wetland at the mouth of the Spanish River. The abundance of water also means high quality fisheries for pickerel, bass and pike. The Town also includes numerous islands in Lake Huron's North Channel, which provides some of the world's best boating and sailing opportunities. Spanish has also become a popular departure point for sea kayaking trips in the North Channel.

It will be an objective of the Plan to provide parks, open spaces and recreational facilities in a manner commensurate with the needs of the population. The Plan will contain a "Parks and Open Space" designation in order to recognize places for passive recreation such as parks, lands used for conservation. Public beaches, public docks, cemeteries, as well as public or private recreation facilities will also be located in the Parks and Open Spaces designation. The Parks and Open Spaces definition will not include environmentally sensitive features requiring more significant environmental protections such as provincially significant wetlands, provincially significant wetlands and conservation areas. These features are discussed in Section 9.4 - Natural Heritage Features and Areas.

## 6.1 Restricted Open Space – Development on Lake Huron’s Islands

The current Official Plan designated all islands in Lake Huron as “Restricted Open Space”. The new Official Plan will continue to apply a “Restricted Open Space” designation to these islands. According to the old Official Plan, due to the difficulties in accessing these islands, it has been a policy of the Provincial Government not to release new patent lands, and to therefore keep the islands relatively untouched and unspoiled. This lack of development on these islands makes them attractive for boaters which is a significant opportunity for Spanish in terms of encouraging environmentally friendly tourism.

Any new development in the Restricted Open Space designation should be guided toward the goal of protecting natural features. It is the intent of the Official Plan that existing development rights should be recognized but that the islands should remain relatively unspoiled and wild. Any development on existing lots of record should be compatible with the objective of maintaining the area in its natural state. Existing lots of record should be zoned “Restricted Open Space (ROS) Zone” in the implementing Zoning By-law. Criteria for judging requested amendments from the ROS Zone should be set out in the Official Plan. Specifically, a by-law amendment request to the Lakeshore Development (LD) Zone should be required to permit development on an existing lot of record subject to zone standards such as the lot having a minimum lot area of at least 1 ha [2.47 ac] above sea level (178.4 m as well as a frontage of 100 m [328 ft] frontage requirements per lot. The standard 30 m [98.4 ft] setback requirement should be strictly adhered to. The Official Plan should also carry forth the Lakeshore Development land use designation from the existing Plan. We also recommend that the Plan include measures that require the maintenance of shoreline vegetation through site plan control on lots of record, and that an environmental impact study be required for developments on islands. An archaeological study will be required if consultation with the Ministry of Tourism and Culture determines a need or archaeological potential is determined through a screening process. The current Official Plan contains “Restricted Open Space Design Guidelines”, which include the following policies:

- That all environmentally sensitive areas such as wetlands, critical wildlife habitat and nesting areas, areas of aquatic vegetation or fish spawning habitat shall be excluded from development. Such areas to be determined by Council in consultation with the Ministry of Natural Resources and the property owner;
- Building locations are to be selected in order to minimize their visibility from more heavily travelled parts of the water body. Areas which are visually prominent from the water may be excluded as a building location. These areas may include high points of land, areas without vegetation and areas of high land;
- Lots proposed for development shall have a minimum area of 1 hectare and shall have a suitable building area which has been laid out to ensure maximum privacy from other lots and with minimum visibility from passing boats;
- Council will encourage the inclusion of areas of historic significance as part of parkland dedication under the provisions of the *Planning Act*;

- The implementing zoning by-law will establish minimum lot and building standards in accordance with the policies of this Plan;
- In order to more effectively control development, all of the land in the Restricted Open Space classification is hereby designated as a proposed site plan control area. The site plan control provisions under Section (41) of the Planning Act may be used to regulate building and dock locations and other matters as may be appropriate. The location of docks is subject to approval by the Ministry of Natural Resources.

We propose to keep these design guidelines and to modify them to make reference to the requirement that site and building design will reflect recommendations from an environmental impact study and to make reference to updated provincial legislation and policy where applicable. An archaeological study should also be required for development on islands, especially on lands that include the former Spanish Harbour Townsite.

### *Parks and Recreation Implications for the Official Plan*

In accordance with Section 1.5.1, the Official Plan should promote healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrian and facilitate pedestrian and non-motorized movement, including but not limited to walking and cycling. The Town of Spanish should promote the provision of a full range and equitable distribution of publicly accessible built and natural recreational settings, including facilities, parks, open spaces, trails and water-oriented resources. The Schedules to the Official Plan should identify provincial parks and conservation areas such as the Brennan Harbour Conservation Area within the “Parks and Open Spaces” designation. Planning decisions shall take into account potential impacts on these features. The Parks and Open Spaces designation should also be used to designate public recreation areas including beaches, boat launches, public docks and parklands.

The “Restricted Open Space” designation should continue to apply to islands in Lake Huron. In this designation, even development on existing lots of record should be carefully controlled through increased setbacks, lot areas and the use of site plan control in order to preserve the unspoiled character of the islands. Land division should not be permitted on islands in Lake Huron unless by amendment to the zoning by-law and submission of an environmental impact study completed to the satisfaction of the Town. Furthermore we propose that an amendment to the Official Plan (to the Lakeshore Development designation) should be required where there is proposed commercial development or a subdivision with more than three lots. A policy should also be included that states that a parcel of land on an island in Lake Huron cannot be divided beyond three lots by severance. A policy is needed to ensure that any new Crown land dispositions will be designated Restricted Open Space by default. The main uses of land in the Restricted Open Space designation should continue to be for passive recreational land uses, conservation uses and residential development on existing lots of record. Small scale development on lots of record and land division not exceeding three lots (for residential use) is permitted subject to the policies of the Plan and provisions in the Zoning By-law (including a re-zoning). The new Official Plan will

continue to outline a series of design standards for development on islands in Lake Huron such as the ones in Section 2.33 of the current Official Plan.

## ***7 Cultural Heritage and Archaeology***

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The Spanish area has been settled by humans for thousands of years. Human activities have been have made a significant impact on the landscape of the Town especially since the settlement of Europeans. Buildings, structures, burial grounds, buildings and other structures attest to the people that once inhabited Spanish and tell stories about how they once lived. As attested to in Chapter 1 of this report, Spanish's history is rich and there are many heritage resources of the community which may require protection.

The intent of the Provincial Policy Statement, 2005 is that "significant build heritage resources and significant cultural heritage landscapes shall be conserved". Built heritage resources means one or more significant buildings, structures, monuments, installations or remains associated with architectural cultural, social, political, economic or military history, and identified as being important to a community.

The Provincial Policy Statement states that "Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted".

### **7.1 Cultural Heritage Landscapes**

A cultural heritage landscape means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. Such an area is valued by a community, and is of significance to the understanding of the history of people or place. Archaeological potential refers to "areas with the likelihood to contain archaeological resources."

Figure 10: View from Shoreline Discovery Trail



The Plan should adopt objectives and policies for the conservation of significant cultural heritage landscapes. A cultural heritage landscape can be made up of heritage buildings, structures, ruins, trees, plantings, archaeological resources or other landscape features that illustrate a historical theme or are important to the community for historic reasons. An example of a cultural heritage landscape in Spanish could be the viewscape from the ridge that follows Lake Huron adjacent to the marina and upon which is located the Shoreline Discovery Trail. The Official Plan can for example protect this view from development proposals which would detract from the aesthetic and historic value the view provides to both residents and visitors to Spanish. Planning tools that are commonly used to protect such features include:

- Heritage conservation district policies, guidelines and studies;
- Area design guidelines;
- Height and setback restrictions/site plan control;
- Landscape impact assessments;
- Secondary plan policies or special areas;
- Special zoning by-laws with heritage criteria overlay;
- Subdivision agreements;
- Community improvement plans;
- Stewardship;
- Financial incentives
- Landscape conservation plans;
- Park area/corridor area management plans.

## 7.2 Built Heritage Resources

Built Heritage Resources are defined as *'one or more significant buildings, structures, monuments or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community'* (Provincial Policy Statement, 2005). The *Planning Act* and the *Ontario Heritage Act* provide several options for adopting policies and approval procedures for built heritage conservation. These include:

- Demolition control by-laws;
- Interim control by-laws;
- Subdivision agreements;
- Financial incentives such as Community Improvement Plans;
- Architectural Design Guidelines;
- Heritage property listing and designation provisions;
- Heritage conservation easements;
- Recognition/role of municipal heritage committee; and
- Grants and loans for heritage conservation.

The Official Plan should establish a framework for the designation of heritage buildings and sites. The Plan should set out policies for the requirement of archaeological impact assessments and heritage impact assessments in advance of approving certain developments. Both of these assessments must be carried

out by qualified professionals. Archaeological assessments must follow specific protocols and copies of the studies must be sent to the Ministry of Tourism, Culture and Sport (MTC) for their review. A heritage assessment does not have to be filed with the Ministry, although the municipality may make provision of this.

In addition, development and site alteration “may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved”.

The Ministry of Tourism, Culture and Sport keeps a database of over 5,000 protected heritage properties in the Province. To be included in this database, properties must be recognized or protected in one of the following ways:

- Designation by by-law under Part IV or Part V of the *Ontario Heritage Act*;
- Protected by a municipal heritage conservation easement;
- Owned by the Ontario Heritage Trust;
- Protected by an Ontario Heritage Trust conservation easement;
- Listed on the Ontario Heritage Bridge List;
- Protected by the federal *Heritage Railway Stations Protection Act*;
- Designated a National Historic Site; and/or
- Listed in the Canadian Register of Historic Properties.

There are no known designated heritage sites in the Town as of the writing of the Community Profile. The Town has made it known that it would like to look into designating certain properties of historical importance to Spanish. One of these would be the site of the former Aboriginal Residential School for boys. The former residential schools are an important aspect of the local history, and the Town does receive visitors especially former students and their families. The Official Plan should therefore provide the tools required so that Spanish can designate buildings and sites that are of historic importance to the Town.

### **7.3 Archaeological Resources**

There are about 20,000 known archaeological sites in Ontario, with 800 to 1,000 added per year as a result of archaeological investigations. Archaeological sites in Ontario include aboriginal hunting and fishing camps, ceremonial sites, spiritual places, villages, battlefields, remnants of pioneer cabins and cemeteries and shipwrecks. The municipality can obtain archaeological site locations and mapping for land use planning purposes and archaeological fieldwork under a Data Sharing Agreement with the Ministry of Culture.

*The Cemeteries Act* provides for the protection of burial sites in Ontario. A burial site is land containing human remains that has not been approved as a cemetery in accordance with the *Cemeteries Act* or any predecessor of it. Burial sites or artefacts associated with a burial site cannot be disturbed except on

instruction by a coroner or pursuant to a site disposition agreement. Any unmarked burial site that is discovered must be reported to the police or a coroner in addition to the Ministry of Tourism and Culture.

The Province sets criteria for determining archaeological potential, while municipal approaches achieving the same objective may also be used. Lands are considered to have archaeological potential if they meet specific criteria established by the Ministry of Tourism, Culture and Sport, such as proximity to water (existing or past water bodies), presence of topographic features, pockets of sandy soil in a clay or rocky area, distinctive land formations on a property, the presence of other known burial sites or cemeteries in the area, evidence of early Euro-Canadian settlement in the area, presence of historic transportation routes, local knowledge.<sup>13</sup> Shoreline or water-oriented development especially along the Spanish River and Lake Huron should be screened prior to the approval of development to ensure that significant cultural and archaeological resources are conserved in keeping with the Provincial Policy Statement. The Spanish River itself was used as a historic transportation corridor for First Nations peoples and early European explorers alike. Therefore it should be regarded as having archaeological potential. Where development is proposed on lands that have archaeological potential, a Stage 1 Archaeological Assessment should be required of the proponent.

Underneath these water bodies and along shorelines there is also the potential for marine archaeological resources. Marine archaeological resources might include several shipwrecks in Lake Huron.

Archaeological potential is confirmed through studies undertaken in accordance with the *Ontario Heritage Act*. When considering whether an area has archaeological potential, reference is made to Ministry of Tourism, Culture and Sport guidelines such as:

- "Standards and Guidelines for Consultant Archaeologists"; and
- "Engaging Aboriginal Communities in Archaeology"

#### **7.4 Adjacent Lands to Cultural Heritage Resources**

Lands adjacent to protected heritage properties are also protected in the Provincial Policy Statement (2005). Section 2.6.3 of the PPS makes provision for development and site alteration on adjacent lands provided that they are evaluated and it can be demonstrated that the heritage attributes of the adjacent protected heritage property will be conserved. The Official Plan can require mitigative measures and/or alternative development approaches in order to conserve the heritage attributes of the adjacent protected heritage property.

##### ***Cultural Heritage and Archaeology Implications for the Official Plan***

**Significant built heritage resources and significant cultural heritage landscapes should be protected in the new Official Plan in accordance with Section 2.6.1 of the PPS. Cultural heritage**

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<sup>13</sup> Ministry of Tourism, Sport and Culture, Programs and Services Branch, *Criteria for Evaluating Archaeological Potential*. (Toronto: Queen's Printer for Ontario, 2012). Retrieved January 4, 2013 from [http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/021-0478E-2/\\$File/TXT\\_0478E.htm](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/021-0478E-2/$File/TXT_0478E.htm)

resources can be a significant factor in encouraging tourism to Spanish and should be seen as instrument of economic development, as well as a tool for recreation, artistic expression and cultural and social awareness. The Official Plan should include policies for the identification and management of heritage resources and for their long-term protection and conservation. Where lands contain archaeological resources or areas of archaeological potential, development and site alteration should only be permitted where significant archaeological resources are conserved by removal and documentation or by preservation on-site. Where significant archaeological resources must be preserved on-site, only development and site alteration which maintains the heritage integrity of the site may be permitted, in order for the Official Plan to be consistent with Section 2.6.2 of the PPS. The Plan should include protocols for identifying heritage resources. Policies should protect archaeological and heritage resource sites that have been identified or areas that are determined to have archaeological potential. The Plan should require at least a Stage II archaeological assessment where subdivisions are proposed or where significant development or redevelopment is proposed on the shores of lakes and rivers. Where a development or change of use proposal is determined to impact a known cultural heritage or archaeological resource, it should be demonstrated that the impact will be mitigated. The Plan should include policies that protect marine archaeological resources where discovered.

In accordance with Section 2.6.3 of the PPS, development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property should be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

## ***8 Protecting Public Health and Safety***

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The Provincial Policy Statement (2005) seeks to reduce the potential for public cost or risk to Ontario's residents from natural and man-made hazards where there is an unacceptable risk to property or public health and safety. Hazards to human health and safety can include both naturally occurring hazards such as flooding or erosion or may include human-made hazards such as mine hazards, oil, gas and salt hazards or former mining and mineral aggregate extraction operations.

### **8.1 Natural Hazards**

Shoreline areas and significant slopes are normally associated with natural hazards such as flooding erosion. These same places are often the most desirable places for development due to the common desire to live near water. There are several lakes and rivers in Spanish which are appealing from a recreational standpoint, including the presence of shoreline along Lake Huron's North Channel. The presence of so much shoreline provides a significant opportunity for future waterfront oriented residential growth. There is a need to ensure that the Plan's policies adequately protect property damage caused by natural hazards such as flooding from these water bodies as well as from organic soils and other unsafe development conditions.

The Ministry of Natural Resources has identified a flood plain elevation for Lake Huron and portions of the Spanish River of 178.4 metres which will be reflected in the new Official Plan. Section 3.1.1 of the PPS states that development shall generally be directed to areas outside of hazardous lands adjacent to the shores of the Great Lakes, including flooding hazards, erosion hazards and/or dynamic beach hazards, hazardous lands adjacent to river or stream or small inland lake systems which are impacted by flooding hazards and/or erosion hazards, and hazardous sites. Hazardous sites include lands that are unsafe for development due to naturally occurring hazards such as unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography). Organic soils lack structure, erode easily and drain poorly and can be an impediment or constraint to construction. The construction of embankments, roadways or other types of structures and development across organic soils usually requires either the excavation and/or replacement of the organic material with engineered fill or the placement of fill on top of these soft compressible soil structure foundations. The economics of construction considerations often preclude total excavation and replacement; however the alternative of construction on top of these highly variable soft organic (and peat) deposits is usually complicated by the difficulties associated with the short term and long-term compression or settlement of the fill material as well as the potential presence of methane gas. Soil mapping for the Spanish region can be found at the Soil Surveys on Agriculture and Agri-Food Canada's website (<http://sis.agr.gc.ca/cansis/publications/on/index.html>). Within the Planning Area there are a number of deposits of 'organic' soil that have been mapped, most of which are currently designated as Environmental Protection on the existing Official Plan schedules.

Section 3.1.2 of the PPS states that development and site alteration is not permitted within:

- The dynamic beach hazard;
- Defined portions of the one hundred year flood level along connecting channels;
- Areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- A floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

Despite the above, development and site alteration may be permitted in certain features identified in Section 3.1.2 provided that development is limited to those uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows. This is consistent with Section 3.1.2 of the PPS which permits development in the vicinity of flooding hazards, erosion hazards and/or dynamic beach hazards where it is identified that the site has safe access appropriate for the nature of the development and the natural hazard.

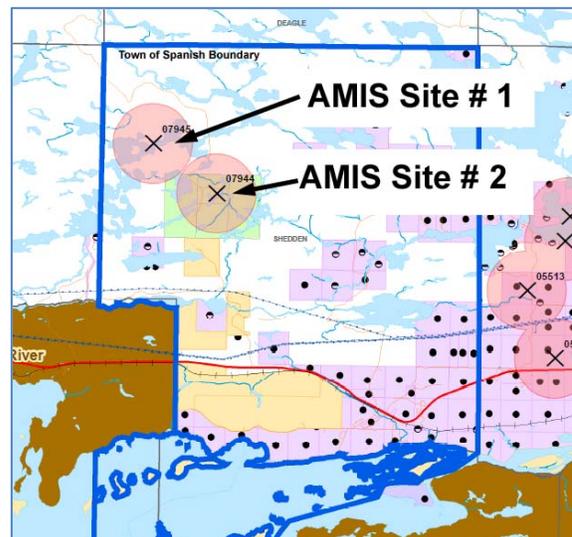
According to Section 3.1.4 of the PPS, development is not permitted in hazardous lands and hazardous sites where the use is an institutional use, an emergency service, or a use associated with the disposal, manufacture, treatment or storage of hazardous substances.

Section 3.1.5 of the PPS does not apply since the Plan uses a one-zone flood concept whereby flooding hazards refer to an entire flood plain as opposed to a two zone concept where some development is permitted in a flood fringe. Currently the Environmental Protection designation in the Plan protects hazardous lands from development. However, this designation is also used to protect natural heritage features and areas. We recommend that the Environmental Protection designation be renamed to the Hazard Lands designation, and that it only be used to identify and protect hazardous lands and hazardous sites.

## 8.2 Human Made Hazards

Hazards are not only a result of natural conditions and occurrences, but also include lands left unsafe for development due to past human activities. These hazards have the potential to cause physical harm to humans if the lands are not utilized properly or are not rehabilitated prior to their use. Such hazards may take the form of contaminated sites, brownfields, mine hazards, oil, gas and salt hazards, or hazards associated with mineral mining and mineral aggregate resource extractive operations. The Provincial Policy Statement stipulates that development on, abutting or adjacent to lands affected by mine hazards, oil, gas

Figure 11: Abandoned Mine Information System (AMIS) Sites



and salt hazards, or former mineral mining operations or mineral aggregate extractive operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed. Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

There are two known sites in Spanish on the Ministry of Northern Development and Mines' Abandoned Mine Information System (AMIS), which are shown on Figure 9. As shown on Figure 9, the sites include:

1. AMIS Site No. 1: Shedden Lake – Abandoned copper exploration trench, Lot 11, Concession 5, Former Township of Shedden;
2. AMIS Site No. 2 – Black Lake – Copper exploration vertical shaft – 1 compartment. Lot 9, Concession 4, Former Township of Shedden.

Lands within 1,000 metres of a mine hazard are considered to be 'adjacent lands'. Within this distance, development applications are screened through consultation with the Ministry of Northern Development and Mines to find out if any studies or rehabilitation measures are required.

### **Public Health and Safety Implications for the Official Plan**

In accordance with Section 3.1.1 of the PPS, the Official Plan should direct development to outside of hazardous lands adjacent to the shoreline of Lake Huron, inland lakes, river and stream systems which are impacted by flooding and/or erosion hazards and hazardous sites. In order to be consistent with Section 3.1.2 of the PPS, the Plan should not permit development in any area that would become inaccessible because of a flooding or erosion hazard unless it is demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Development should be prohibited in hazardous lands or hazardous sites except that development which is itself necessary to control flooding. In accordance with Section 3.1.3 of the PPS, only land uses which are required by their nature to locate in a floodway (i.e., flood and/or erosion control works, passive non-structural uses, etc.) may be permitted in such a flood hazard.

The Plan should set out a 178.4 metre flood level for Lake Huron which allows for a wave uprush.

The Official Plan should require a technical study to confirm the actual extent of a flood hazard for any proposed development or site alteration within the vicinity of a flood hazard. Development and site alteration should be permitted only if it is demonstrated that it will occur outside any flood hazard, and not on lands which are high points surrounded by a flood hazard. Under no circumstances will development of a sensitive land use, an essential emergency service or a use associated with the disposal, manufacture, treatment or storage of hazardous materials be permitted in a hazardous land or hazardous site (see Section 3.1.4 of the PPS).

The Plan should set out policies which require a detailed engineering study to support development proposals along the shoreline of Lake Huron, demonstrating that there will be no negative impacts posed by the proposed development.

As required by Section 3.1.6, applications for development for lands that have a history of contamination should be supported by a Phase I Environmental Site Assessment in accordance with the Environmental Protection Act. The policies should require a Phase II assessment where the need for such a study is identified the need for it (i.e., where contamination has been found). Also, prior to planning approvals for residential or other sensitive development, and where the Phase I and II ESA have identified contamination, the Plan should require a Record of Site Condition to be provided in accordance with the Environmental Protection Act and that is acknowledged by the Ministry of the Environment to confirm that the site has been remediated. The Plan should require that such acknowledgement to be provided to the Town.

Schedule B should identify the Waste Management Facility, and should identify a 500 metre influence area on lands adjacent to existing and prior waste disposal sites. The Plan should require that a study be undertaken to justify any development on lands adjacent to an opened or closed waste management facility that has not been rehabilitated. Studies should be in accordance with the Ministry of the Environment's D-Series Guidelines.

In accordance with Section 3.2.1 and 3.2.2, policies for protecting development from mine hazards should be included in the Official Plan. Development within 1000 metres of a mine hazard is permitted only if rehabilitation measures to address and mitigate known hazards are underway or completed, or that there be confirmation that the proposed development is not affected by a mine hazard. Rehabilitation as per the Mining Act is required. Known mine hazards should be shown on the Land Use Schedules of the Plan.

The Official Plan should continue to require noise feasibility and noise attenuation policies as the current Official Plan. Namely, the requirement that noise be investigated and proper mitigation measures be implemented to address noise from stationary or line sources such as highways, industries, and rail lines.

## **9 Physical and Natural Features**

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As part of creating a new Official Plan, consideration must be taken of the various physical and environmental features and components that make up the Town of Spanish. As such, the Ministry of Municipal Affairs has provided extensive background information through consultations with partner ministries such as the Ministry of Northern Development and Mines, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of the Environment, the and the Ministry of Natural Resources in order to obtain information related to agriculture, aggregates, minerals, fisheries, wetlands and other important natural heritage and environmental features.

### **9.1 Agriculture**

The Provincial Policy Statement states that prime agricultural lands shall be protected for long-term use. Prime agricultural areas are considered those with Classes 1 – 3 according to the Canada Land Inventory. According to the Ministry of Agriculture, Food and Rural Affairs, there are no prime agricultural areas in the Town. However, locally significant agricultural areas adjacent to Spanish's urban settlement area may be protected by the policies of the Official Plan. Policies, for example, might be included which prohibit or restrict consents on lands used for agricultural purposes unless the consent is also used for an agricultural purpose (i.e., for lots which have minimum lot areas that are conducive to agriculture).

While Spanish is not usually synonymous with the agricultural industry, a small pocket of farmland is found close to the marina. The particular pocket of farmland is small but it does not mean that the parcel does not have value for the present or for the future in terms of food security. Market gardens and farmers markets are increasingly popular and society is more interested in eating products raised closer to home. The Town should consider policies that protect this resource for future agricultural use as well as policies that in general encourage residents to engage in small-scale agriculture such as the marketing of products from gardens and support for the establishment of community gardens.

### **9.2 Mineral Aggregates**

Mineral aggregate resources include sand and gravel resources used in the construction industry and extracted via pits and quarries. Section 2.5.1 of the Provincial Policy Statement (2005) intends to protect mineral aggregate resources for their long-term use. Section 2.5.2.1 of the PPS requires as much of the mineral aggregate resources as possible to be made available as close to markets as possible. According to Section 2.5.2.2 of the PPS, extraction shall occur in a way that minimizes negative social and environmental impacts. Section 2.5.2.3 requires that the conservation of mineral aggregate resources be promoted by making provision for the recovery of these resources where feasible. It is a policy of Section 2.5.2.4 of the PPS that mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations are

permitted to continue without the need for an official plan amendment, re-zoning or development permit under the *Planning Act*.

There are 7 mineral aggregate extraction pits/quarries in the Town of which two are licensed and 5 have aggregate permits. These are spread across three particular areas, including:

1. Bill's Excavating – Class A License, Pit and Quarry, Section 36
2. Bill's Excavating – Aggregate Permit, Pit and Quarry, Section 34
3. Bill's Excavating – Aggregate Permit, Pit and Quarry, Section 34
4. Town of Spanish – Aggregate Permit, Pit, Section 34
5. 844238 Ontario Ltd – Class B Pit, Section 34
6. Town of Spanish – Aggregate Permit, Section 29
7. Morris Sanftenberg Construction Ltd – Aggregate Permit, Section 29

The locations of the above pits and quarries are shown on Figure 10

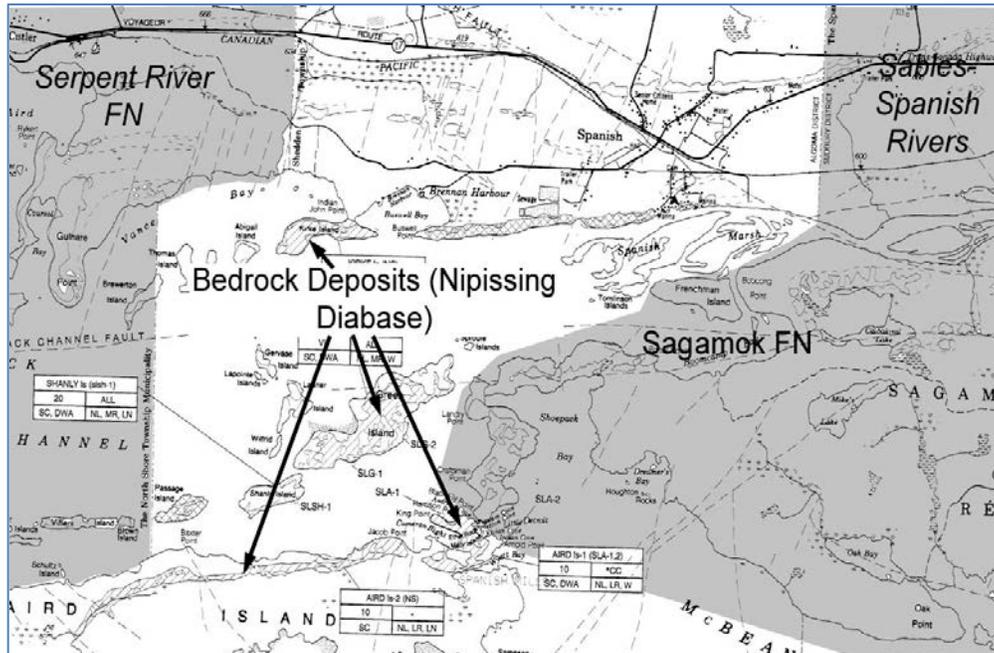
Figure 12: Location of Pits and Quarries



Section 2.5.2.5 of the PPS states that in areas adjacent to or in known mineral aggregate deposits, development and activities that would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if the resource use would not be feasible, if the proposed land use or development serves a greater long-term public interest and if issues of public health, public safety and environmental impact are addressed. A number of areas have been identified within the Town which have potential for mineral aggregate resource extraction. Local resources of Provincial interest include primary and secondary quality sand and gravel resources as well as bedrock deposits (i.e., Nipissing Diabase quarry material). Background material provided for the purposes of identifying this material includes the *Industrial Mineral Resource Assessment of the Nipissing Diabase, Highway 17 Corridor from Massey to*



Figure 14: Bedrock Deposits (Nipissing Diabase)



The Township of Shedden was designated under the *Aggregate Resources Act* on January 1, 2007. Consequently, all mineral aggregate extraction shall occur in compliance with this Act. Applicants are required to obtain licenses from MNR on patented land or permits for operations on Crown Land. Licenses do not generally contain conditions that pertain or address off-site impacts (i.e. noise, dust, haulage routes); consequently, the Official Plan should contain policies for development adjacent to active pits and quarries to ensure that impacts are appropriately mitigated. Development on and adjacent to known deposits of mineral aggregate resources should be avoided to ensure that the integrity of the resource is protected for future extraction.

### 9.3 Mining

The policies of Section 2.4.1 of the Provincial Policy Statement (2005) protect mineral and petroleum resources for their long-term use. Likewise, mineral mining operations are protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Also, in areas that are adjacent to or in known mineral deposits or known petroleum resources and in significant areas of mineral potential and significant areas of petroleum potential, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- The resource use would not be feasible; or
- The proposed land use or development serves a greater long-term public interest; and
- Issues of public health, public safety and environmental impact are addressed.

Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be completed where feasible.

Investigations by the Ministry of Northern Development and Mines into the Town have been undertaken for lands within the Town of Spanish. The predominant mineral that has been found in Spanish is copper, although gold and uranium have also been found in the Town<sup>17</sup>. An area of the Town halfway between the Townsite and the northern Town boundary have been identified as having high mineral potential corresponding with the copper deposits shown by the previously mentioned research (see Appendix 1).

## 9.4 Natural Heritage Features and Areas

Spanish is immensely rich in natural heritage. The Town's lakes, rivers, forests, animal habitats, species and natural areas makes Spanish a unique community and provides ample opportunity for recreational engagement and economic development. Spanish benefits from the presence of many areas of land and shoreline that remain pristine and untouched.

Section 2.1 of the 2005 Provincial Policy Statement contains policies for the protection of natural heritage features and areas for the long-term. These areas make up the Town's natural heritage system and include significant habitat of endangered or threatened species, significant wetlands and significant coastal wetlands, significant wildlife habitat, significant areas of natural and scientific interest (ANSI's), and fish habitat.

Section 2.1.2 of the PPS requires the diversity and connectivity of natural features in an area, and their long-term ecological function and biodiversity of natural heritage systems, to be maintained and restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features.

According to Section 2.1.3 and 2.1.4 of the PPS, development and site alteration shall not be permitted in significant wetlands, significant wildlife habitat, significant areas of scientific interest (ANSIs), fish habitat or the significant habitat of endangered and threatened species. In Spanish, the islands in the Spanish River delta as well as certain portions of the mainland on the north shore of the river have been identified as a Provincially Significant Wetland (the Spanish River Delta Provincially Significant Wetland) due to the rich ecological services provided to wildlife at the delta and the presence of environmentally sensitive sites. Only 5% of the wetland has been lost to waterfront development<sup>18</sup>. There are several known areas of habitat of endangered and threatened species in Spanish which have been identified by the Ministry of Natural Resources including Blanding's turtle, snapping turtle, milksnake and lake sturgeon. A deer yard (significant wildlife) habitat area has been identified on the Land Use Schedules to the north and east of the town site. Type one fish habitat has also been identified along several areas of the shoreline of Lake Huron and other water bodies. Lakes identified as coldwater lakes should be identified on the Schedules to the

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<sup>17</sup> Ministry of Northern Development and Mines, *Town of Spanish Bedrock Geology and Mineral Deposits* (Toronto: Queen's Printer for Ontario, 2012).

<sup>18</sup> Environment Canada, *Canada's RAP Progress Report 2003, Spanish Harbour*. (2003) Retrieved January 22, 2013 from <http://www.ec.gc.ca/raps-pas/default.asp?lang=en&n=d91bd30f-1&offset=4&toc=show>

Official Plan since they require more stringent protections from development. This is due to their higher dissolved oxygen content (at least 7 parts per million) that is conducive to the reproduction of lake trout. Known lake trout lakes include Clear Lake and Kecil Lake. Publicly available mapping of natural heritage features and areas is shown on Appendix 3 to this report. Sensitive data on the specific habitats of certain endangered and threatened species should not be shown on the schedules.

Development and site alteration may only be permitted in significant wildlife habitat and significant areas of natural and scientific interest where it has been demonstrated that there will be no negative impacts on the natural features or their ecological function. Development is not permitted in fish habitat unless in accordance with provincial and federal requirements according to Section 2.1.5 of the PPS.

According to Section 2.1.6 of the PPS, development and site alteration is not permitted on adjacent lands to significant habitat of endangered and threatened species, significant wetlands and coastal wetlands, significant wildlife habitat and areas of natural and scientific interest unless the ecological function of these adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural heritage features or on their ecological functions. According to the PPS, "adjacent lands" are defined as *"those lands which are contiguous to a particular natural heritage feature or area where it is likely that development or site alteration would have a negative impact. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objective"*. The Ministry of Natural Resources publishes information on adjacent lands in the *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement*.<sup>19</sup> Specifically, the adjacent lands for natural heritage features and areas identified in the PPS and to be included in the Official Plan include:

- Significant habitat of endangered and threatened species → 120 m;
- Significant wetlands and significant coastal wetlands → 120 m;
- Significant wildlife habitat → 120 m;
- Significant areas of natural and scientific interest – life science → 120 m;
- Significant areas of natural and scientific interest – earth science → 50 m;
- Fish habitat → inland lake trout lake (at capacity) on Canadian Shield – 300 m/all other fish habitat – 120 m.

Therefore, development proposals within these adjacent lands distances will be evaluated to ensure that there is no negative impact on any of the identified features above.

Spanish is home to the Spanish River Delta Provincially Significant Wetland which is located at the mouth of the Spanish River and is a home for many species of fish and wildlife. Spanish is also home to the 223 hectare Brennan Harbour Conservation Reserve, which was established through Ontario's Living Legacy program as a protected area along the Serpent River. Within this reserve are unique bedrock landforms supporting poplar, tamarack, white pine and balsam fir forests. An ancient lakebed formation in the reserve

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<sup>19</sup> Ontario Ministry of Natural Resources, *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005, Second Edition* (Toronto: Queen's Printer for Ontario, 2010), p. 42.

is home to old growth poplar stands, grassy meadows, alder swales and wetlands. There are also forests of white birch, tamarack and white pine within the reserve. The intent of establishing the conservation reserve is not only to protect these features but to continue to permit traditional recreational activities such as hiking, skiing and nature appreciation that do not have a negative impact on the natural features requiring protection. Hunting and fishing is also permitted within the conservation reserve. Commercial timber harvesting, mining, aggregate extraction and commercial hydroelectric development are prohibited in conservation reserves; however, careful mining exploration may occur.<sup>20</sup>

## **9.5 Water – Protecting our Lakes and Drinking Water**

A significant part of the appeal of Spanish lies in the presence of lakes and rivers upon which visitors and residents build seasonal homes where they can enjoy recreational amenities such as swimming, boating, and fishing. In order to maintain and enhance Spanish's attractiveness for shoreline residential land uses the Plan needs to prioritize the protection and enhancement of the Town's lake and river environments.

### **9.5.1 Lakeshore Development**

The new Official Plan should continue to include a Lakeshore Development Area designation which should include lands along water bodies where shoreline development can reasonably be expected or which currently exists. The existing Lakeshore Development Area in the old Official Plan includes lands along the shore of Lake Huron west of Grenier Road. We recommend that this designation include all existing and potential waterfront residential development in the Town. This should include portions of the Lake Huron shoreline and on portions of Lang, Fryer and Kecil Lake that currently have shoreline development as well as areas of shoreline in the Town where there is potential for future waterfront residential development. The designation should continue to permit shoreline residential of a permanent and seasonal nature, as well as tourist commercial uses. It should continue to be the intent of this designation that development occur mostly by registered plan of subdivision. The conditions of development in the Lakeshore Development Area will continue to resemble the current Official Plan (see Section 2.33 of the Shedden Official Plan. Cross references to other relevant sections of the Plan should also be added to this section in addition to the policies described below.

Stringent policies are required to protect sensitive lakes and lakes which have lake trout populations. As we noted above in Section 9.4 - Natural Heritage Features and Areas, lakes which have reached their development capacity or which are `cold water lakes` conducive to the reproduction of lake trout require more stringent development controls. While no "at-capacity" lakes have been identified as of writing, information provided by the Ministry of Natural Resources suggests that Kecil Lake *may* be at-capacity. Given the presence of such concerns, future development should be evaluated carefully to (1) identify whether Kecil Lake is in fact at-capacity for new development, (2) what the remaining capacity for development on Kecil Lake is, and (3) how development should occur on Kecil Lake or any other water body that is considered to be "at-capacity" for new development. In accordance with criteria established by

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<sup>20</sup> Ontario Ministry of Natural Resources, *Ontario's Living Legacy: Brennan Harbour Conservation Reserve (C229) Fact Sheet*, (Toronto: Queen's Printer for Ontario, 2001).

the Ministry of the Environment for development adjacent to (within 300 metres) of an at-capacity water body and for lakes which are considered to be lake trout lakes, new lot creation and other planning approvals should only be permitted if:<sup>21</sup>

- The application is to separate existing habitable dwellings, each of which is on a lot capable of supporting a Class 4 sewage disposal system, provided that the land use would not change and there would be no net increase in the phosphorous loading to the lake;
- Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or
- Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lakes.

Any and all development adjacent to a lake trout lake or a lake that is at-capacity should be reviewed according to the requirements of the *Lakeshore Capacity Assessment Handbook*.

The policies for development in the Lakeshore Development Area should also reflect good shoreline management principles such as the maintenance of shorelines in their natural state while providing for environmentally and aesthetically appropriate shoreline access corridors. The Official Plan should provide for a 30 metre setback for any and all shoreline development (including septic systems) from the Town's water bodies as it reflects best management practices for shorelines. The establishment of a natural vegetation buffer within this setback is critical for maintaining healthy shoreline habitat. Shorelines are where fish spawn, insects (which fish eat) mate, where birds nest and where turtles lay eggs. Mammals on the land also congregate along the shorelines since it is closest to their source of drinking water. When development is not carefully planned for and where it disturbs these features, it affects all of these organisms<sup>22</sup>, this is why the shoreline is often referred to as a "ribbon of life". Approximately 70% of land-based animals (and 90% of aquatic plants and animals) rely on this critical area.<sup>23</sup> Lakes where shoreline vegetation is cleared in favour of lawns are more susceptible to issues related to eutrophication and diminished water quality (see Figure 15 and Figure 16). Fewer root systems means less filtration of runoff water and sediments from sewage disposal systems (see Figure 16). It also prevents erosion of shoreline areas and provides much needed shade for fish and other species that frequent shoreline areas (see Figure 17). Lower water quality translates into poor fish habitat and a reduced appeal to tourists (See

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<sup>21</sup> Ontario Ministry of the Environment, *Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes on Ontario's Precambrian Shield* (Toronto, Queen's Printer for Ontario, 2010),

<sup>22</sup> For more on the importance of a healthy shoreline buffer, see:

Peterborough Greenup, *Restoring Healthy Shorelines Fact Sheet* (Peterborough: Peterborough Green-Up, 2012). Retrieved May 10, 2012 from [http://www.lakeland.greenup.on.ca/documents/Restoring\\_Healthy\\_Shorelines.pdf](http://www.lakeland.greenup.on.ca/documents/Restoring_Healthy_Shorelines.pdf) ;

District of Muskoka, *Shoreline Vegetative Buffers* (Bracebridge: District of Muskoka Planning and Economic Development Department, 2003). Retrieved May 11, 2012 from <http://muskoka.fileprosite.com/content/pdfstorage/242E1CAE790B44909DA3DE98C8D79462-ShorelineVegetationBuffers.pdf>

Department of Fisheries and Oceans and Cottage Life Magazine, *The Shore Primer: A Cottager's Guide to a Healthy Waterfront* (Burlington & Toronto: Fisheries and Oceans Canada, and Cottage Life Magazine, 2008). Retrieved May 11, 2012 from [http://www.dfo-mpo.gc.ca/regions/central/pub/shore-rivages-on/pdf/shore-rivages-on\\_e.pdf](http://www.dfo-mpo.gc.ca/regions/central/pub/shore-rivages-on/pdf/shore-rivages-on_e.pdf)

<sup>23</sup> District of Muskoka, 2003; and Kipp, S. And C. Callaway. *On the Living Edge: Your Handbook to Waterfront Living* (Ottawa: Rideau Valley Conservation Authority, 2003)

Portland Water District, *Lakes Like Less Lawn* (Portland, ME., Portland Water District, 2004). Retrieved May 11, 2012 from [http://www.pwd.org/pdf/water\\_resources/LLL.pdf](http://www.pwd.org/pdf/water_resources/LLL.pdf)

Figure 15). Given the critical importance of both fisheries and tourism to the Township, as well as the value to residents of a healthy environment, we recommend that policies be established to prevent the removal of a natural vegetation buffer adjacent to shorelines when considering new development. The 30 meter setback has been recommended as a natural vegetation buffer since 1974 when the Ministry of Natural Resources and the Ministry of the Environment formed a joint committee to look for precautionary measures to protect lakes. A 30 meter setback was recommended to apply to cottages and sewage disposal systems. According to a study by the District of Muskoka, there has since been broad consensus from a variety of scientific studies that 30 meters was the best buffer distance in order to protect fish and other wildlife habitat. We support the establishment of a 30 meter buffer between newly constructed cottages or permanent homes, and for sewage disposal systems. Exceptions can be made for a “shoreline activity area”, which is discussed below. Where this setback is not possible to be achieved, a study can be undertaken to justify a decreased setback. Within this setback, we support policies which require vegetation to be maintained, providing for a shoreline activity area (discussed next). Site plan control or a Development Agreement under Section 51(26) of the *Planning Act* may be used to implement these measures.

Figure 15: Impact of Lawns on Lake Environments

(Source: Department of Fisheries and Oceans and Cottage Life Magazine, 2008)

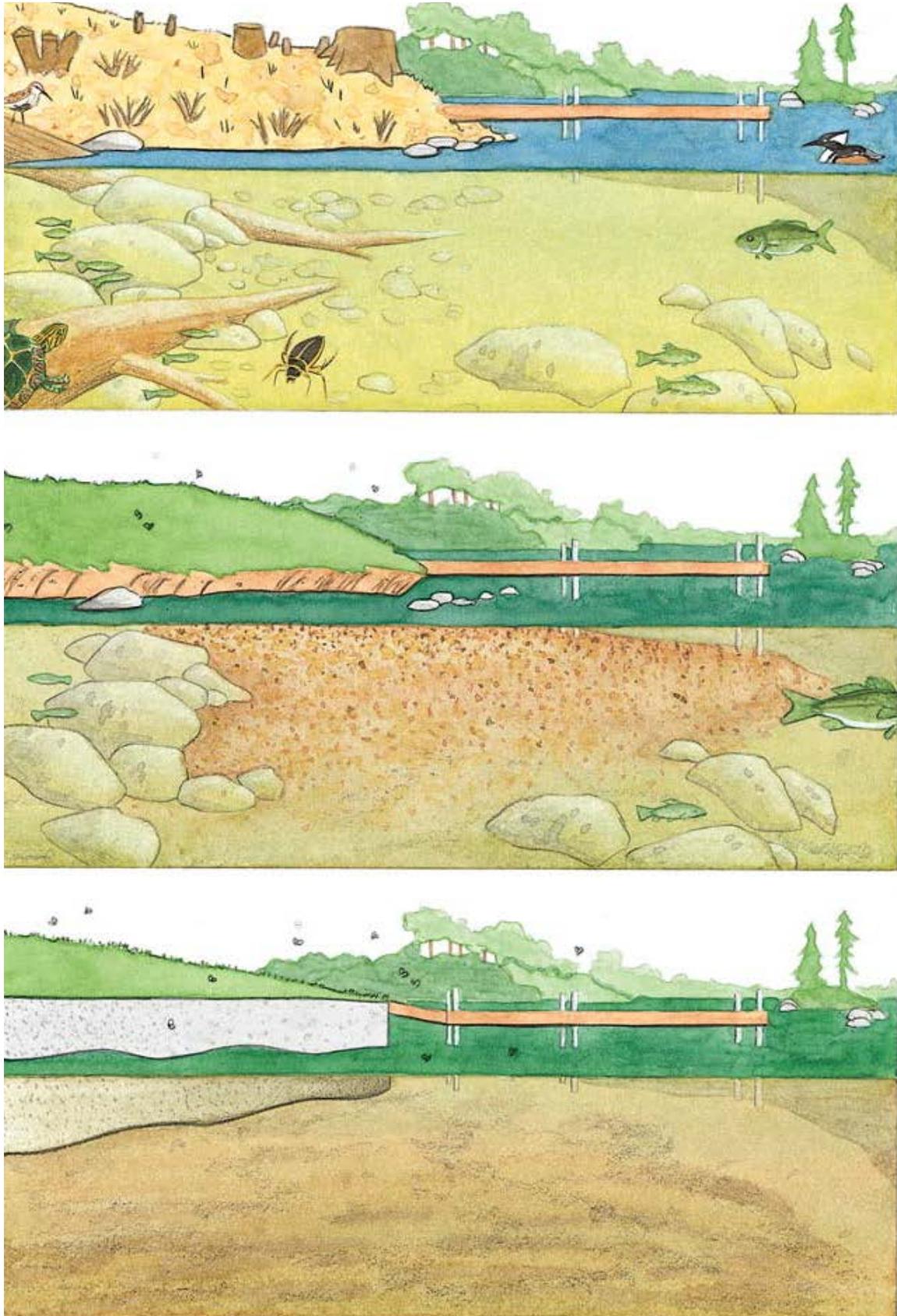
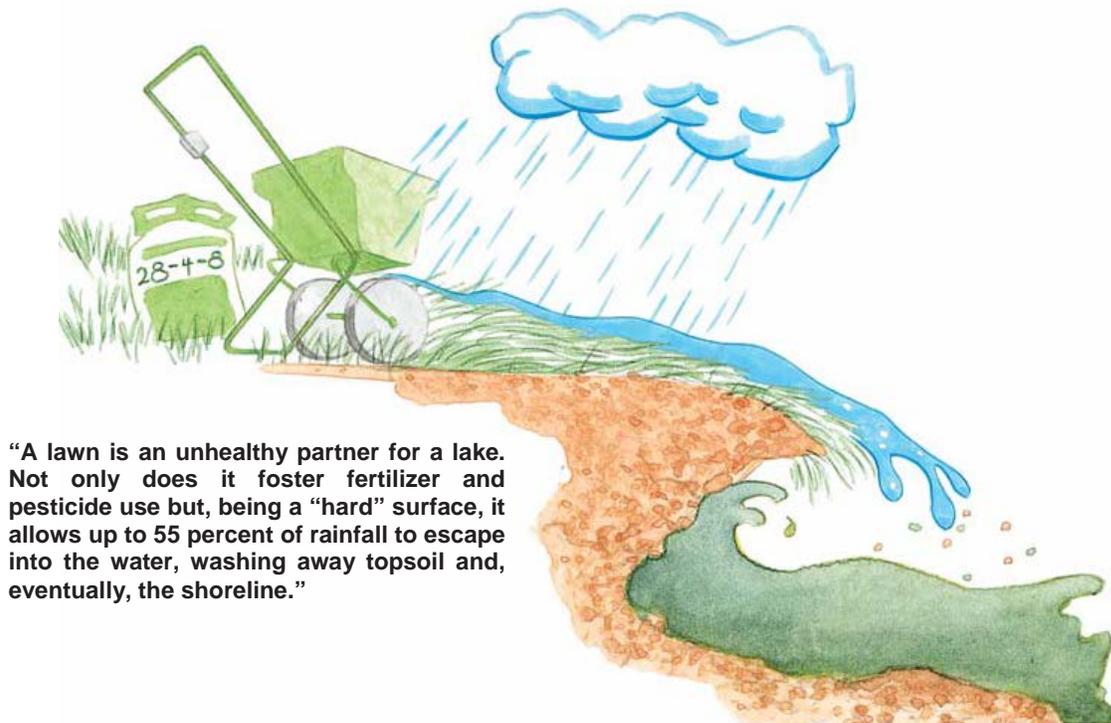


Figure 16: Impact of Lawns on Lake Environments

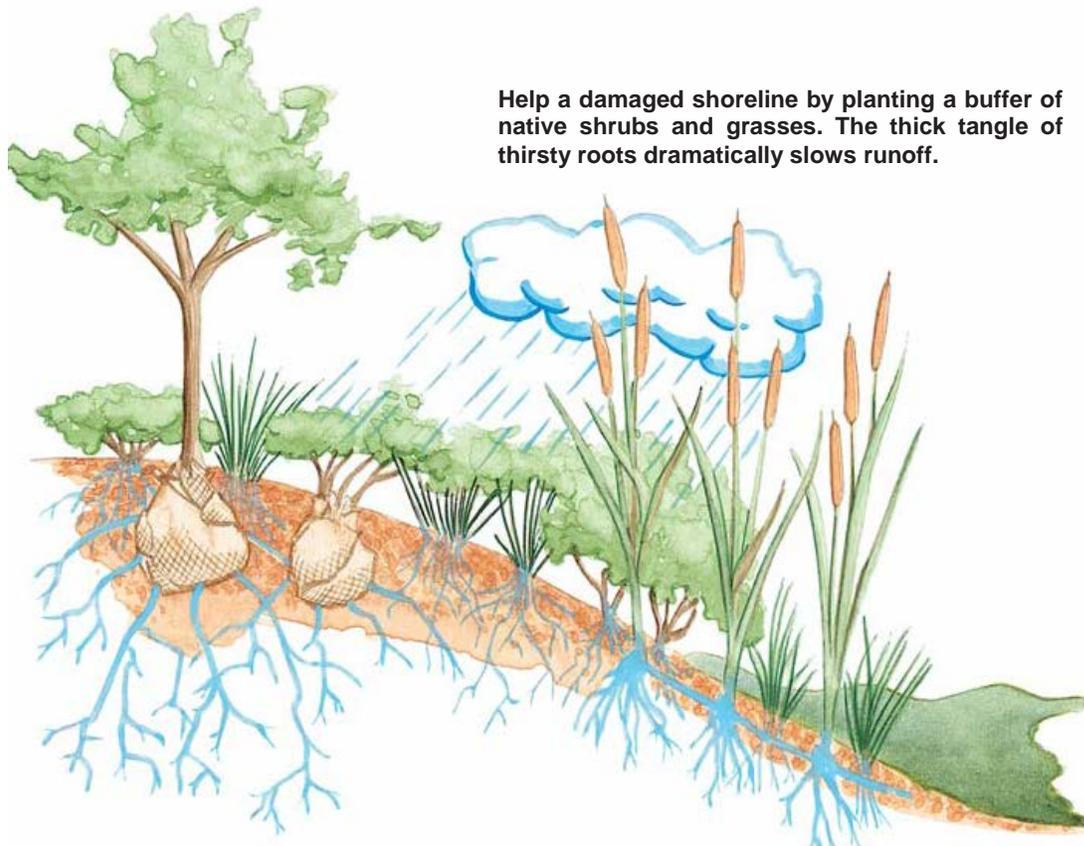
(Source: Department of Fisheries and Oceans and Cottage Life Magazine, 2008)



**“A lawn is an unhealthy partner for a lake. Not only does it foster fertilizer and pesticide use but, being a “hard” surface, it allows up to 55 percent of rainfall to escape into the water, washing away topsoil and, eventually, the shoreline.”**

Figure 17: How Shoreline Vegetation Helps

(Source: Department of Fisheries and Oceans and Cottage Life Magazine, 2008)



**Help a damaged shoreline by planting a buffer of native shrubs and grasses. The thick tangle of thirsty roots dramatically slows runoff.**

A shoreline activity area is an area that may be cleared within the natural vegetation buffer, in order to provide access to shoreline lots. Within the shoreline activity area, lands may be used for locating accessory buildings or structures which need to be located near the water (i.e., a boathouse or a dock), and may be used for swimming, boat launching or other lake-related recreational activities. For example, an application to create a new shoreline residential parcel of land may be approved, subject to the condition that an agreement be entered into providing for the maintenance of shoreline vegetation. A pathway constructed of environmentally benign materials (i.e., woodchips) is permitted, and a shoreline area such as a beach or a dock would also be permitted up to a limited amount of a shoreline lot's frontage on the water (e.g., 20% of the frontage). Tree clearing is permitted only for pruning and to create a small view corridor. This results in more attractive shoreline scenery and makes the Township a more appealing place to live (see Figure 18).

Figure 18: Modified versus Healthy Shoreline<sup>24</sup>



<sup>24</sup> Image Source: Maine Department of Environmental Protection, *Shoreline Landscaping for Lake Protection*, 2012. Retrieved May 11, 2012 from <http://www.maine.gov/dep/land/watershed/bufa.html>

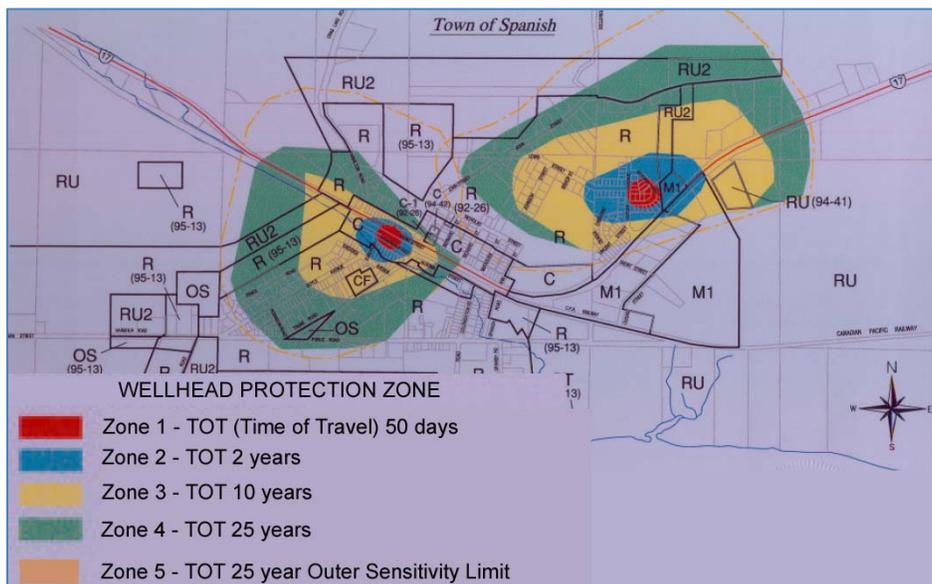
The Official Plan should also state Council's intent in protecting waterbodies, and in exploring ways of improving water quality (e.g., pursuing municipal by-laws to restrict the use of fertilizers and pesticides).

We also support the inclusion of policies that facilitate the undertaking of lake management plans by lake and cottagers associations in order to support lake specific water quality and ecological management goals of lake users.

### 9.5.2 Ensuring Safe and Clean Drinking Water

Section 2.2.1 of the Provincial Policy Statement (2005) requires planning authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for planning and by minimizing potential negative impacts to the water supply. Planning authorities shall also identify surface water features, groundwater features, hydrologic functions and natural features and areas which are necessary for the ecological and hydrological integrity of the watershed, and shall implement necessary restrictions on development and site alteration to protect municipal drinking water supplies and designated vulnerable areas. Two Wellhead Protection Areas are located in the urban settlement area and are shown on Figure 19.

Figure 19: Wellhead Protection Area



Planning authorities shall also promote the efficient and sustainable use of water resources and shall promote water conservation practices. It shall be ensured that stormwater management practices minimize stormwater volumes and contaminant load and maintain or increase the extent of vegetative and pervious surfaces.

### 9.5.3 Protecting the Spanish River Harbour

Under the Canada-United States Great Lakes Water Quality Agreement in 1987, the Spanish Harbour was designated as an “Area of Concern”, a site where the environmental quality is degraded and beneficial uses are impaired. Environment Canada, the Ontario Ministry of the Environment, the Anishnabek/Ontario Fisheries Resource Centre, Fisheries and Oceans Canada, fishing and hunting clubs, Friends of the Spanish River, local industry, the Ontario Ministry of Natural Resources and the Sagamok Anishnawbek Fisheries Department all collaborated to come up with a Remedial Action Plan which has been implemented with the goal of improving the environmental quality of Spanish Harbour. Spanish Harbour was identified as an area of concern due to contamination from historic log driving operations and discharge from the Domtar Inc. Eddy Specialty Papers’ mill in Espanola. Pollution also originates from historic mining activity in the Sudbury basin further upstream. Significant progress has been made in removing contaminants and repairing environmental damage. Of nine impairments that were originally identified, six have been completely restored. “The remaining use impairments include sport fish consumption restrictions due to mercury, degraded benthic communities in the Spanish Harbour and dredging restrictions related to elevated metal (nickel, copper, zinc) in the river and harbour sediments”.<sup>25</sup> According to a 2010 progress report, all remaining challenges are related to metal contamination and are being addressed through provincial programs. A modelling study indicated that it could take up to 40 years for the natural recovery of the Spanish Harbour ecosystem to occur if reductions in upstream sources are reduced<sup>26</sup>. It is well understood that wetlands provide important environmental services such as the filtration and cleaning of water and the provision of habitat for a wide range of land-based and aquatic species. Therefore it is imperative that the Town continue to play a role in ensuring that land development adjacent to the Spanish River and the Lake Huron Shoreline respect those environmental features that our survival depends upon.

#### *Agriculture Implications for the Official Plan*

Policies should be included in the Plan to permit agricultural uses in the rural area and to protect agriculture from conflicting land uses. The Official Plan should include policies that require new development to comply with the Minimum Distance Separation (MDS) Formulae. The Plan should encourage support for local agricultural products and should encourage the establishment of community gardens.

#### *Aggregate Resources Implications for the Official Plan*

The Official Plan should contain policies that protect the pockets of mineral aggregate resources that exist in the Town for their long-term use as per Section 2.5.1 of the PPS. The Official Plan should set out policies ensuring that extraction occurs in a safe and environmentally safe manner, as required by Section 2.5.2.2 of the PPS. Policies are required that provide for the recovery of

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<sup>25</sup> Environment Canada, Ibid.

<sup>26</sup> Environment Canada, Ontario Ministry of the Environment, *Spanish Harbour Area in Recovery – Status of Beneficial Use Impairments* (Toronto: Queen’s Printer for Ontario, 2011), pp. 1-3.

mineral aggregate resources where possible (see Section 2.5.2.3 of the PPS). Mineral aggregate deposits should be protected from activities that would preclude or hinder the establishment of new operations or access to the resources unless the resource use is shown not to be feasible, the proposed development or land use serves a greater long-term public interest and issues of public health, public safety and environmental impact area addressed, as required by Section 2.5.2.5 of the PPS.

As required by Section 2.5.2.4 of the PPS, policies are also required that protect existing mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact.

The policies of the Plan should include the requirement that all extraction be undertaken in compliance with the *Aggregate Resources Act*. In accordance with Section 2.5.3.1 of the PPS, progressive and final rehabilitation shall be required to accommodate any subsequent land uses on lands used for mineral aggregate extraction. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration.

Schedules to the Official Plan should designate licensed pits and quarries and should show areas with potential for mineral aggregate resource extraction.

As per Section 2.5.5.1, nothing in the section of the Official Plan regarding mineral aggregate resources shall prevent the use of lands for wayside pits and quarries as well as portable concrete plants and portable asphalt plants used by public authorities and their subcontractors. These shall be permitted without need of a rezoning or official plan amendment except in those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

#### *Mining Policy Implications for the Official Plan*

The Official Plan requires a statement that protects mineral resources for their long-term use as per Section 2.4.1 of the PPS. It shall be a policy of the Official Plan that mineral mining operations be protected from development and site alteration which would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact (as per Section 2.4.2.1 of the PPS). In accordance with Section 2.4.2.2 of the PPS, it shall be a policy of the Plan that areas that are adjacent to or in known mineral deposits or known petroleum resources and in significant areas of mineral potential and significant areas of petroleum potential, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- The resource use would not be feasible; or
- The proposed land use or development serves a greater long-term public interest; and
- Issues of public health, public safety and environmental impact are addressed.

Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be completed where feasible (as required by Section 2.5.3.1).

An area of significant mineral potential shown on Appendix 2 shall be identified on the land use schedule to the Official Plan.

#### *Natural Heritage Features and Areas Policy Implications for the Official Plan*

In order to be consistent with Section 2.1 of the PPS, the Official Plan should prohibit development and site alteration in significant habitat of endangered species and threatened species as well as in significant wetlands and coastal wetlands. The policies of the Plan should state that development and site alteration is not permitted in fish habitat except in accordance with provincial and federal requirements. The Plan should specify that development is not permitted in significant wildlife habitat or significant areas of natural and scientific interest unless it is demonstrated that there should be no negative impacts on the natural features or their ecological functions. Development and site alteration should not be permitted on lands adjacent to the natural heritage features listed unless the ecological functions of those lands have been evaluated it has been demonstrated through an environmental impact study completed by a qualified individual that there will be no negative impacts on the natural features or their ecological functions. The policies of the Official Plan should include specific reference the adjacent lands distances established in the *Natural Heritage Reference Manual* as set out above in Section 9.4.

The Official Plan should also include some general policy statements about the importance of natural heritage features and areas to the quality of life in Spanish as well as their importance in attracting tourists to the region.

Natural heritage features and areas that should be identified on the land use schedule include:

- Deer yards
- Provincially significant wetlands;
- Cold water (lake trout) lakes;
- Fish spawning areas;
- Conservation Reserve

#### *Water Implications for the Official Plan*

The Official Plan should continue the Lakeshore Development Area designation to recognize existing and potential areas that can be used for lakeshore recreational development. The policies should also prioritize the sustainable management of shoreline resources including the maintenance of a natural vegetation buffer in front of new shoreline oriented dwellings. The Official Plan should contain policies for the protection of lakes which are deemed to be at their development capacity or which are coldwater lake trout lakes. In accordance with criteria

established by the Ministry of the Environment for development adjacent to (within 300 metres) of an at-capacity water body and for lakes which are considered to be lake trout lakes, new lot creation and other planning approvals should only be permitted if:

- The application is to separate existing habitable dwellings, each of which is on a lot capable of supporting a Class 4 sewage disposal system, provided that the land use would not change and there would be no net increase in the phosphorous loading to the lake;
- Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or
- Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lakes.

Any and all development adjacent to a lake trout lake or a lake that is at-capacity should be reviewed according to the requirements of the Lakeshore Capacity Assessment Handbook.

The Official Plan should also promote the use of lake management planning to address lake-specific planning concerns.

The Official Plan should protect, improve and restore the quality and quantity of water by using the watershed as the ecologically meaningful scale of planning, as required by Section 2.2.1 of the PPS. In the areas shown on Figure 19 as a wellhead protection area development and site alteration is restricted to ensure the protection of drinking water resources. The wellhead protection areas as seen on Figure 19 above should be identified on Schedule 'C' to the Official Plan. Within these areas development should be controlled where it is deemed to pose a threat to the quality or quantity of the drinking water source in order to minimize potential negative impacts to groundwater, as per Section 2.2.1 and 2.2.1 of the PPS. The boundary of a Wellhead Protection Area (WHPA) can be modified by amendment to the Plan and where modified through additional study or where the use of a municipal well is to be discontinued.

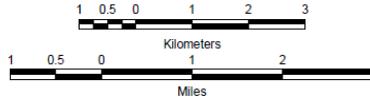
The Official Plan should include a general policy statement on the importance of protecting and improving the water quality in the Spanish Harbour area, and should promote the efficient and sustainable use of water resources in the Town as per Section 2.2.1 of the PPS.

***Appendix 1: Bedrock Geology and Mineral Deposits***

# TOWN OF SPANISH Bedrock Geology and Mineral Deposits



1:50,000



### Symbol Legend

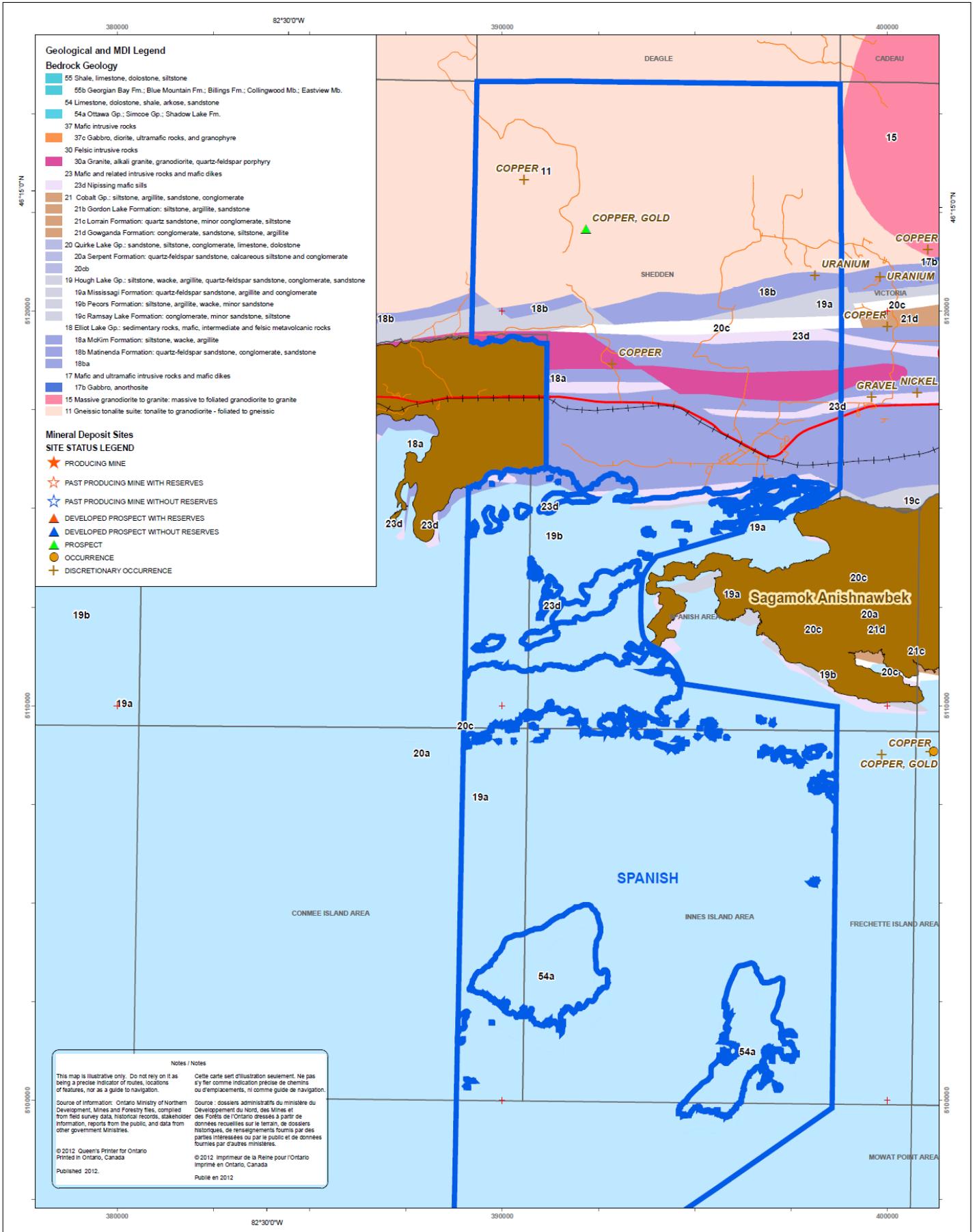
- Primary Roads
- Secondary Roads
- Railway
- First Nation Locations
- Municipal border
- Existing Provincial Parks

Data Sources:

Geology after MNMD Dataset MRD 126--Revised,  
1:250,000 Scale Bedrock Geology of Ontario, OGS 2011.

Mineral deposit data (MDI) current to May 2012.

Map projection -- UTM NAD83, Zone 17  
Compiled by MNMD staff, September 2012



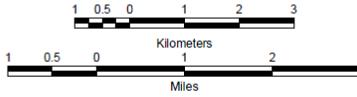
***Appendix 2: Metallic Mineral Potential Estimation Tool  
(MMPET) Index***



# TOWN OF SPANISH Metallic Mineral Potential Estimation Tool (MMPET) Index



1:50,000

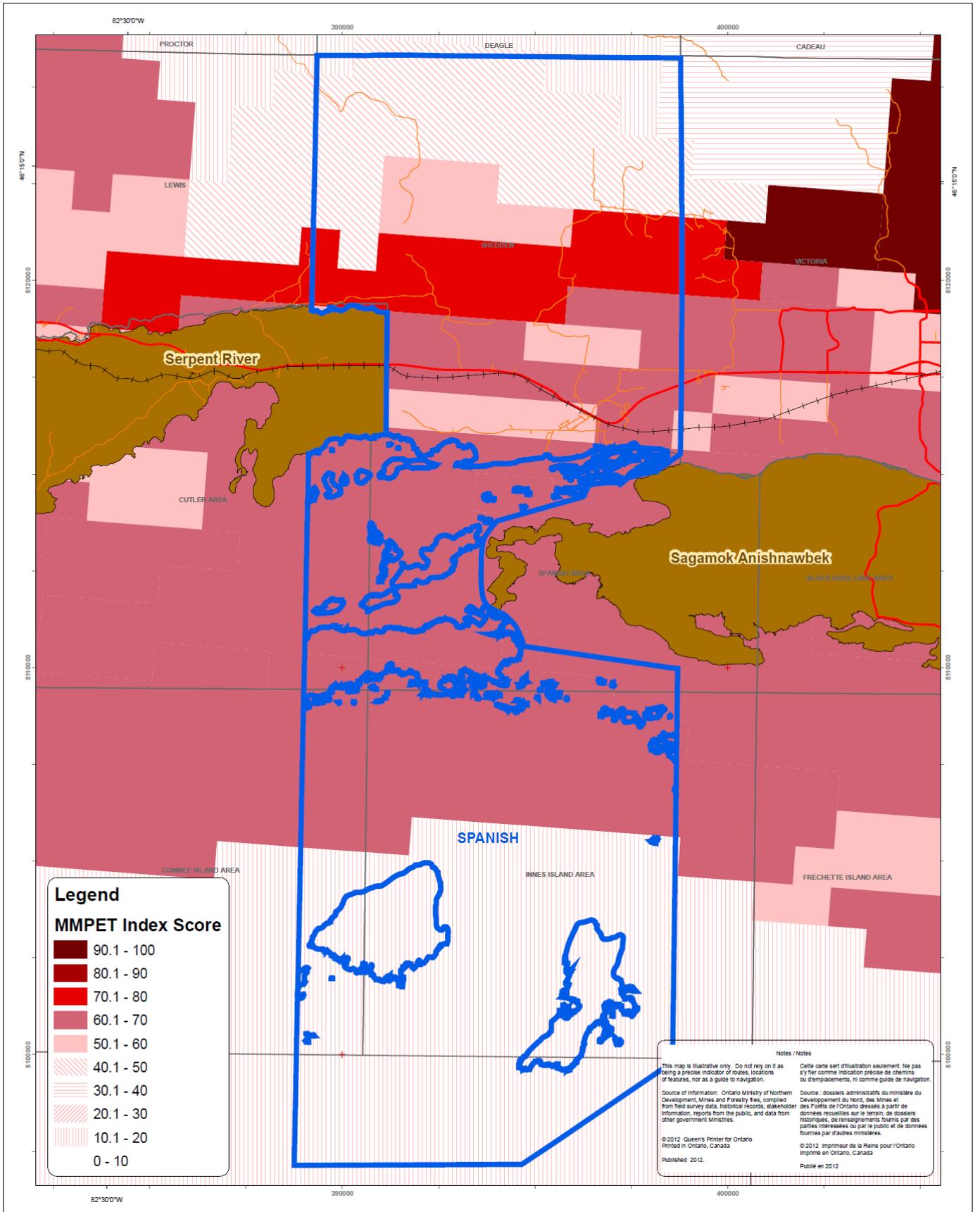


Map projection -- UTM NAD83, Zone 17  
Compiled by MNDM staff, September 2012

The MMPET tool is a GIS application that provides a high level, regional scale illustration of the likelihood of any given parcel of land to be prospective for a metallic mineral resource. MMPET is not a mineral resource assessment (MRA) and does not adhere to the approved methodology for determining Provincially Significant Mineral Potential (PSMP).

### Symbol Legend

- Primary Roads
- Secondary Roads
- Railway
- First Nation Locations
- Municipal border
- Existing Provincial Parks



Legend	
MMPET Index Score	
	90.1 - 100
	80.1 - 90
	70.1 - 80
	60.1 - 70
	50.1 - 60
	40.1 - 50
	30.1 - 40
	20.1 - 30
	10.1 - 20
	0 - 10

**Notes / Notes**

This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations or features, nor as a guide to navigation.

Cette carte sert d'illustration seulement. Ne pas s'y fier comme indication précise de chemins ou d'emplacements, ni comme guide de navigation.

Source of Information: Ontario Ministry of Northern Development, Mines and Forestry files, compiled from field survey data, historical records, stakeholder information, reports from the public, and data from other government Ministries.

Source: dossiers administratifs du ministère du Développement du Nord, des Mines et des Forêts de l'Ontario dressés à partir de données recueillies sur le terrain, de dossiers historiques, de renseignements fournis par des parties intéressées ou par le public et de données fournies par d'autres ministères.

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Publié en 2012

***Appendix 3: Natural Heritage Features***



### Ministry of Natural Resources Values Map



<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid green; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Municipalities</li> <li><span style="border: 1px solid grey; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Townships</li> <li><span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Lot</li> </ul> <p><b>Utility Line</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px dashed black; width: 10px; display: inline-block; margin-right: 5px;"></span> Unknown Transmission Line</li> </ul> <p><b>DESCR</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px dashed black; width: 10px; display: inline-block; margin-right: 5px;"></span> Transmission Line</li> <li><span style="border-bottom: 1px dotted black; width: 10px; display: inline-block; margin-right: 5px;"></span> Pipeline</li> <li><span style="border-bottom: 1px solid black; width: 10px; display: inline-block; margin-right: 5px;"></span> Submerged Pipeline</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> Nesting Site</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> Unclassified</li> <li><span style="border-bottom: 1px solid black; width: 10px; display: inline-block; margin-right: 5px;"></span> Non-crown Road</li> <li><span style="border-bottom: 2px solid red; width: 10px; display: inline-block; margin-right: 5px;"></span> Highway</li> <li><span style="border-bottom: 2px solid orange; width: 10px; display: inline-block; margin-right: 5px;"></span> Primary</li> <li><span style="border-bottom: 2px solid yellow; width: 10px; display: inline-block; margin-right: 5px;"></span> Secondary</li> <li><span style="border-bottom: 2px solid grey; width: 10px; display: inline-block; margin-right: 5px;"></span> Tertiary</li> </ul> <p><b>Railway</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px dashed black; width: 10px; display: inline-block; margin-right: 5px;"></span> Active</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px dashed black; width: 10px; display: inline-block; margin-right: 5px;"></span> Abandoned</li> <li><span style="border-bottom: 1px dotted black; width: 10px; display: inline-block; margin-right: 5px;"></span> Historical</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> Pit or Quarry</li> </ul> <p><b>ANSI Status</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid green; margin-right: 5px;"></span> ANSI</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid orange; margin-right: 5px;"></span> Candidate ANSI</li> </ul> <p><b>Thermal Coded Rivers</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px solid black; width: 10px; display: inline-block; margin-right: 5px;"></span> Undefined</li> </ul> <p><b>Thermal Regime</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px solid blue; width: 10px; display: inline-block; margin-right: 5px;"></span> Cold</li> <li><span style="border-bottom: 1px solid cyan; width: 10px; display: inline-block; margin-right: 5px;"></span> Cool</li> <li><span style="border-bottom: 1px solid green; width: 10px; display: inline-block; margin-right: 5px;"></span> Warm</li> </ul>	<p><b>Thermal Coded Lakes</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue; margin-right: 5px;"></span> Undefined</li> </ul> <p><b>Thermal Regime</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: blue; margin-right: 5px;"></span> Cold</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: cyan; margin-right: 5px;"></span> Cool</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: green; margin-right: 5px;"></span> Warm</li> </ul> <p><b>Wetland</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen; margin-right: 5px;"></span> Wetland</li> </ul> <p><b>Wetland Significance</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkgreen; margin-right: 5px;"></span> Other Wetland</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: olive; margin-right: 5px;"></span> Provincially Significant Wetland</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen; margin-right: 5px;"></span> Conservation Reserve</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: yellowgreen; margin-right: 5px;"></span> Provincial Park</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue; margin-right: 5px;"></span> Federal Land</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: pink; margin-right: 5px;"></span> Indian Reserve</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: yellow; margin-right: 5px;"></span> Patent Land</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red; font-size: 1.2em;">*</span> Sensitive Value</li> </ul>
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This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources (OMNR) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map

September 18, 2012

Base Data: OMNR NRVIS  
 UTM Zone 17, NAD 83 CNT  
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***Appendix 4: Provincial Policy Statement Review Table***

Section and Policy from PPS	Section of Community Profile
<b>1.0 Building Strong Communities</b>	
1.1.2 - Sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.	3.8 (Land Supply)
1.1.3.1 - Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.	3.8 (Land Supply) – Policy Implications
1.1.3.2 Land use patterns within <i>settlement areas</i> shall be based on: a. densities and a mix of land uses which: 1. efficiently use land and resources; 2. are appropriate for, and efficiently use, the <i>infrastructure</i> and <i>public service facilities</i> which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and b. range of uses and opportunities for <i>intensification</i> and <i>redevelopment</i> in accordance with the criteria in policy 1.1.3.3.	3.8 (Land Supply) – Policy Implications
1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.	3.8 (Land Supply) – Policy Implications
1.1.3.4 – Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.	3.8 (Land Supply) – Policy Implications
1.1.3.5 Planning authorities shall establish and implement minimum targets for <i>intensification</i> and <i>redevelopment</i> within built-up areas. However, where provincial targets are established through <i>provincial plans</i> , the provincial target shall represent the minimum target for affected areas.	3.8 (Land Supply) – Policy Implications
1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specific targets for <i>intensification</i> and <i>redevelopment</i> are achieved prior to, or concurrent with, new development within <i>designated growth areas</i> .	3.8 (Land Supply) – Policy Implications
1.1.3.7 New development taking place in <i>designated growth areas</i> should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, <i>infrastructure</i> and <i>public service facilities</i> .	3.8
1.1.3.8 Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the <i>infrastructure</i> and <i>public service facilities</i> required to meet current and projected needs.	3.8 – Policy Implications, Section 5 (Public Service Uses and Infrastructure ) – Policy Implications
1.1.3.9 A planning authority may identify a <i>settlement area</i> or allow the expansion of a <i>settlement area</i> boundary only at the time of a <i>comprehensive review</i> and only where it has been demonstrated that: a. sufficient opportunities for growth are not available through <i>intensification</i> , <i>redevelopment</i> and <i>designated growth areas</i> to accommodate the projected needs over the identified planning horizon; b. the <i>infrastructure</i> and <i>public service facilities</i> which are planned or available are suitable for the development over the long term and protect public health and safety; c. in <i>prime agricultural areas</i> : 1. the lands do not comprise <i>specialty crop areas</i> ; 2. there are no reasonable alternatives which avoid <i>prime agricultural areas</i> ; and 3. there are no reasonable alternatives on lower priority agricultural lands in <i>prime agricultural areas</i> ; and d. impacts from new or expanding <i>settlement areas</i> on agricultural operations which are adjacent or close to the <i>settlement area</i> are mitigated to the extent feasible. In determining the most appropriate direction for expansions to the boundaries of <i>settlement areas</i> or the identification of a <i>settlement area</i> by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3:	3.8 (Land Supply) – Policy Implications

Section and Policy from PPS	Section of Community Profile
Protecting Public Health and Safety.	
<p>1.1.4.1 In rural areas located in municipalities:</p> <ul style="list-style-type: none"> <li>a. permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;</li> <li>b. development shall be appropriate to the <i>infrastructure</i> which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this <i>infrastructure</i>;</li> <li>c. new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the <i>minimum distance separation formulae</i>;</li> <li>d. development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted;</li> <li>e. locally-important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses;</li> <li>f. opportunities should be retained to locate new or expanding land uses that require separation from other uses; and</li> <li>g. recreational, tourism and other economic opportunities should be promoted.</li> </ul>	Section 3.8, and in Policy Implications
<p>1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper-tier municipal boundaries, including:</p> <ul style="list-style-type: none"> <li>a. managing and/or promoting growth and development;</li> <li>b. managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;</li> <li>c. <i>infrastructure, public service facilities and waste management systems</i>;</li> <li>d. ecosystem, shoreline and watershed related issues;</li> <li>e. natural and human-made hazards; and</li> <li>f. population, housing and employment projections, based on <i>regional market areas</i>.</li> </ul>	Section 4 (Economic Development) – Policy Implications
<p>1.3.1 Planning authorities shall promote economic development and competitiveness by</p> <ul style="list-style-type: none"> <li>a. providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;</li> <li>b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</li> <li>c. planning for, protecting and preserving <i>employment areas</i> for current and future uses; and</li> <li>d. ensuring the necessary <i>infrastructure</i> is provided to support current and projected needs</li> </ul>	3.8 (Land Supply)
<p>1.3.2 Planning authorities may permit the conversion of lands within <i>employment areas</i> to non-employment uses through a <i>comprehensive review</i>, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.</p>	There are no employment lands identified in the Town.
<p>1.4.1 To provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the <i>regional market area</i> identified in policy 1.4.3, planning authorities shall:</p> <ul style="list-style-type: none"> <li>a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through <i>residential intensification and redevelopment</i> and, if necessary, lands which are <i>designated and available</i> for residential development; and</li> <li>b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate <i>residential intensification and redevelopment</i>, and land in draft approved and registered plans.</li> </ul>	Section 3 (Population, Demographics and Housing) – Policy Implications, Section 3.8 (Land Supply), Section 3.5 (Household Characteristics and Housing)
<p>1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the <i>regional market area</i> by:</p> <ul style="list-style-type: none"> <li>a. establishing and implementing minimum targets for the provision of housing which is <i>affordable to low and moderate income households</i>. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;</li> <li>b. permitting and facilitating: <ul style="list-style-type: none"> <li>1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and</li> <li>2. all forms of residential intensification and redevelopment in</li> </ul> </li> </ul>	3.5 (Household Characteristics and Housing), Section 3 (Population, Demographics and Housing) – Policy Implications

Section and Policy from PPS	Section of Community Profile
<p>accordance with policy 1.1.3.3;</p> <ul style="list-style-type: none"> <li>c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;</li> <li>d. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed; and</li> <li>e. establishing development standards for <i>residential intensification, redevelopment</i> and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.</li> </ul>	
<p>1.5.1 Healthy, active communities should be promoted by:</p> <ul style="list-style-type: none"> <li>a. planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling;</li> <li>b. providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and, where practical, waterbased resources;</li> <li>c. providing opportunities for public access to shorelines; and</li> <li>d. considering the impacts of planning decisions on provincial parks, conservation reserves and conservation areas.</li> </ul>	<p><b>Section 6 (Parks and Recreation) – Policy Implications</b></p>
<p>1.6.1 <i>Infrastructure</i> and <i>public service facilities</i> shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.</p> <p>Planning for <i>infrastructure</i> and <i>public service facilities</i> shall be integrated with planning for growth so that these are available to meet current and projected needs.</p>	<p><b>Section 5 (Public Service Uses and Infrastructure) – Policy Implications</b></p>
<p>1.6.2 The use of existing <i>infrastructure</i> and <i>public service facilities</i> should be optimized, wherever feasible, before consideration is given to developing new <i>infrastructure</i> and <i>public service facilities</i>.</p>	<p><b>Section 5 (Public Service Uses and Infrastructure) - Policy Implications</b></p>
<p>1.6.3 <i>Infrastructure</i> and <i>public service facilities</i> should be strategically located to support the effective and efficient delivery of emergency management services.</p> <p>Where feasible, <i>public service facilities</i> should be collocated to promote cost-effectiveness and facilitate service integration.</p>	<p><b>Section 5 (Public Service Uses and Infrastructure) - Policy Implications</b></p>
<p>1.6.4.1 Planning for <i>sewage and water services</i> shall:</p> <ul style="list-style-type: none"> <li>a. direct and accommodate expected growth in a manner that promotes the efficient use of existing: <ul style="list-style-type: none"> <li>1. <i>municipal sewage services</i> and <i>municipal water services</i>; and</li> <li>2. <i>private communal sewage services</i> and <i>private communal water services</i>, where <i>municipal sewage services</i> and <i>municipal water services</i> are not available;</li> </ul> </li> <li>b. ensure that these systems are provided in a manner that: <ul style="list-style-type: none"> <li>1. can be sustained by the water resources upon which such services rely;</li> <li>2. is financially viable and complies with all regulatory requirements; and protects human health and the natural environment;</li> </ul> </li> <li>c. promote water conservation and water use efficiency;</li> <li>d. integrate servicing and land use considerations at all stages of the planning process; and</li> <li>e. subject to the hierarchy of services provided in policies 1.6.4.2, 1.6.4.3 and 1.6.4.4, allow lot creation only if there is confirmation of sufficient <i>reserve sewage system capacity</i> and <i>reserve water system capacity</i> within <i>municipal sewage services</i> and <i>municipal water services</i> or <i>private communal sewage services</i> and <i>private communal water services</i>. The determination of sufficient <i>reserve sewage system capacity</i> shall include treatment capacity for hauled sewage from <i>private communal sewage services</i> and <i>individual on-site sewage services</i>.</li> </ul>	<p><b>5.3 of Community Profile And Section 5 (Public Service Uses and Infrastructure) - Policy Implications</b></p>
<p>1.6.4.2 <i>Municipal sewage services</i> and <i>municipal water services</i> are the preferred form of servicing for <i>settlement areas</i>. <i>Intensification</i> and <i>redevelopment</i> within <i>settlement areas</i> on existing <i>municipal sewage services</i> and <i>municipal water services</i> should be promoted, wherever feasible.</p>	<p><b>Section 5 (Public Service Uses and Infrastructure) - Policy Implications</b></p>
<p>1.6.4.3 Municipalities may choose to use <i>private communal sewage services</i> and <i>private communal water services</i>, and where policy 1.6.4.4 permits, <i>individual on-site sewage services</i> and <i>individual onsite water services</i>, where:</p> <ul style="list-style-type: none"> <li>a. <i>municipal sewage services</i> and <i>municipal water services</i> are not provided; and</li> <li>b. the municipality has established policies to ensure that the services to</li> </ul>	<p><b>Section 5 (Public Service Uses and Infrastructure) – Policy Implications</b></p>

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be provided satisfy the criteria set out in policy 1.6.4.1.	
1.6.4.4 <i>Individual on-site sewage services and individual on-site water services</i> shall be used for a new development of five or less lots or private residences where <i>municipal sewage services and municipal water services or private communal sewage services and private communal water services</i> are not provided and where site conditions are suitable for the long-term provision of such services. Despite this, <i>individual on-site sewage services and individual on-site water services</i> may be used to service more than five lots or private residences in <i>rural areas</i> provided these services are solely for those uses permitted by policy 1.1.4.1(a) and site conditions are suitable for the long-term provision of such services.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.4.5 <i>Partial services</i> shall only be permitted in the following circumstances: <ul style="list-style-type: none"> <li>a. where they are necessary to address failed <i>individual on-site sewage services and individual on-site water services</i> in existing development; and</li> <li>b. within <i>settlement areas</i>, to allow for infilling and rounding out of existing development on <i>partial services</i> provided that: <ul style="list-style-type: none"> <li>1. the development is within the <i>reserve sewage system capacity and reserve water system capacity</i>; and</li> <li>2. site conditions are suitable for the long-term provision of such services.</li> </ul> </li> </ul>	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.5.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.5.2 Efficient use shall be made of existing and planned <i>infrastructure</i> .	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.5.3 Connectivity within and among <i>transportation systems</i> and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.5.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.6.1 Planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and <i>infrastructure</i> facilities to meet current and projected needs.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.6.2 Planning authorities shall not permit <i>development in planned corridors</i> that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.6.3 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.6.8.1 <i>Waste management systems</i> need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.  <i>Waste management systems</i> shall be located and designed in accordance with provincial legislation and standards.	Section 5 (Public Service Uses and Infrastructure) – Policy Implications
1.7.1 Long-term economic prosperity should be supported by: <ul style="list-style-type: none"> <li>a. optimizing the long-term availability and use of land, resources, <i>infrastructure</i> and <i>public service facilities</i>;</li> <li>b. maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;</li> <li>c. promoting the redevelopment of <i>brownfield sites</i>;</li> <li>d. providing for an efficient, cost-effective, reliable <i>multi-modal transportation system</i> that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs;</li> <li>e. planning so that major facilities (such as airports, transportation/transit/rail infrastructure and corridors, intermodal facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries and resource extraction activities) and <i>sensitive land uses</i> are appropriately designed, buffered and/or separated from each other to prevent</li> </ul>	Section 4 (Economic Development) – Policy Implications

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<p><i>adverse effects</i> from odour, noise and other contaminants, and minimize risk to public health and safety;</p> <p>f. providing opportunities for sustainable tourism development;</p> <p>g. promoting the sustainability of the agrifood sector by protecting agricultural resources and minimizing land use conflicts; and</p> <p>h. providing opportunities for increased energy generation, supply and conservation, including <i>alternative energy systems</i> and <i>renewable energy systems</i>.</p>	
<p>1.8.1 Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which:</p> <p>a. promote compact form and a structure of nodes and corridors;</p> <p>b. promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed;</p> <p>c. focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit, where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future;</p> <p>d. improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and</p> <p>e. promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.</p>	Section 3 (Population, Demographics and Housing) – Policy Implications
<p>1.8.2 Increased energy supply should be promoted by providing opportunities for energy generation facilities to accommodate current and projected needs and the use of <i>renewable energy systems</i> and <i>alternative energy systems</i>, where feasible.</p>	Section 3 (Population, Demographics and Housing) – Policy Implications
<p>1.8.3 <i>Alternative energy systems</i> and <i>renewable energy systems</i> shall be permitted in <i>settlement areas</i>, <i>rural areas</i> and <i>prime agricultural areas</i> in accordance with <i>provincial and federal requirements</i>. In <i>rural areas</i> and <i>prime agricultural areas</i>, these systems should be designed and constructed to minimize impacts on agricultural operations.</p>	Not applicable – this is a requirement of the Green Energy and Green Economy Act
<b>2.0 Wise Use and Management of Resources</b>	
<p>2.1.2 The diversity and connectivity of natural features in an area, and the long-term <i>ecological function</i> and biodiversity of <i>natural heritage systems</i>, should be maintained, restored or, where possible, improved, recognizing linkages between and among <i>natural heritage features and areas</i>, <i>surface water features</i> and <i>ground water features</i>.</p>	Section 9.4 (Natural Heritage Features and Areas)
<p>2.1.3 <i>Development</i> and <i>site alteration</i> shall not be permitted in:</p> <p>a. <i>significant</i> habitat of <i>endangered species</i> and <i>threatened species</i>;</p> <p>b. <i>significant wetlands</i> in Ecoregions 5E, 6E and 7E; and</p> <p>c. <i>significant coastal wetlands</i>.</p>	Section 9.4 (Natural Heritage Features and Areas)
<p>2.1.4 <i>Development</i> and <i>site alteration</i> shall not be permitted in:</p> <p>a. <i>significant wetlands</i> in the Canadian Shield north of Ecoregions 5E, 6E and 7E;</p> <p>b. <i>significant woodlands</i> south and east of the Canadian Shield ;</p> <p>c. <i>significant valleylands</i> south and east of the Canadian Shield;</p> <p>d. <i>significant wildlife habitat</i>; and</p> <p>e. <i>significant areas of natural and scientific interest</i> unless it has been demonstrated that there will be no <i>negative impacts</i> on the natural features or their <i>ecological functions</i>.</p>	Section 9.4 (Natural Heritage Features and Areas)
<p>2.1.5 <i>Development</i> and <i>site alteration</i> shall not be permitted in <i>fish habitat</i> except in accordance with <i>provincial and federal requirements</i></p>	Section 9.4 (Natural Heritage Features and Areas)
<p>2.1.6 <i>Development</i> and <i>site alteration</i> shall not be permitted on <i>adjacent lands</i> to the <i>natural heritage features and areas</i> identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the <i>ecological function</i> of the <i>adjacent lands</i> has been evaluated and it has been demonstrated that there will be no <i>negative impacts</i> on the natural features or on their <i>ecological functions</i>.</p>	Section 9.4 (Natural Heritage Features and Areas)
<p>2.2.1 Planning authorities shall protect, improve or restore the <i>quality and quantity of water</i> by:</p> <p>a. using the <i>watershed</i> as the ecologically meaningful scale for planning;</p> <p>b. minimizing potential <i>negative impacts</i>, including cross-jurisdictional and</p>	Section 9.5.2 (Ensuring Safe and Clean Water) and Section 9 (Water – Protecting our Lakes and Drinking Water) – Policy Implications

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<p>crosswatershed impacts;</p> <p>c. identifying <i>surface water features, ground water features, hydrologic functions</i> and <i>natural heritage features and areas</i> which are necessary for the ecological and hydrological integrity of the <i>watershed</i>;</p> <p>d. implementing necessary restrictions on <i>development</i> and <i>site alteration</i> to:</p> <ol style="list-style-type: none"> <li>1. protect all municipal drinking water supplies and <i>designated vulnerable areas</i>; and</li> <li>2. protect, improve or restore <i>vulnerable</i> surface and ground water, <i>sensitive surface water features</i> and <i>sensitive ground water features</i>, and their <i>hydrologic functions</i>;</li> </ol> <p>e. maintaining linkages and related functions among <i>surface water features, ground water features, hydrologic functions</i> and <i>natural heritage features and areas</i>;</p> <p>f. promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality; and</p> <p>g. ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.</p>	
<p>2.2.2 <i>Development</i> and <i>site alteration</i> shall be restricted in or near <i>sensitive surface water features</i> and <i>sensitive ground water features</i> such that these features and their related <i>hydrologic functions</i> will be protected, improved or restored.</p> <p>Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore <i>sensitive surface water features, sensitive ground water features, and their hydrologic functions</i>.</p>	Section 9 (Water – Protecting our Lakes and Drinking Water) – Policy Implications
<p>2.4.1 <i>Minerals</i> and <i>petroleum resources</i> shall be protected for long-term use.</p>	Section 9.3 (Mining) – Policy Implications
<p>2.4.2.1 <i>Mineral mining operations</i> and <i>petroleum resource operations</i> shall be protected from <i>development</i> and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.</p>	Section 9.3 (Mining) – Policy Implications
<p>2.4.2.2 In areas adjacent to or in known <i>mineral deposits</i> or known <i>petroleum resources</i>, and in <i>significant areas of mineral potential</i> and <i>significant areas of petroleum potential, development</i> and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ol style="list-style-type: none"> <li>a. resource use would not be feasible; or</li> <li>b. the proposed land use or development serves a greater long-term public interest; and</li> <li>c. issues of public health, public safety and environmental impact are addressed.</li> </ol>	Section 9.3 (Mining) – Policy Implications
<p>2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.</p>	Section 9.3 (Mining) – Policy Implications
<p>2.5.1 <i>Mineral aggregate resources</i> shall be protected for long-term use.</p>	9.2 (Mineral Aggregates)
<p>2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.</p> <p>Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.</p>	9.2 (Mineral Aggregates)
<p>2.5.2.2 Extraction shall be undertaken in a manner which minimizes social and environmental impacts.</p>	9.2 (Mineral Aggregates)
<p>2.5.2.3 The conservation of <i>mineral aggregate resources</i> should be promoted by making provision for the recovery of these resources, wherever feasible.</p>	9.2 (Mineral Aggregates)
<p>2.5.2.4 <i>Mineral aggregate operations</i> shall be protected from <i>development</i> and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing <i>mineral aggregate operations</i> shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the <i>Planning Act</i>. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.</p>	9.2 (Mineral Aggregates)
<p>2.5.2.5 In areas adjacent to or in known deposits of <i>mineral aggregate resources, development</i> and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ol style="list-style-type: none"> <li>a. resource use would not be feasible; or</li> <li>b. the proposed land use or development serves a greater long-term public</li> </ol>	9.2 (Mineral Aggregates)

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<p>interest; and</p> <p>c. issues of public health, public safety and environmental impact are addressed.</p>	
<p>2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.</p>	9.2 (Mineral Aggregates)
<p>2.5.5.1 <i>Wayside pits and quarries, portable asphalt plants</i> and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the <i>Planning Act</i> 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.</p>	9.2 (Mineral Aggregates)
<p>2.6.1 <i>Significant built heritage resources</i> and <i>significant cultural heritage landscapes</i> shall be conserved.</p>	Section 7 (Cultural Heritage and Archaeology) – Policy Implications
<p>2.6.2 <i>Development</i> and <i>site alteration</i> shall only be permitted on lands containing <i>archaeological resources</i> or <i>areas of archaeological potential</i> if the <i>significant archaeological resources</i> have been conserved by removal and documentation, or by preservation on site. Where <i>significant archaeological resources</i> must be preserved on site, only <i>development</i> and <i>site alteration</i> which maintain the heritage integrity of the site may be permitted.</p>	Section 7 (Cultural Heritage and Archaeology) – Policy Implications
<p>2.6.3 <i>Development</i> and <i>site alteration</i> may be permitted on <i>adjacent lands</i> to <i>protected heritage property</i> where the proposed <i>development</i> and site alteration has been evaluated and it has been demonstrated that the <i>heritage attributes</i> of the <i>protected heritage property</i> will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the <i>heritage attributes</i> of the <i>protected heritage property</i> affected by the adjacent <i>development</i> or <i>site alteration</i>.</p>	Section 7 (Cultural Heritage and Archaeology) – Policy Implications
<b>3.0 Protecting Public Health and Safety</b>	
<p>3.1.1 Development shall generally be directed to areas outside of:</p> <p>a. <i>hazardous lands</i> adjacent to the shorelines of the <i>Great Lakes - St. Lawrence River System</i> and <i>large inland lakes</i> which are impacted by <i>flooding hazards, erosion hazards</i> and/or <i>dynamic beach hazards</i>;</p> <p>b. <i>hazardous lands</i> adjacent to <i>river, stream</i> and <i>small inland lake systems</i> which are impacted by <i>flooding hazards</i> and/or <i>erosion hazards</i>; and</p> <p>c. <i>hazardous sites</i>.</p>	Section 8 (Protecting Public Health and Safety) – Policy Implications
<p>3.1.2 <i>Development</i> and <i>site alteration</i> shall not be permitted within:</p> <p>a. the <i>dynamic beach hazard</i>;</p> <p>b. <i>defined portions of the one hundred year flood level along connecting channels</i> (the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers);</p> <p>c. areas that would be rendered inaccessible to people and vehicles during times of <i>flooding hazards, erosion hazards</i> and/or <i>dynamic beach hazards</i>, unless it has been demonstrated that the site has safe access appropriate for the nature of the <i>development</i> and the natural hazard; and d. a <i>floodway</i> regardless of whether the area of inundation contains high points of land not subject to flooding.</p>	Section 8 (Protecting Public Health and Safety) – Policy Implications
<p>3.1.3 Despite policy 3.1.2, <i>development</i> and <i>site alteration</i> may be permitted in certain areas identified in policy 3.1.2:</p> <p>a. in those exceptional situations where a <i>Special Policy Area</i> has been approved. The designation of a <i>Special Policy Area</i>, and any change or modification to the site-specific policies or boundaries applying to a <i>Special Policy Area</i>, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or</p> <p>b. where the <i>development</i> is limited to uses which by their nature must locate within the <i>floodway</i>, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.</p>	Section 8 (Protecting Public Health and Safety) – Policy Implications
<p>3.1.4 <i>Development</i> shall not be permitted to locate in <i>hazardous lands</i> and <i>hazardous sites</i> where the use is:</p> <p>a. an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;</p> <p>b. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and</p> <p>c. uses associated with the disposal, manufacture, treatment or storage of <i>hazardous substances</i>.</p>	Section 8 (Protecting Public Health and Safety) – Policy Implications

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<p>3.1.6 Further to policy 3.1.5, and except as prohibited in policies 3.1.2 and 3.1.4, <i>development and site alteration</i> may be permitted in those portions of <i>hazardous lands</i> and <i>hazardous sites</i> where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by the demonstration and achievement of all of the following:</p> <ul style="list-style-type: none"> <li>a. <i>development and site alteration</i> is carried out in accordance with <i>floodproofing standards, protection works standards, and access standards</i>;</li> <li>b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;</li> <li>c. new hazards are not created and existing hazards are not aggravated; and</li> <li>d. no adverse environmental impacts will result.</li> </ul>	<p>Section 8 (Protecting Public Health and Safety) – Policy Implications</p>
<p>3.2.1 Development on, abutting or adjacent to lands affected by <i>mine hazards; oil, gas and salt hazards</i>; or former <i>mineral mining operations, mineral aggregate operations</i> or <i>petroleum resource operations</i> may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.</p>	<p>Section 8 (Protecting Public Health and Safety) – Policy Implications</p>
<p>3.2.2 Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no <i>adverse effects</i></p>	<p>Section 8 (Protecting Public Health and Safety) – Policy Implications</p>

***Appendix 5: Terms and Definitions from the Provincial  
Policy Statement (2005)***

## Definitions

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

**Adjacent lands:** means

a) for the purposes of policy 2.1 of the Provincial Policy Statement, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; and

b) for the purposes of policy 2.6.3 of the Provincial Policy Statement, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

**Adverse effects:** as defined in the Environmental Protection Act, means one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;

b) injury or damage to property or plant or animal life;

c) harm or material discomfort to any person;

d) an adverse effect on the health of any person;

e) impairment of the safety of any person;

f) rendering any property or plant or animal life unfit for human use;

g) loss of enjoyment of normal use of property; and

h) interference with normal conduct of business.

**Affordable:** means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

**Agricultural uses:** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Airports:**

means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy systems:**

means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:**

includes artefacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

**Areas of archaeological potential:**

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

**Areas of mineral potential:**

means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

**Areas of natural and scientific interest (ANSI):**

means 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.

**Areas of petroleum potential:**

means areas favourable to the discovery of petroleum resources due to geology, the presence of known petroleum resources or other technical evidence.

**Brownfield sites:**

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resources:**

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

**Coastal wetland:** means

a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or

b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Comprehensive review:** means

a) for the purposes of policies 1.1.3.9 and 1.3.2 of the Provincial Policy Statement, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth through intensification and redevelopment;
3. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 of the Provincial Policy Statement;
4. is integrated with planning for infrastructure and public service facilities; and
5. considers cross-jurisdictional issues.

b) for the purposes of policy 1.1.5 of the Provincial Policy Statement, means a review undertaken by a planning authority or comparable body which:

1. addresses long-term population projections, infrastructure requirements and related matters;
2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 of the Provincial Policy Statement; and
3. considers cross-jurisdictional issues.

**Conserved:**

means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

**Cultural heritage landscape:**

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

**Defined portions of the one hundred year flood level along connecting channels:**

means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:**

means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for

surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:**

for the purposes of policy 1.4.1(a) of the Provincial Policy Statement, means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

**Designated growth areas:**

means lands within settlement areas designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2 of the Provincial Policy Statement, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 1.4.1(a) of the Provincial Policy Statement, as well as lands required for employment and other uses.

**Designated vulnerable area:**

means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

**Development:**

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under *The Planning Act*, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process;
- b) works subject to the Drainage Act; or
- c) for the purposes of policy 2.1.3(b) of the Provincial Policy Statement, underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.

**Dynamic beach hazard:**

means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

**Ecological function:**

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment area:**

means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

**Endangered species:**

means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Erosion hazard:**

means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Fish:**

means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:**

as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

**Flood fringe:**

for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

**Flood plain:**

for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

**Flooding hazard:**

means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;

b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the one hundred year flood; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Floodproofing standard:**

means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

**Floodway:**

for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

**Great Lakes - St. Lawrence River System:**

means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

**Ground water feature:**

refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations.

**Hazardous lands:**

means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

**Hazardous sites:**

means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous substances:**

means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:**

means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

**Hydrologic function:**

means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Individual on-site sewage services:**

means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:**

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:**

means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Intensification:**

means the development of a property, site or area at a higher density than currently exists through: redevelopment, including the reuse of brownfield sites; the development of vacant and/or underutilized lots within previously developed areas; infill development; and the expansion or conversion of existing buildings.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:**

for the purposes of policy 2.3.4.2 of the Provincial Policy Statement, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low and moderate income households:** means

a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or

b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

**Mine hazard:**

means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:**

means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:**

means lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto; for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and

including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral aggregate resources:**

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

**Mineral deposits:**

means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:**

means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:**

means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multi-modal transportation system:**

means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

**Municipal sewage services:**

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

**Municipal water services:**

means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

**Natural heritage features and areas:**

means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural heritage system:**

means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

**Negative impacts:** means

a) in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and

c) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

**Normal farm practices:**

means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

**Oil, gas and salt hazards:**

means any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated.

**One hundred year flood:**

for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One hundred year flood level:** means

a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;

b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and

c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

**Other water-related hazards:**

means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

**Partial services:** means

a) municipal sewage services or private communal sewage services and individual on-site water services; or

b) municipal water services or private communal water services and individual on-site sewage services.

**Petroleum resource operations:**

means oil, gas and brine wells, and associated facilities, oil field brine disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum resources:**

means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

**Planned corridors:**

means corridors identified through provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs.

**Portable asphalt plant:** means a facility

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable concrete plant:** means a building or structure

a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:**

means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

**Prime agricultural land:**

means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

**Private communal sewage services:**

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:**

means a non-municipal drinking water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.

**Protected heritage property:**

means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

**Protection works standards:**

means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

**Provincial and federal requirements:** means

a) in regard to policy 1.8.3, legislation and policies administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and

b) in regard to policy 2.1.5 of the Provincial Policy Statement, legislation and policies administered by the federal or provincial governments for the purpose of the protection of fish and fish habitat, and related, scientifically established standards such as water quality criteria for protecting lake trout populations.

**Provincial plan:**

means a plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

**Public service facilities:**

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

**Quality and quantity of water:**

is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Recreation:**

means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment:**

means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

**Regional market area:**

refers to an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.

**Renewable energy systems:**

means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**Reserve sewage system capacity:**

means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.4.1(e) of the Provincial Policy Statement, reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites

approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

**Reserve water system capacity:**

means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

**Residence surplus to a farming operation:**

means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**Residential intensification:**

means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development; the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- d) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

**River, stream and small inland lake systems:**

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural areas:**

means lands in the rural area which are located outside settlement areas and which are outside prime agricultural areas.

**Secondary uses:**

means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

**Sensitive:** in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:**

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and

b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

**Sewage and water services:**

includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

**Significant:** means

a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

c) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;

d) in regard to other features and areas in policy 2.1 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;

e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;

f) in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and

g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:**

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.3(b) of the Provincial Policy Statement, site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.

**Special needs:**

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

**Special policy area:**

means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

**Specialty crop area:**

means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

**Surface water feature:**

refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Threatened species:**

means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Transportation systems:**

means a system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

**Valleylands:**

means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Vulnerable:**

means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

**Waste management system:**

means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

**Watershed:**

means an area that is drained by a river and its tributaries.

**Wave uprush:**

means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

**Wayside pits and quarries:**

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of way.

**Wetlands:**

means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

**Wildlife habitat:**

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:**

means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.