



**The Corporation of the Municipality of Whitestone**

**Agenda of Special Council Meeting  
Thursday January 29, 2026**

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

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- 1. Call to Order and Roll Call** **10:00 a.m.**

**National Anthem**

**Indigenous Land Acknowledgement Statement**

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

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

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

- 2. Disclosure of Pecuniary Interest**
- 3. Approval of Agenda**

**4. Presentations and Delegations - None**

**5. Committee of the Whole**

5.1 Official Plan Review

- Draft Official Plan

**6. Public Meeting - None**

**7. Consent Agenda - None**

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

**8. Accounts Payable - None**

**9. Staff Reports - None**

**10. By-laws - None**

**11. Business Matters - None**

**12. Correspondence - None**

**13. Councillor Items - None**

**14. Questions from the Public**

**15. Closed Session - None**

**16. Confirming By-law**

**17. Adjournment**



# MEMORANDUM

**To:** Mayor and Council  
**From:** Nigel Black, CAO/Clerk  
**Date:** January 21, 2026  
**Re:** **Official Plan Review**

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## Background

Council started the review of the current draft of the Official Plan on October 2, 2025. At that meeting, the document was reviewed up to and including page 50 of the draft document. The direction at the time was to schedule another meeting time to review the remainder of the document. The January 29 meeting has been scheduled for that purpose.

Attached is the original report from September 29, 2025 from MHBC along with the draft document. For the purposes of today's meeting, we have separated the document into two sections, the first being pages 1-50 titled "Previously Reviewed" and the second being Pages 51-94 titled "For Review". It should be noted that any changes resulting from discussion on the first 50 pages have not been captured in this document as they will be compiled along with the results of the discussion on January 29 and included in the next draft of the document. The purpose of today's session is to review the remainder of the document and not to revisit the first 50 pages, they have simply been included in case they are required for reference.

## Attachments:

Attachment A – MHBC Report September 29, 2025  
Attachment B – Official Plan Draft (Previously Reviewed)  
Attachment C – Official Plan Draft (For Review)



# MEMO

<b>To:</b>	Paula Macri
<b>From:</b>	Jamie Robinson
<b>Date:</b>	September 29, 2025
<b>File:</b>	23217T
<b>Subject:</b>	Official Plan Version 1.3 for Council Review

Attached to this memo is Version 1.3 of the Draft Official Plan for consideration and review at the October 2<sup>nd</sup> Council Meeting. This version of the Draft Official Plan incorporates revisions based on the comments made by Council at the August 19<sup>th</sup>, 2025 Council Meeting.

The following is a summary of the sections of the Official Plan that are anticipated be the focus of discussion at the October 2<sup>nd</sup> Council Meeting:

- 6.02 – Growth Management Concept
- 8.01, 8.02 & 8.03 – New Lot creation. Preferred Method of Lot Creation; Lot creation policies
- 9.02 – Municipal roads
- 9.03 – Road Standard Appendix
- 9.06.5 – Review with Council
- 9.08.4 – Requirement or environmental review
- 9.12 – Need comments from Rail lines – need to circulate.
- 11.02 – Additional Units – Consider removing limits from the OP
- 11.03 – Confirm that trailer policies are being removed.
- 11.07.2 – Confirm that home industries are to be allowed in the waterfront designation.
- 12.01 – Reinstated fish habitat policies.
- 12.04 – Added clarity regarding ANSI's and what constitutes and ANSI
- 13.01 – Lot frontage for new shoreline lots identify as 90 metres
- 13.02.1 – Trailer permitted uses in Waterfront. As of right or only with a Trailer By-law?
- 13.04.2 – Is this to reference new science as well. Suggest we keep this as the LSCH
- 14.02 – Does Council want to permit commercial uses as of right in all designations?
- 16.01.2 – Rural designation permitted use – Confirm if Trailer as a permitted use is contingent on trailer by-law or if it stands along.
- 16.02 – New Waterfront Sections policies moved from Gooseneck Lake – Review with Council
- 16.02.14 – Requirement for EIS for any waterfront lot creation

- 17.02 – Moved to Waterfront Designation
- 17.06 – Review of Lorimer Lake Policies is Outstanding
- 17.09.4 – Boating Speed Limits – Can this be removed from the OP?

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'J. Robinson', with a long horizontal flourish extending to the right.

Jamie Robinson, BES, MCIP, RPP

*cc.*

# PREVIOUSLY REVIEWED

Attachment B



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## OFFICIAL PLAN FOR THE MUNICIPALITY OF WHITESTONE

Draft #1.23 - ~~August 1~~ September 29th 2025 Council Version =  
Prepared for the October 2<sup>nd</sup>, 2025 Council Meeting

Overall Track Changes Version compared to  
the Current Official Plan

THIS VERSION INCORPORATES COUNCIL COMMENTS  
FROM THE AUGUST 19<sup>th</sup>, 2025 COUNCIL MEETING

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OFFICIAL PLAN FOR  
THE  
MUNICIPALITY OF WHITESTONE

## **SECTION 1.0 – TITLE AND COMPONENTS OF THE PLAN**

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

"OFFICIAL PLAN OF THE MUNICIPALITY OF WHITESTONE"

This Official Plan applies to the Municipality of Whitestone, a member ~~municipality~~ Municipality of the Parry Sound Area Planning Area. The Municipality of Whitestone consists of ~~;~~ —

the Township of Hagerman; and the ~~geographic townships~~ Geographic Townships of Burton, East Burpee, McKenzie, Ferrie and the westerly five lots of Croft. herein after referred to as the "Municipality".

The Parry Sound Area Planning Area includes Whitestone, McDougall, Carling, and McKellar ~~and the Town of Parry Sound~~.

The Plan includes Goals, Objectives, general development policies and land use policies. ~~There are two map~~ The mapping schedules are attached ~~to~~ and are considered to be part of this Official Plan, including the official plan ~~following~~.

- Schedule 'A' is the Land Use Plan ~~and~~;
- Schedule 'B' identifies the Natural Heritage Features ~~for the Municipality of Whitestone; and~~.
- Schedule 'C' identifies Natural Resources.

## **SECTION 2.0 – PURPOSE OF THE PLAN**

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

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

~~The~~ This Official Plan ~~is~~ was prepared under the ~~provincial~~ Provincial *Planning Act* and as such is in ~~accord~~ accordance with those ~~matters~~ items identified as matters of ~~provincial~~ Provincial interest under Section 2 of the Planning Act. ~~The~~ This Official Plan

# PREVIOUSLY REVIEWED

has been prepared to be consistent with the Provincial ~~Policy~~ Planning Statement prepared under Section 3 of the ~~Planning Act~~ that came into effect on April 30, 2014.

~~The~~ This Official Plan also recognizes the Growth Plan for Northern Ontario ~~Growth Plan~~ that ~~has been~~ was prepared as a ~~provincial plan~~ Provincial Plan under the *Places to Grow Act*.

## **SECTION 3.0 – GOAL OF THE PLAN**

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

## **SECTION 4.0 – BASIS OF THE PLAN**

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

Whitestone Population (2021)	918,075
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# PREVIOUSLY REVIEWED

<del>Permanent</del> Total Private Dwellings (2021)	4161,427
<del>Private Dwellings Occupied by</del> Seasonal DwellingsResidents (2021)	1347878
<del>2012 Assessment</del>	\$459,970,600
<del>Crown land (80% of land area)</del>	56,783 hectares
<del>Parks (includes Conservation Reserves)</del>	16,321 hectares
<del>Water</del>	12,014 hectares
<del>Patented Land</del>	18,833 hectares
<del>Total Land Area</del>	91,937 hectares
<del>Municipal Roads</del>	106.45 km

Source: Statistics Canada, ~~Assessment Records~~, MTIG

4.05 The local economy for the Municipality of Whitestone is largely\* derived from its ~~seasonal~~ land owners. ~~There are landowners as the majority of the properties are seasonally occupied. Here are e~~Other components of the Municipality's economy that are important including resource extraction, service, retail, agriculture and construction. The Municipality is interested in promoting additional development and diversifying the local economy. In both cases, however, ~~the ratepayers have indicated that~~ the emphasis must be on sustainability and compatibility with the natural environment.

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~~4.06 The year round population of less than 1000 persons is spread over 106.45 kilometres of road in 91,937 hectares. The limited assessment base is a challenge to provide an efficient level of services and carefully considered development to limit any increase in costs for providing basic services. The Official Plan provides for a potential population of 1500 over the planning period.~~

4.06 The Municipality has approximately ~~106~~104 kilometres of municipal road providing access throughout the Municipality.

Commented [JR1]: Get clarification on whether this is maintained and the amount of private roads.

4.07 The Municipality of Whitestone has a significant Crown Land base. ~~Approximately 80% of the land base. Eighty percent of Whitestone within the Municipality is Crown land. Land. There are two provincial parks~~ Provincial Parks and several conservation reserves. ~~Conservation Reserves.~~ The Official Plan must recognize the relationship between the differing types of ~~crown land~~ Crown Land and the expression of policy contained in the Ontario Living Legacy and the private land holdings in the Municipality.

Commented [JR2]: Need to review this. Are there two parks? How many conservation reserves.

Commented [JR3R2]: Removed reference to parks and conservation reserves.

4.08 The Municipality of Whitestone covers a large ~~region~~ geographic area in the central part of the District of Parry Sound. The delivery of local service over this broad region is a challenge, which requires new, sustainable development to offset any increasing local government costs.

4.09 The Municipality has undertaken an extensive electronic mapping program including a geographic information system. This new mapping system will be used as part of ~~the~~ this Official Plan and ~~zoning by~~ the Zoning By-law documents and the information system will assist in the delivery of the land use planning and other ~~municipal~~ Municipal programs. Land use data has been added to this electronic mapping to be used in the Official Plan and Zoning Study.

# PREVIOUSLY REVIEWED

4.10 Public consultation has been an extensive part of the ~~official plan program~~ Official Plan Review for the Municipality of Whitestone. Given the nature, geography and the young age of the ~~municipality~~ Municipality, extra care has been taken to ensure the greatest opportunity to participate in the policy review and to consider comments that have been received throughout the review process.

4.11 As part of the Official Plan ~~Study~~ Review, relevant agencies and organizations have been invited to make submissions respecting the new Official Plan for the Municipality of Whitestone. There are numerous submissions that have been reviewed and incorporated into the policy ~~formulation~~ foundation of this Official Plan. Indigenous communities have been included in the review of this Official Plan. These agencies have included first nations.

\* approximately 80% of tax income is derived from seasonal population

4.12 Development activity in the region has been tracked and quantified. The amount of development has been limited over the past ~~ten~~ 20 years. This is partly due to the economy, the isolation of the region and the competing investment economies. As the real estate market ~~becomes~~ continues to become more competitive, as the number of recreational property opportunities diminishes in the southern parts of the ~~district~~ District and as the economy for rural recreational properties increases, growth in the Municipality of Whitestone is anticipated to be steady. This is not anticipated to be a large growth that ~~impairs~~ impacts the Municipality's ability to deliver services.

4.13 There are a number of businesses and resorts in the Municipality that will need to be recognized and supported in ~~the~~ this Official Plan. The success and survival of these businesses are vital to the long-term health of the Municipality of Whitestone.

~~4.14 The population of Whitestone is made up of year-round and seasonal residents. The seasonal residents outnumber the year-round residents about five to one. The proportionate differences between seasonal and year-round residents is are not likely to change dramatically as the strongest growth will continue to be for new cottages. Notwithstanding this general trend, it is anticipated that there will be a steady number of retirees considering their cottages for future year-round use.~~

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

# PREVIOUSLY REVIEWED

4.16 The conversion of cottages to year-round use is ~~encouraged~~permitted by this Official Plan. However, ~~policies need to be carefully prepared that recognize the~~ ~~there are~~ servicing limitations that may apply to some ~~converted properties~~areas of the Municipality.

~~4.17 The Council of the Municipality of Whitestone has held a number of public meetings, has established a special section on its website to advertise planning activities including the new Official Plan program and has set up a planning advisory committee consisting of representatives of citizens throughout the Municipality to review and contribute to the construction of the new Official Plan.~~

~~4.18~~4.17 The numerous freshwater lakes and the rivers are the lifeblood of the Municipality of Whitestone. Policies will need to be carefully constructed to ensure the continued maintenance of the quality of these waters while responding to the inevitable demand for additional waterfront recreational land. There are a variety of lake and river conditions that may require lake or river specific policies to properly respond to neighbourhood policy needs.

~~4.19 Despite its recent incorporation,~~4.18 The Municipality of Whitestone is an area that is rich in history having been part of the original *Free Land Grant Act* of 1879. There have been multiple generations of area families that have contributed to the character and past history of the Municipality and contributions will continue with present and future generations. The policy of this Official Plan will be sensitive to the ~~preservation~~conservation of this heritage and character.

4.2019 All of ~~Whitestone's~~the Municipality's development and future development will be serviced by ~~private systems for~~individual on-site water ~~supply~~services and ~~individual on-site~~sewage treatment. ~~The policy of this Plan does not expect any change to this arrangement so that new development will always be expected to be on private~~services-services

~~4.21 The plan~~4.20 This Official Plan provides policies for community improvement pursuant to the *Planning Act*.

## **SECTION 5.0 – OBJECTIVES OF THE PLAN**

~~The objectives necessary to fulfill the Official Plan include:~~

5.01 ~~Maintaining, protecting~~Maintain, restore and improvingwhere possible improve the natural environment ~~within the Municipality and region;~~

~~5.02 Providing a level of service that is consistent with the basic needs and financial resources of the local government and maintains fiscal responsibility and encourages development;~~

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- ~~5.03 Promoting~~ 5.02 Promote additional growth in the recreational and residential areas that is sustainable, responsible and appropriate to meet a growing demand for such development in the Municipality.
- ~~5.04 Encouraging~~ 03 Encourage the orderly development of commercial and light industrial activities to diversify the economic base in the community and generate job opportunities within the community.
- ~~5.05 Ensuring~~ 04 Ensure the compatibility of land uses.
- ~~5.06 Requiring~~ 05 Require new development to be responsible for all costs directly associated with ~~that~~the development so that the Municipality does not assume any costs beyond normal maintenance and service.
- ~~5.07 Encouraging~~ 06 Encourage the principles of energy and resource conservation, recycling and maintaining the supply of renewable resources.
- ~~5.08~~ 07 Encourage an efficient transportation system that allows for the safe convenient movements of traffic within the Municipality. ~~Require, including requiring~~ an appropriate standard for access and road design for all new ~~recreational and residential~~ development.
- ~~5.09 Preserving~~ 08 Preserve elements of the rural character of the Municipality along the major roads and ~~highways;~~ Provincial Highways.
- ~~5.10 Ensuring an~~ 09 Ensure adequate supply of land for new residential development and supporting those housing programs that preserve housing stocks and introduce affordable housing; including additional dwelling units.
- ~~5.11 Maintaining, expanding~~ 5.10 Maintain, expand and ~~supporting~~ support recreational facilities, programs and open space areas throughout the Municipality.
- ~~5.12 Encouraging~~ 11 Encourage community improvements in built-up areas of the Municipality in both private and public sectors for the rehabilitation maintenance and preservation of these important neighbourhoods.
- ~~5.13~~ 12 Ensure that new structural development will occur in a manner that will minimize the potential for loss of life, property damage, social disruption and the need for emergency evacuation under flood or fire conditions.
- ~~5.14~~ 13 Ensure that new development considers the importance of ~~indigenous~~ local sand and gravel and other mineral resources to the Municipality.
- ~~5.15~~ 14 Encourage development that strengthens the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.
- ~~5.16 To ensure that water supply and sewage services are planned and utilized in accordance with long term planning and growth management objectives;~~

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~~5.17~~5.15 To identify potentially contaminated sites to avoid unanticipated impacts, costs and delays in land use planning.

~~5.18 — Preserving 16 Preserve and enhancing~~enhance the wilderness or semi-wilderness character ~~Maintain the character~~ of the numerous recreational waterbodies in the Municipality by balancing the natural environment and built form in Waterfront areas; ~~and.~~

~~5.19 — Protecting 17 Conserve~~ cultural heritage resources in accordance with the ~~PPS~~Provincial Planning Statement.

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## SECTION 6.0 – GROWTH AND SETTLEMENT PATTERN

### 6.01 General

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

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

The Council of the Municipality of Whitestone, with this Official Plan and other strategies, will attempt to attract growth in all sectors of the population by encouraging settlement, development and business opportunities. ~~Home-based business opportunities will be encouraged throughout the Municipality with only home occupations being permitted in the Waterfront designation.~~

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### 6.02 Year-Round Population

~~The year-round population in the Municipality of Whitestone includes a large proportion of retirees and those that cater to the tourist sector. Some residents are employed in the larger centres either on the Provincial Highway No. 400/69 or 11 corridors. While there~~

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~~Modest growth is not anticipated to be significant forecasted, with the settlement areas being the focus of new growth. All growth in the year-round population of Whitestone, Council will support development or redevelopment that attracts additional population in the Municipality. It is hoped that any additional population will bolster the local economy and introduce new business opportunities.~~

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~~As a relatively new municipality that is small in population spread over a large region, it is difficult to qualify any emerging growth issues. In the interim, Whitestone residents have indicated that they are not opposed to growth so long as Municipality must should ensure that the character, heritage, and the natural landscapes of the Municipality are preserved conserved.~~

~~Year-Limited year-round population growth is likely to occur in the communities, along the waterfront and in the rural areas in accordance with the performance standards for each of these land use areas. The council of the municipality will encourage year-round population growth in each of these sectors in accordance with the policies of this Plan.~~

Commented [JR4]: Review GM Concept on Oct 2

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

## 6.03 Seasonal or Waterfront Development

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

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

## **SECTION 7.0 – GENERAL ECONOMIC POLICY**

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

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~~and accessory~~ to the residential use and there are no adverse impacts on ~~adjoining~~adjacent residential/~~sensitive~~ uses.

- 7.07 ~~Council~~The Municipality supports development and activities that seek to strengthen the local economy, attract tourists and visitors to the area and add to the potential employment base. These may include expanding the trail system, assisting businesses with government agencies to improve local business opportunities or joining organizations with programs or projects that are intended to enhance the local economy.

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## SECTION 8.0 – GENERAL DEVELOPMENT POLICY

### 8.01 ~~Land Division~~**Lot Creation Policy**~~Preferred Method of Lot Creation~~

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8.01.1 ~~Land division~~**Lot Creation** may proceed by either ~~plan~~**Plan** of ~~subdivision~~**Subdivision** or ~~consent~~**Consent** in accordance with the *Planning Act* and the policies contained in this ~~Official~~**Plan**.

8.01.2 Plans of ~~subdivisions~~**Subdivision** will be required for those multiple lot developments ~~where there are extensions proposed that are required to municipal services, where there is a need for~~**be supported by** special studies to determine service issues and needs, or where an entirely new development pattern is being established in an area of the Municipality.

Commented [JR5]: Revise and come back with revised wording. Keep 3 as the trigger and list the requirements where a P of S would be required.

8.01.3 Consents ~~for the creation of a limited number of new lots~~ will continue to be the ~~most used recommended process for land division procedure where a limited number of new lots is proposed within the Municipality~~. Consents will be permitted where it can be demonstrated that a ~~plan~~**Plan** of ~~subdivision~~**Subdivision** is ~~unnecessary~~**not required** for the ~~proper~~**appropriate** development of the land and where the ~~consent~~**Consent** conforms to the general development pattern of the area or adjacent ~~plans~~**Plans** of ~~subdivision~~. ~~Consents proposing to create lots in the waterfront areas are subject to the servicing policies set out in this Plan. Consents shall have regard to these items set out under Section 51(24) of the Planning Act.~~**Subdivision**.

8.01.4 The land division authority would generally interpret the ~~consent~~**Consent** policy on any given application to limit the creation of up to ~~3~~**three** new lots and ~~a one~~ retained lot. Subsequent applications for ~~consents~~**Consents** for these lands may be considered so long as the general principles and standards respecting new lot creation are maintained. Any exceptions to this ~~practise, up or down, policy~~ may be made in special circumstances where the purpose and intent of the above policy is maintained and the land division authority is satisfied that there is no need, benefit or public interest in proceeding by ~~registered plan~~**a Plan** of ~~subdivision~~**Subdivision**.

### ~~8.02~~ **New Lot Standards**

~~8.02.1~~ ~~New lot standards will be set out in the implementing zoning by~~**Zoning By law** based upon the policy provisions for the various waterfront, rural and community ~~neighbourhoods. The lot standards will reflect the appropriate minimum standards for new lots. Those minimum standards will not necessarily be the maximum dimension or areas of any proposed new lots. New lots proposed to be created must comply~~**conform with the policies of this Official Plan, the criteria under the Planning Act, applicable provincial**~~Provincial policies and sound~~**good** ~~planning practices~~**planning practices**.

~~Exceptions to the strict minimum standards for new lots as set out in the comprehensive zoning by~~**Zoning By law** may be made under one or more of the ~~following conditions, as long as the proposal has regard to matters of Provincial~~

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~~interest, the Provincial Planning Statement and all other applicable policies of this Official Plan:~~

- ~~(a) where a deed or title correction is required; or~~
- ~~(b) where there are existing buildings on the severed and retained lands so that there would essentially be no additional development; or~~
- ~~(c) where lots have inadvertently merged and (not separately conveyable) and the re-creation of said lots would be consistent with the existing lot pattern, and so long as there is sufficient merit respecting the physical suitability of recreating said adequate building envelopes for development on each lot; or~~
- ~~(d) where the shortfall in the standard of the proposed lot is so minor that it does not conflict with the purpose and intent of the policies of this Official Plan.~~
- ~~(e) so long as the proposal has regard to matters of provincial interest, the PPS and all other applicable policies of the Official Plan.~~

~~When considering any of the above exceptions, a minor variance or zoning by-law amendment may be required to meet the strict requirements provisions of the Zoning By-law.~~

## 8.032 New Lot Creation Criteria Requirements

~~8.032.1 zoning~~ In considering applications for the creation of new lots, the consent granting authority shall be satisfied that both the severed and retained lots:

- ~~(a) Conform to the specific land division policies contained in the land use designation sections of this Plan;~~
- ~~(b) Fronts on a public road, or a condominium road that is maintained on a year-round basis, or fronts on a private road with legal access; or~~
- ~~(c) Is considered infilling between existing lots on an existing private road as of the date of adoption of this Plan. The creation of new lots for any purpose on a private road shall be discouraged, except where the lot is already a case of infilling and the private road is of a standard that can provide access to emergency vehicles;~~
- ~~(d) Where located on an island or where the proposed lot is to be accessed by water, the new lot must have deeded mainland parking and dockage with direct access to a public road, private road or and/or an existing right-of-way. The deeded access shall be registered on the title of the water access lot. The deregistration of the deeded mainland access from the water access lot shall only be permitted once alternative deeded mainland access has been registered on the title of the water access lot;~~

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Commented [JR7]: Want to permit lot creation on private roads.

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Commented [JR9]: Wants modified need comments in favour or private road and opposition of private roads.

Commented [JR10R9]: Access permitted from a private road

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- (e) Access to water access lots may be provided from a marina, provided written confirmation from the marina is obtained which indicates that adequate mainland parking and boat mooring is available to provide access for the additional development;
- (f) Will not cause a traffic hazard;
- (g) Has adequate size and frontage for the proposed use in accordance with the Implementing Zoning By-law and is compatible with adjacent uses;
- (h) Can be serviced with an appropriate water supply and means of sewage disposal and is generally a minimum lot size of 1 hectare or as appropriate in accordance with the land use designation Sections of this Plan;
- (i) Will not have a negative impact on the drainage patterns in the area;
- (j) Will not have a negative impact on the quality of any lake or waterbody and is within the biological and recreational capacity as determined in accordance with the policies of this Plan;
- (~~a~~) (k) Will not restrict the development of the retained lot or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by-law, this Plan;
- (l) Will not have a negative impact on the features and functions of any natural heritage feature in the area;
- (m) The shape and dimension shall be appropriate to the use proposed taking into account: the character and topography of the area;
- (n) Prior to the approval of a development application, the applicant shall provide confirmation that arrangements have been made for the treatment of the hauled sewage to be generated from the development at a duly licensed facility;
- (o) Suitable building space exists outside of the regulatory flood elevation or lands prone to flooding and the site can be accessed during times of flooding; ~~and;~~
- (p) Meets the requirement of Section 51(24) of the *Planning Act*; and, -  
~~Provisional consent may be granted subject to appropriate conditions of approval for the covered and/or retained lot in accordance with the *Planning Act*.~~
- (q) A condition of the creation of a new shoreline lot shall be that the shore road allowance be purchased.

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Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

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## 8.023 New Lots – Exemption from Standard Standards Requirements

8.02.1 New lot standards will be set out in the implementing zoning by Zoning By-law based upon the policy provisions for the various waterfront, rural and community neighbourhoods. The lot standards will reflect the appropriate minimum standards for new lots. These minimum standards will not necessarily be the maximum dimension or areas of any proposed new lots. New lots proposed to be created must comply conform with the policies of this Official Plan, the criteria under the *Planning Act*, applicable provincial Provincial policies and sound good planning practises practices.

Exceptions to the strict minimum standards for new lots as set out in the comprehensive zoning by Zoning By-law may be made under one or more of the following conditions: as long as the proposal has regard to matters of Provincial interest, the Provincial Planning Statement and all other applicable policies of this Official Plan:

- (a) where Where a deed or title correction is required; or
- (b) where Where there are existing buildings on the severed and retained lands so that there would essentially be no additional development; or
- (c) where Where lots have inadvertently merged and are no longer (not separately conveyable) and the re-separation creation of said the lots would be consistent with the existing lot pattern, and so long as there is sufficient merit respecting the physical suitability of recreating said are adequate building envelopes for development on each lot; or
- (d) where Where the shortfall in the standard of the proposed lot is so minor that it does not conflict with the purpose and intent of the policies of this Official Plan.
- (e) so long as the proposal has regard to matters of provincial interest [Section 51\(24\) of the \*Planning Act\*](#), the PPS and all other applicable policies of the Official Plan.

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When considering any of the above exceptions, it must be demonstrated that each of the lots can be appropriately accessed and that each of the lots can be appropriately serviced with water and sewage services. A minor variance Minor Variance or zoning by Zoning By-law amendment Amendment may be required to meet the strict requirements provisions of the Zoning By-law.

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## 8.0304 Servicing

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## 8.0304.1 Sewage

8.0304.1.1 ~~Presently, all~~ development in the Municipality is on individual ~~private septic systems. This will likely continue to be the means of treating sewage in Whitestone, on-site sewage services and this is not expected to change when this Official Plan is in effect. Development proposed by communal servicing shall require an amendment to the Official Plan.~~

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8.0304.1.2 The Municipality and the land division authority must be satisfied that any land proposed for development must be suitable for the installation of ~~private individual on-site sewage services, such as~~ septic systems. A ~~study, such as a hydrogeological study,~~ Hydrogeological Study shall be required for new lots proposed under ~~4.0~~ one hectare ~~in lot area to ensure demonstrate that~~ the proposed lot is suitable to accommodate both ~~a well and septic systems without negative impacts~~ system.

8.0304.1.3 The standards for new lots and the design of any septic systems must meet current ~~provincial~~ Provincial requirements. ~~in accordance with relevant published guidelines or statutory provisions (M.O.E.C.C.—D Series).~~

~~8.03.1.4 Individual on-site sewage systems may be used for any new development of five lots or less.~~

Provincial

~~8.03.1.5 The Municipality may consider a communal sewage service where a servicing option study has been prepared by a qualified consultant that concludes that a communal system is appropriate.~~

~~8.03.1.6 Any communal sewage system must comply with the M.O.E.C.C.'s D-5 Series Guidelines and the responsibility for any maintenance or liability of the system must be arranged to the satisfaction of the municipality.~~

8.0304.1.74 The land division authority will require confirmation that a licensed sewage hauler has available capacity for the haulage and disposal of any septic waste as a condition of development.

8.0304.1.85 A ~~septic system impact study~~ Septic System Impact Study will be required for commercial, industrial, institutional or other uses that produce in excess of 10,000 litres per day. Development proposals that produce waste in excess of 10,000 litres per day will require an Environmental Compliance Approval issued under Section 53 of the *Water Resources Act*. ~~The M.O.E.C.C.'s D-5-4 Guidelines recommend that where the lot sizes are to be less than 1.0 hectares a hydrogeological study will be required.~~

8.0304.1.9 ~~In accordance with Planning Act Regulation 544/06, any plan~~ 6 ~~A Servicing Options Report and Hydrogeological Report shall be required for application for the creation of subdivision that would permit~~ five or more lots on ~~privately owned and operated individual septic system an/on-site sewage services or would permit~~ where fewer than five lots on ~~privately owned and operated individual septic systems, and on-site sewage services are proposed.~~

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and would result in more than ~~4500~~4,500 litres of effluent ~~would be produced~~ per day ~~as a result of the~~.

~~8.04.1.7~~ Any development ~~being completed will~~ proposed on the basis of private communal sewage services shall require ~~a servicing options~~ an amendment to this Plan and must comply with the standards of the Province and hydrogeological report. ~~any maintenance, responsibilities and liabilities must be to the satisfaction of the Municipality.~~

~~8.0304.1.108~~ There are additional policies relating to the provision of sewage systems that apply for new development proposed adjacent to recreational waterbodies ~~See in~~ Section 13: ~~of this Official Plan.~~

~~8.0304.1.149~~ The Municipality of Whitestone supports ~~septic system education and a voluntary septic system reinspectionre-inspection~~ program to ensure that septic systems are functioning correctly. ~~These reinspectionre-inspections will be done in conjunction with the local associations and the approval authority where funds are available.~~

~~8.0304.2~~ Water Supply

~~8.0304.2.1~~ Domestic water supplies for properties in the ~~municipality~~ Municipality come from surface waters or individual wells ~~or individual on-site water services~~. All property owners are responsible for individual water treatment.

~~8.0304.2.2~~ Any applications for land division proposing more than ~~5~~ five lots or units will be required to undertake ~~hydrogeological investigations~~ a Hydrogeological Study in accordance with ~~provincial~~ Provincial guidelines.

~~8.0304.2.3~~ ~~In order to prevent any cross-contamination of groundwater supplies, the zoning by law will prescribe standards that comply with provincial guidelines. (See M.O.E.C.C.'s D-5-4 Guidelines.)~~

~~8.03.2.4~~ ~~Any development proposing more than five lots on individual groundwater supplies will~~ A Servicing Options Report and Hydrogeological Report shall be required ~~to undertake groundwater assessments to confirm the long term availability of groundwater.~~

~~8.03.2.5~~ ~~In accordance with Ontario Regulation 544/06, any plan of subdivision~~ for a Plan of Subdivision that would permit more than five lots on privately owned and operated individual wells ~~will require a servicing options and a hydrogeological report.~~

~~8.0304.2.64~~ Any development proposed on ~~the basis of private~~ communal ~~supplies~~ water services shall require an amendment to this Plan and must comply with the standards of the ~~province~~ Province and any maintenance, responsibilities and liabilities must be to the satisfaction of the ~~municipality~~ Municipality.

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8.0304.2.75 The ~~M.O.E.C.C. Provincial~~ D-Service Series Guidelines recommend that any multi lot development that proposes new lots less than ~~4.0~~one hectare in size using individual septic systems and wells be required to prepare a hydrogeological study to ensure the lot is suitable to accommodate water and sewer.

8.0304.2.86 All private water supplies should be treated or disinfected to ensure that the water is potable and aesthetically adequate.

## 8.0304.3 Drainage

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

A ~~storm water~~stormwater management plan shall include:

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

## ~~8.04—Plans to Accommodate Handicapped~~

### 8.05 Ontarians with Disabilities

8.05.1 Where applicable, any plans or decisions respecting plans or programs within the Municipality of Whitestone shall ~~have regard for the needs of the physically challenged to ensure that access is available to all segments of the population~~be in accordance with the *Ontarians with Disabilities Act*.

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8.05.2 The Municipality may establish an ~~accessibility advisory committee~~Accessibility Advisory Committee pursuant to the *Ontarians with Disabilities Act* to provide a long-term strategy to ensure compliance with ~~this~~the Act.

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## SECTION 9.0 – ROADS AND TRANSPORTATION

### ~~TRANSPORTATION POLICY~~

#### 9.01 Provincial Highways

9.01.1 There are two ~~provincial highways~~Provincial Highways in the Municipality. Council supports the continued maintenance and upgrading of Highways 124 and 520 as ~~provincial~~Provincial highways serving the Municipality. In order to preserve the function and efficiencies of these ~~provincial highways~~Provincial

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Highways, the number of new entrances should be limited. Any proposed new entrance or any change to the use or design of an existing entrance ~~such that the entrance~~ will require a permit from the Ministry of Transportation and will be required to meet operational and safety criteria ~~of the M.T.O.~~ Noise studies may be required for sensitive land uses within ~~50m~~100 metres of a ~~provincial highway right of way or within 100m of a provincial highway.~~ The M.O.E.C.C. Noise Guidelines, LU 131 Series and the NPC series Guidelines as well as M.T.O.'s Provincial Highway Provincial Environmental Guide for Noise (2006 Noise Guideline - Stationery and Transportation Sources - Approval and Planning (NPC-300)) provides guidance on noise studies.

9.01.2 New development proposed to have an entrance directly on to a ~~provincial highway~~Provincial Highway outside of any community will be required to have a minimum frontage that is twice the standard for a rural lot unless it can be demonstrated that the rural standard will not impair the functional or operational qualities of the ~~highway~~Highway.

9.01.3 Building and land use permits, along with entrance and sign permits, are required from the Ministry of Transportation prior to any construction and/or grading on sites ~~adjacent to any provincial highway.~~ near a Provincial Highway and within a Ministry of Transportation Permit Control Area. New lot frontages may be determined by the Ministry of Transportation.

9.01.4 Any development within a specified distance of a ~~provincial highway~~Provincial Highway may be required to undertake noise studies to the satisfaction of the Municipality ~~in consultation with the Ministry of the Environment and Climate Change.~~

9.01.35 The Municipality supports the continued expansions of Provincial Highways No. 400, 69 and No. 11 through the District of Parry Sound to promote safe and convenient travel into and out of the District.

## 9.02 Municipal Roads

9.02.1 New development must front upon a year-round municipal road ~~or~~ a year round cottage road ~~or~~ Provincial Highway. The road must be publicly maintained except in the following circumstances:

- a) ~~9.02.1 limited new waterfront~~New lots ~~created by a consent where in accordance with the lot(s) front upon a recreational waterbody with an appropriate private right of way as determined by section 9.06 and all other creation policies of this Official Plan;~~
- b) ~~9.02.2~~ water access lots provided that Council is satisfied that appropriate facilities for car and boat trailer parking, docking and boat launching are available exclusively for the proposed waterfront access development;

**Commented [JR11]:** Council wants to permit lot creation on all roads. Public and Private Road Review By-law on Backlots.

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- c) ~~9.02.3 – camps~~ Camps used in connection with hunting, fish or maple syrup operations so long as there is an existing legal means of access to a given property; ~~and~~.
- d) ~~9.02.4 – a~~ A business, industrial or resource use so long as there is a legal right-of-way to the property from a publicly maintained, year-round road.

## 9.03 Major Roads

~~9.03.19.03.1~~ Major Roads are Provincial Highways, Bunny Trail, Lorimer Lake Road and Balsam Road.

**Commented [JR12]:** Discuss with Public Works ; Reference roads standards appendix.

9.03.2 New development will be encouraged to minimize direct access on to major roads and ~~highways~~ Provincial Highways. Where new development is proposed on major roads and highways, internal roads will be preferred, or shared driveways to preserve the efficiency of these ~~road ways~~ roadways. In all instances, new access on to or off of major roads and highways will be required to have adequate sight lines for safety.

~~9.03.2 – For the purposes of this Plan, major arterial roads in Whitestone include The Bunny Trail, Lorimer Lake Road and Balsam Road.~~

## 9.04 Municipal Road Allowance

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

- (a) ~~9.04.1 – the~~ The Municipality declares the road allowance surplus and the ~~municipal~~ Municipal road allowance is stopped up and sold in accordance with the provisions of the *Municipal Act*, or
- (b) ~~9.04.2 – the~~ The road is brought up to a ~~municipal~~ Municipal standard and assumed by the Municipality for maintenance purposes; or
- (c) ~~9.04.3 – the~~ The proponents of the road allowance improvements enter into legal agreement with the Municipality that includes provisions for indemnification of liability, signage and liability insurance; and and.

~~9.04.4 – it~~ It has been demonstrated that the proposal conforms with Section 12.0 - Natural Heritage of the ~~official plan~~ Official Plan. Prior to approval, the Municipality ~~shall~~ may require an assessment by a qualified professional to demonstrate that there are no ~~adverse environmental~~ negative impacts.

- (d) ~~9.04.5 – The above~~ to natural heritage features. This policy applies to any crossing of an unopened road allowance.

# PREVIOUSLY REVIEWED

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

- (a) ~~(i)~~—there is no immediate access use for the road allowance;
- (b) ~~(ii)~~—the use is authorized by the ~~municipality~~[Municipality](#), that may include an agreement;
- (c) ~~(iii)~~—the ~~land owner~~[landowner](#) is aware of the potential removal of any buildings or structures on short term notice;
- (d) ~~(iv)~~—circulation of the request to adjacent owners that may have an interest; and,
- (e) ~~(v)~~—compliance with the ~~zoning by~~[Zoning By-law](#).

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

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

## 9.05 Municipal Road Standards

Commented [JR13]: Reference appendix

9.05.1 The Municipality may only assume and maintain new roads or existing private roads if the road is brought up to the standards of the Municipality in accordance with Appendix 1. For the assumption of private roads, the benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.

9.05.2 The Municipality must be convinced that the assumption of a new road or an upgraded road is in the public interest before it commits to the assumption of the road.

9.05.3 Over the long term, the Municipality hopes to achieve a uniform standard for year-round, ~~cottage~~ and seasonal ~~municipal~~ Municipal roads. Council will adopt a program of prioritizing these improvements as need and funds permit.

~~9.05.4 The Municipality may consider waterfront development on a private road in accordance with the above policies where it may be demonstrated that a publicly assumed and maintained road is not necessary for the appropriate development of the Municipality.~~

~~9.05.5~~ 9.05.4 The Municipality may consider seasonal or cottage road standards where it is deemed appropriate for development that is designed for seasonal or cottage use only. Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards, at the expense of the benefiting property owners.

9.05.6~~5~~ The Municipality may vary the standards up or down to reflect the level of use so long as the determined standard has been established by a professional engineer or qualified consultant.

9.05.7 Year-round road service will not be provided on seasonal roads until such roads are upgraded to year-round standards at no cost to the ~~municipality~~ Municipality.

## 9.06 Private Roads

~~9.06.1 It is the policy of the municipalityMunicipality that any new lot creation be required to front directly on a year-round, publicly maintained road. Exceptions to this policy are set out below.~~

Commented [JR14]: Removed as this is addressed in the new lot creation section 8.02 and 8.03

9.06.2 ~~Private roads are the principal means of access for a large number of waterfront property owners. The Municipality has limited jurisdiction over private roads. With the shift to market value assessment, the shoreline tax base pays a~~

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~~significantly larger portion of the Municipality's tax base. There will be pressure placed on Council to assume some of these private roads. Council may only assume these roads if they are upgraded to the appropriate ~~municipal~~Municipal standard outlined in Appendix .~~ Benefiting property owners will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.

~~9.06.3 New lot creation that is determined to be infilling in the Waterfront area may be considered on existing private rights of way so long as new private roads may be considered to access new shoreline development so long as it is clearly understood that the~~9.06.3 Development on a private road or private right of way may be placed in a limited service zone in the implementing Zoning By-law. The zoning will reflect that Municipality has no responsibility for the maintenance or standards of the road and is not responsible for the delivery of services ~~to the same extent as would be the case for lands directly abutting a year round, publicly maintained road. These lands may be placed in a limited service zone in the implementing zoning by law.~~

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

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

Commented [JR15]: Review requirement for agreement with Council.

~~9.06.6~~

~~9.06.6 Existing n~~9.06.6 Non-waterfront lots on private or unassumed roads that have a registered right-of-way or some form of legal access are eligible for development, including consents or building permits.

9.06.7 The Municipality may consider new roads as common elements under the Condominium Act where deemed appropriate.

~~9.06.78~~ 9.06.78 The Municipality is aware of the abundance of ratepayers that access their properties by means of private or unassumed roads. The Municipality has adopted a program to assist in offsetting private road maintenance costs when funds are available.

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## 9.07 Colonization and Deviation Roads

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

## 9.08 Shore Road Allowances

- 9.08.1 Shore road allowances are present on a number of lakes in the Municipality. The Municipality is prepared to stop and sell these shore road allowances to the riparian ~~land-owners~~[landowners](#).
- 9.08.2 That part of the shore road allowance below the controlled high-water mark will be retained by the Municipality.
- 9.08.3 That part of the shore road allowance identified as having any environmental feature may be retained by the Municipality. [Prior to approval, the Municipality may will require an assessment by a qualified professional to determine the extent of the environmental feature\(s\).](#)
- 9.08.4 [That part of the shore road allowance identified as having historical or cultural features may be retained by the Municipality. Prior to approval, the Municipality may require an assessment by a qualified professional to determine the extent of the historical or cultural features.](#)
- [9.08.5](#) No shore road allowance will be stopped up and sold to the riparian ~~land owner~~[landowner](#) where it is used for access by an adjoining property owner or where the sale will have a negative impact on an adjoining property owner.

## 9.09 Roads Over Crown Land

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

## 9.10 Recreational Trails

- 9.10.1 The Municipality supports the continued program of recreational trails in the region as important components of the areas recreational attractions, economy and transportation system. The Municipality will co-operate as far as possible to preserve and improve upon the existing system of trails.

# PREVIOUSLY REVIEWED

9.10.2 The Municipality supports the establishment of trans-provincial trail efforts and will participate in the construction of these trails as far as possible.

9.10.3 The Municipality will may restrict motorized vehicles from trails where appropriate on municipally controlled land.

## 9.11— Float Planes

~~9.11.1 The use of float planes in the Municipality is an important form of access to camps and cottages both inside and outside the Municipality. New uses and buildings or structures associated with float planes are required to comply to the applicable regulations under Transport Canada.~~

~~9.11.2 New float plane depots or staging areas will be required to be zoned commercial in the Municipality's comprehensive zoning by laws to recognize the attendant land based activities and structures.~~

~~9.11.3 Any floating hangers or storage buildings alleged to be used in conjunction with private or commercial float planes will be considered boathouses or land-based storage buildings for the purposes of the Ontario Building Code Act.~~

## 9.12 Railways

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

9.12.2 All proposed residential or other sensitive development within ~~4~~300 metres of a railway right-of-way may be required to undertake ~~noise feasibility~~ vibration studies, to the satisfaction of the Municipality, in accordance with the ~~Ministry of the Environment and Climate Change~~ Provincial D-Series Guidelines on Land Use Compatibility, Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300), and in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

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

## 9.13— Navigational Impacts

Commented [JR16]: Renumber after deletion

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# PREVIOUSLY REVIEWED

~~9.13.1 The Council of the Municipality is aware of a number of nuisances that are created by watercrafts that generate damaging wakes in terms of the environmental, noise, safety and enjoyment to others. The municipality may take whatever steps are necessary and reasonably available to preserve the quiet enjoyment, safety and aesthetics of its waterfront neighbourhoods.~~

## **SECTION 10.0 – GENERAL PARKS AND OPEN SPACE**

### **10.01 Parkland Policy**

[10.01.1](#) Council will encourage the preservation and expansion of its existing parks and lake access points throughout the Municipality provided that such expansions do not overload existing lake neighbourhoods by introducing excessive traffic on any given waterbody.

[10.01.2](#) It will be the preference of the Council to require a parkland dedication as a condition of land division or development ~~under~~. [The land conveyed or dedicated for parkland shall be an amount in accordance with the Planning Act.](#) In cases where the development proposal is too small to be practical for parkland use, Council may consider cash-in-lieu of a land dedication [to the value of the land as determined in accordance with the Planning Act. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality.](#)

[10.02.3](#) As a condition of development or redevelopment on one of the Municipality's waterbodies, Council will attempt to preserve or expand upon public access to that lake.

[10.02.4](#) Council will generally discourage the stopping up and transferring of road allowances that lead to a recreational waterbody unless the use of the road allowance, either now or in the future could not feasibly serve as a public access. Alternatively, an applicant interested in acquiring a particular road allowance leading to water, could provide an alternative access to replace the road allowance.

[10.02.5](#) Council supports the existing recreational trail system throughout the Municipality and encourages the maintenance and expansion of this system to meet growing demands. Council endorses the ongoing partnerships of governments, organizations and individuals to continue to operate and enhance the trail system.

### **10.02 Golf Course Policy**

[10.02.1](#) Golf courses are permitted uses in all land use designations. A rezoning will be required for the establishment of any new golf course(s) or the extension or expansion of any existing golf course. ~~A condition of a rezoning, and~~ [will include be evaluated based on the following:](#)

# PREVIOUSLY REVIEWED

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

## **SECTION 11.0 – HOUSING AND SPECIAL LAND USES**

### **11.01 General**

- 11.01.1 The primary type of residential use in the Municipality is a single detached dwelling or seasonal residential dwelling. It is the policy of the Municipality of Whitestone to maintain the single detached dwelling unit or seasonal residential unit as the primary permitted housing form in the Municipality. A single detached dwelling unit may be converted to more than one dwelling unit in accordance with the provisions of the Zoning By-law. Other forms of multi-unit residential dwellings may be permitted in ~~any policy area~~[the appropriate designation](#) by rezoning and subject to all other applicable policies of this Plan.
- 11.01.2 Higher density residential housing development including medium density housing may be considered in the communities where it may be demonstrated that adequate services are available for such development and subject to rezoning to consider any land use implications.
- 11.01.3 The Municipality of Whitestone supports the continued use of rehabilitation and subsidized housing programs sponsored by the Provincial or Federal Governments where applicable in the Municipality. ~~If required under any such program, the Municipality will produce and implement a Property Standards by-law.~~

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11.01.4 An acceptable standard of housing design will be established in the Municipality through zoning, property maintenance and occupancy standards, and where necessary, through ~~site plan control.~~ Site Plan Control where applicable. In general, new housing design shall not detract from the rural character already established in the Municipality.

11.01.5 The Municipality of Whitestone supports subsidized housing programs within the Municipality and will take active steps to pursue sponsoring these programs where eligible under current Provincial and Federal Government criteria.

11.01.6 It will be the policy of this Official Plan that unless otherwise provided, only one dwelling unit is permitted on any separate parcel of land subject to all other applicable policies of this Official Plan.

~~11.01.7 The Township—Municipality supports attainable housing initiatives. The MunicipalityTownship supports the provision of housing which is affordable to low and moderate-income households. In this regard, the overall target is 25% of new residential dwelling units to be attainable as defined in this Plan. This target is intended to apply on aggregate across the Township, but not necessarily to each individual site-specific development proposal.~~

~~11.01.8 Creative and innovative approaches to the provision of attainable housing may also be considered, including alternative development standards and forms of housing, provided that other objectives of this Plan can be achieved.~~

~~11.01.9 Lands within settlement areas may be pre-zoned to permit housing styles that may be attainable.~~

~~11.01.10 Surplus Municipal Township-owned land and/or buildings should be considered for the provision of housing required to meet the social, health and well-being requirements of current and future residents, including attainable housing.~~

## 11.02 ~~Secondary~~Additional Residential Units

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

- (a) ~~11.02.1~~ SecondaryAdditional residential units are permitted in all land use designations where detached, semi-detached and row house dwellings and accessory structures are permitted, ~~except for the Waterfront designation. Lake planning and development has been determined on the basis of one dwelling unit for each parcel of land.;~~
- (b) ~~11.02.2~~ SecondaryAdditional residential units must comply with all applicable laws and standards. ~~A secondary unit must confirm that the~~Adequate servicing (i.e., well and septic system is capable

# PREVIOUSLY REVIEWED

~~of accommodating) must be available for the additional bedrooms where necessary; residential units;~~

- (c) ~~11.02.3~~—The character of the single detached, semi-detached or row house should be preserved when establishing a ~~secondary~~an additional residential unit; and,

- (d) Where an Additional Residential Units is permitted, up to two second units are permitted per lot. However, only one second unit is permitted in an accessory structure.

**Commented [JR17]:** Could remove from OP and only include in the zoning by-law.

## 11.02.5 Additional Residential Units are subject to the following criteria:

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

## 11.03 Trailers

**Commented [JR18]:** Confirm with Council that all policies are being removed.

~~11.03.1 The Municipality of Whitestone does not permit the use of travel discourages trailers in place of conventionally built , motorhomes and camping on any lands in contrast to conventional single detached dwellings. This restriction does not apply to the placement of travel trailers on a property or cottages. However, it does recognize that has an existing single detached dwelling where the trailer functions as an accessory building or where a trailer is placed on a property for storage or for sale. In addition, a trailer under certain circumstances that controlled and limited use of trailers, motorhomes and camping may be a reasonable temporary land use for vacant parcels of land in the Municipality.~~

~~11.03.2 A trailer, motorhome, or tent is a permitted accessory building or structure where such a building or structure is use to a permitted usedwelling where such uses function as accessory uses subject to complying with all provisions related to accessory structures for the zone in which the use is proposed.~~

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~~11.03.2 It is the policy of the Council of the Municipality of Whitestone to place all lawful, existing trailers in a legal non-conforming status with the hopes that over a number of years these legal non-conforming uses will be converted to conventional dwellings permitted by the zoning by-law.~~

~~11.03.3 Where trailers are being used as lawful single detached dwellings or seasonal residences and where these trailers are not assessed for taxation purposes, the Municipality will enact a licensing by law to collect a fee in lieu of lost taxes for these trailers.~~

~~11.03.411.03.3 A trailer, motorhome, or tent for the purpose of sale or storage may be permitted on any parcel with a principal dwelling.~~

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

~~11.03.5 The Municipality may arrange for a temporary use of a trailer on a property where a building permit has been issued for a main dwelling and such trailer may be located on the subject property for the period required to construct the main dwelling so long as this period does not exceed three years.~~

~~11.03.56 A trailer camp, tourist camp, or motel is a commercial use. The Municipality may enact by laws to regulate, license, or govern tourist camps, trailer camps, or motels.~~

~~11.03.67 The number of trailer sites allowed, tourist camp sites, or motel units will be prescribed in the implementing zoning by-law.~~

~~11.03.8 All trailer placements are required to meet requirements for wastewater disposal.~~

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## 11.04 Mobile Homes

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

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

11.04.3 Mobile home parks ~~are to be zoned as commercial uses and~~ will be subject to ~~site plan control~~ Site Plan Control.

## 11.05 Supported Group Homes Living Residences

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

## 11.06 Home Occupations

# PREVIOUSLY REVIEWED

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

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

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

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~~(l)(m) m~~—there will be no outdoor storage or display; and,

~~n) no more than 50% of the total floor area Zoning By-law shall limit the amount of the dwelling or including the basement, shall be used for the business; and~~

~~(m)(n) e~~—~~an accessory building or shop does not exceed 300 square metres~~accessory building that is dedicated to the home occupation.

11.06.3 The implementing ~~zoning by law may make~~Zoning By-law shall further detail the conditions under which ~~a distinction between home industries in contrast to home occupations where the location and operational criteria may be more permissive~~occupation may be permitted.

## 11.07 Home Industries

11.07.1 Home industries are small-scale industrial uses that are within an accessory building on a residential property and such businesses are considered to be secondary to the principal residential use of the property. Home industries may include welding, carpentry, contractor/landscaping yards or machine shops, or agriculture-related uses that involve the processing agricultural crops or other products. The repair, or sale of motor vehicles is not considered to be a home industry. For purposes of this Official Plan, a self-storage facility containing individual lockable units, is not considered to be a home industry. Home industries shall be promoted by the Municipality to encourage a mix and range of employment opportunities.

11.07.2 Home industries are permitted in all designations, except the Waterfront designation, and subject to the following:

- (a) the business must satisfy all statutory requirements for emissions and waste management;
- (b) the business will clearly be secondary and incidental to the residential use;
- (c) the business will be conducted by those persons who occupy the dwelling on a permanent basis with not more than two additional employees;
- (d) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- (e) only a limited portion of the dwelling will be used for the business;
- (f) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;

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- (g) the residential character and appearance of the property and the neighbourhood will be maintained;
- (h) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- (i) the business will be compatible with adjacent residences and the neighbourhood;
- (j) the business will have ~~no~~ negative impact on natural heritage features; ~~environmental impacts or adverse effects;~~
- (k) the business will not be a high traffic generator; and,  
~~the business will be a low water user and sewage effluent producer;~~
- (l) ~~there will be no outdoor storage or display; and,~~
- (m) the Zoning By-law ~~shall~~ may establish limitations on the amount of floor area or the accessory building dedicated to the home industry.

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

# PREVIOUSLY REVIEWED

## **11.08 Bed and Breakfasts**

- 11.0708.1 Bed and breakfasts are permitted in any designation.
- 11.0708.2 Bed and breakfasts must be a minimum of 0.5 kilometres from an existing bed and breakfast in the waterfront designation.
- 11.07308.3 A bed and breakfast is to be considered a home occupation and the provisions/policies of Section 11.0506 shall apply.
- 11.0708.4 No more than three rental bedrooms or guestrooms are permitted in a single bed and breakfast.

## **11.08 Residential Conversions**

- ~~11.08.1 There is a substantial proportion of the population of the Municipality of Whitestone that is identified as seasonal given that their principal residence is located elsewhere. While these second home owners generally continue to use their Whitestone dwellings in a part time basis and principally in the summer season, there are a small number interested in locating in the Municipality at their part time residence on a full time basis (June 2001 survey).~~
- ~~While it is anticipated that the number of actual seasonal residential conversions to year round use will be low, there may be some land use implications that arise as a result of this action.~~
- ~~11.08.2 Seasonal residential conversions will be supported by the Municipality.~~
- ~~11.08.3 The conversions of seasonal dwellings to year round use may require proof that an approved sewage system has been installed in accordance with the most recent standards including treatment capacity for hauled sewage from a licensed sewage hauler.~~
- ~~11.08.4 Any consideration of the conversion of seasonal dwellings to year round dwellings and the relative change in nutrient loading on the water quality of a recreational waterbody will be assessed in accord with the Lakeshore Capacity Assessment Handbook.~~
- ~~11.08.5 Residents intending to convert their seasonal dwellings into year round homes shall be aware that such conversions do not necessarily entitle that property to any additional services and that the Municipality may pass by-laws clearly identifying how such properties may be subject to limited services.~~
- ~~11.08.6 The conversion of a seasonal dwelling into a year round home is insufficient, by itself, to encourage upgrading of municipal services to the home. The Municipality must evaluate all factors, including the costs to other taxpayers, before proceeding with any service upgrades.~~

## **11.09 Garden Suites**

# PREVIOUSLY REVIEWED

11.09.1 Notwithstanding the provisions of this Plan, a "garden suite" or "granny flat" may be authorized in any community or rural designation of this Plan by ~~temporary use by a Temporary Use By-law~~ for a period not exceeding 20 years ~~and provided. In considering garden suites, Council, prior to passing a Temporary Use By-law, shall be satisfied that the land owner enter into an agreement with the Municipality.:~~

- ~~— Adequate parking for the garden suite is available;~~
  - ~~— The garden suite shall not cause an encroachment into any required yard imposed by the Zoning By-law;~~
  - ~~— The garden suite shall be portable; however, trailers shall not be permitted;~~
  - ~~— The garden suite is serviced through an extension from the existing dwelling unit and the private services are adequate to service the principal residential unit and the garden suite; and,~~
- (a) An agreement is entered into with the Municipality regarding the maintenance, alterations and improvements and eventual removal of the garden suite unit. This agreement may include a bond or security held by the Municipality that would ensure the removal of the unit.

## 11.10 Hunt Camps

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

# PREVIOUSLY REVIEWED

## SECTION 12.0 – NATURAL HERITAGE

- 12.0.1 The Municipality of Whitestone recognizes that there are a number of known ~~as well as~~ and unknown natural heritage features in the ~~municipality~~ Municipality. It is also understood that there is legislation, regulations, provincial policies, guidelines and manuals prescribing measures to recognize, protect and preserve these natural heritage features. This Plan recognizes the responsibility of the ~~municipality~~ Municipality together with its associated approval authorities to make decisions that reflect these legislative and policy requirements.
- 12.0.2 The ~~province~~ Province has provided information on known natural heritage features, and this data has been compiled and added as Schedule 'B' to this Plan.
- 12.0.3 The ~~planning board~~ Planning Board and the ~~municipality~~ Municipality will use this data to determine the need for an ecological assessment.
- 12.0.4 No development or site alteration is permitted within Provincially Significant Wetlands or significant coastal wetlands. If development is proposed within or adjacent to other significant natural heritage features, a site assessment is required to determine if those features are present and to determine if further study is required to prevent negative impacts on the feature or its ecological function.
- 12.0.5 Adjacent lands are those lands that are within:
- (a) ~~a)~~ 120 metres of: significant habitat of endangered and threatened species; provincially significant wetlands; significant coastal wetlands; significant woodlands and valleylands; Areas of Natural and Scientific Interest (life science); ~~and~~ fish habitat and unclassified wetlands greater than 32 hectares. Wetlands are identified on Schedule B to the Official Plan.
  - (b) ~~b)~~ 50 metres of Areas of Natural and Scientific Interest (earth science).
  - (c) ~~c)~~ 300 metres of at-capacity inland natural lake trout lakes on the Canadian Shield.
- 12.0.6 In the case of plans for subdivisions, ecological assessments will be required to determine what, if any, natural heritage feature may be present and what measures, if any, are required to ensure no negative impacts on the significant natural heritage features or their ecological functions.
- 12.0.7 If there are significant gaps in the data respecting natural heritage features, the proponent(s) shall be required to undertake an ecological assessment at the ~~proponents~~ proponent's expense to determine what, if any, natural heritage features are present. Where natural heritage features are found, development or site alteration shall not be permitted within or adjacent to the natural heritage

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features unless it can be demonstrated that there will be no negative impacts on the natural features or on their ecological function.

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

## 12.01 Fish Habitat

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

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

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

Commented [JR19]: Put fish habitat policies back how they were and reference support for re-stocking  
Wants reference that floating docks are permitted in Type 1 Fish Habitat

(i) where a severed or retained lot does not include a minimum of 15 metres of non-Type 1 Fish Habitat, it may be re-inspected for errors or omissions respecting the mapping;

(ii) if the re-inspection reveals an accuracy issue, a revised Type 1 Fish Habitat mapping is to be confirmed by the Ministry of Natural Resources and Forestry;

(b) the Parry Sound Area Planning Board may obtain a report by a qualified biologist to indicate how the development can comply with the Provincial Policy Statements. The costs of such a study will beat the expense of the proponent; or

(c) authorization for a dock and/or boathouse must be received from the Department of Fisheries and Oceans.

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

12.01.1.3 The applicant must sign an acknowledgement form that they have received and read a copy of the information sheets on docks and shoreline development

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from the Ministry of Natural Resources and Forestry and the Department of Fisheries and Oceans.

12.01.1.4 ~~It is the policy of this Plan that in order to~~To protect fish ~~habitats~~habitat along watercourses ~~that there be~~the Zoning By-law shall establish a minimum 15 metre setback for structures along warm water streams and a minimum of 30 metres for cool or cold water streams. Staley's Creek and Jordan Creek and their tributaries may provide cool/cold water habitat and should have a 30-metre setback for buildings and structures.

12.01.1.5 ~~Any~~Where new ~~structures along shoreline identified as Type 1 fish Habitat will not be permitted unless it can be demonstrated~~lot creation is proposed, ~~the severed and retained lot shall demonstrate~~ that ~~there will be no adverse impacts.~~

~~12.01.1.6~~ ~~Shorelines along recreational waterbodies that have not been evaluated for at least 15 metres of the lot frontage of each lot does not contain~~ Type 1 Fish Habitat.

~~12.01.1.7~~ ~~The Municipality will include setbacks and buffers along sensitive shorelines of creeks, rivers and cool or cold watercourses.~~

## 12.02 Wetlands

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

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

12.02.3 In accordance ~~with 2.1.3 (b) of the PPS~~Provincial policy, no development or site alteration is permitted within a provincially significant wetland. Where development and/or site alteration is proposed adjacent to a Provincially Significant Wetland, the Municipality will require ~~a study~~an Environmental Impact Study by a qualified ~~consultant~~professional to demonstrate that there will be no negative impacts on the natural features or on the ecological functions of the ~~Provincially Significant Wetland~~provincially significant wetland. The costs of such a study would be borne by the applicant and completed prior to the approval of the development and/or site alteration.

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

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## 12.03 Significant Wildlife Habitat

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

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

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

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

## 12.04 Areas of Natural and Scientific Interest

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

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Commented [JR20]: Want details about what a Life Science ANSI is.  
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12.04.2 Prior to development and site alteration occurring within or adjacent to an ANSI, an Environmental Impact Study shall be submitted to the satisfaction of the Municipality demonstrating that there will be no negative impact on the natural features or ecological function of the ANSI.

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## 12.05 Habitat of Endangered and Threatened Species

12.05.1 The Municipality recognizes the importance and value of protecting the habitat of endangered or threatened species. The exact location of habitat for these species is considered sensitive information and cannot be shown on Schedule

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B but will be used by the Municipality when development or site alteration is proposed. The Municipality may consult with Ministry of Natural Resources on matters related endangered or threatened species.

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

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12.05.3 All development and site alteration must ensure that the habitat of threatened or endangered, species is protected. No development or site alteration shall be permitted in the habitat of endangered or threatened species.

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12.05.4 Where development and site alteration is proposed adjacent to the habitat of endangered or threatened species an environmental impact study may be required to ensure development and site alteration does not occur within habitat except in accordance with provincial and federal standards.

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12.05.5 Where development is proposed in areas that have the potential to contain habitat of endangered or threatened species, an Environmental Impact Study shall be required.

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12.05.6 Where an Environmental Impact Study has been prepared, prior to approving any development the Municipality shall ensure, through land use planning controls, that the appropriate measures are in place to mitigate potential negative impacts to the habitat of endangered and threatened species. If an Environmental Impact Study identifies species-at-risk habitat, the Study shall be circulated to the Ministry of Natural Resources. As a condition of an approval under the Planning Act, the proponent may be required to obtain an authorization from the Ministry of Natural Resources, or a written indication from Ministry that an application under the Endangered Species Act is complete and is likely meet the legislated requirements of the Act.

## **12.06 Mineral Aggregates - Pits and Quarries**

~~12.03~~12.06.1 The Municipality of Whitestone is now designated under the *Aggregate Resources Act*. Only those existing aggregate resources that are currently ~~licensed~~licenced under the *Aggregate Resources Act* will be recognized in the Municipality's ~~zoning by~~Zoning By-law.

~~12.03~~12.06.2 It is understood that any new pits and quarries proposed in the ~~municipality~~Municipality will be required to comply with the ~~licensing~~licencing criteria set out in the regulations under the *Aggregate Resources Act*. Because of the costs associated with undertaking any assessments related to obtaining a new pit or quarry license, it is most likely that limited new pits or quarries are likely to be established over the period of this Plan. Notwithstanding this reality the Municipality supports the establishing of new pits or quarries subject to complying with the *Aggregate Resources Act* requirements, the Provincial ~~Policy~~Planning Statement and the implementing ~~zoning by~~Zoning By-law.

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~~12.03.3~~ 12.06.3 The Zoning By-law shall permit existing pits and quarries in the Rural Zone. Any new pits or quarries will be required to be rezoned to afford neighbouring property owners an opportunity to assess the aggregate operation proposal. Pit and quarry operations can have similar impacts to sensitive uses as a Class III Industry with a potential influence area of ~~4000~~ 1,000 metres. It is the policy of the ~~municipality~~ Municipality to prevent incompatible land uses and activities both on site and adjacent to existing pits and quarries and any significant deposits of aggregate resources. New quarries shall also require an amendment to the Official Plan.

~~12.03~~ 06.4 Applications to expand existing mineral aggregate quarry operations will require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

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

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

- a) the potential impacts of the operation on:
  - i) the ~~significant~~ natural heritage features and ecological functions on the site and on adjacent lands;
  - ii) nearby communities and residential uses;
  - iii) agricultural resources and activities;
  - iv) the character of the area;
  - v) the quality and quantity of groundwater and surface water;
  - vi) the cultural heritage resources in the area;
  - vii) significant geologic formations on the site and in the area;
  - viii) the groundwater recharge functions on the site and on adjacent lands; and,
  - ix) nearby wells used for drinking water purposes.
- b) the effect of the increased truck traffic on the environment and the land uses in the area;
- c) the suitability of the proposed haul routes;

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- d) the effect of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) how the natural features and functions on the site and on adjacent lands can be protected and/or enhanced as part of the design of the operation and through progressive rehabilitation;
- f) how the impacts from the proposed operation on adjacent uses will be mitigated; and,
- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

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

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

12.06.4 The ~~province~~Province has provided mapping of existing sand and gravel deposits in the ~~municipality~~Municipality. The ~~municipality~~Municipality will make use of this data when assessing any new development to ensure any compatibility issues are resolved as part of a development review. Sensitive land uses will not ~~be~~ permitted in close proximity to viable mineral aggregate resources. Mapping of sand and gravel deposits are attached as ~~an appendix~~a Schedule to this Plan and shall be protected.

12.0306.5 ~~Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan~~Official Plan Amendment, ~~rezoning~~Zoning By-law aAmendment, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

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## 12.04-07 Mineral Resources - Mines

12.0407.1 Mineral resources and mining operations will be protected from activities that would be incompatible for reasons of public health, safety or environmental impact. In areas of known mineral resources or mining activity no development will be permitted that would preclude or hinder viable mining operations. Sensitive uses will be separated and/or buffered from mining operations in accordance with provincial legislation, policies and guidelines.

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12.0407.2 Mine hazards are any feature of a mine defined in the *Mining Act* or any related ground disturbance that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. There are currently three abandoned mine hazard sites (AMIS) in the Municipality of Whitestone. The one kilometre area that surrounds each AMIS point is to be considered a flag to contact the Ministry of ~~Northern Development~~Energy and Mines when development is proposed within that area. In some cases, a smaller area may be justified due to specific characteristics of the hazard. These decisions will be made on a case-by-case basis in consultation with the Ministry of ~~Northern Development~~Energy and Mines.

## 12.0508 Hazard Lands

12.0508.1 Historically, only Wahwashkesh Lake has been identified as having a potential flood hazard. Flooding on Wahwashkesh occurs annually during the spring freshet where fluctuations of 3 to 4 metres are natural because of the large numbers of inlets to the lake and the restriction at the outlet where the Magnetawan River is narrowed by a significant gorge. The summer level of Wahwashkesh is controlled by a fixed dam with an elevation of approximately 224 metres above sea level.

12.08.2 The regulatory flood elevation (flood plain) for Wahwashkesh Lake, based on the 1:100 year flood, is established at 229.57 metres above Canadian Geodetic Datum (229.14 metres, ~~stillwater~~stillwater conditions, plus 0.43 for wind set-up and wave run-up).

12.08.3 The regulatory flood elevations (flood plains) for Kashegaba and Gooseneck Lakes are based upon the Timmins flood and are 1.44 metres and 1.45 metres, respectively, above the top of the weir and the main spillway for these lakes, respectively.

12.08.4 The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain of the aforementioned ~~3~~three lakes. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new buildings must have a minimum elevation for openings at or above the flood elevations. These flood elevations will be implemented in the ~~zoning by~~Zoning By-law.

12.08.5 Septic systems shall be above the required flood elevation on any Lake.  
Except for Lake Wahwashkesh where an elevation of [redacted] shall be used.

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12.08.6 The regulatory flood elevation (flood plan) for all other lakes and rivers is based on the 1:100 year flood. The erection of new buildings or structures, or the removal or placing of fill is not permitted in the flood plain. An exception would be those structures or works that are necessary for flood or erosion control, and those which, by their nature, must be located adjacent to waterbodies. Outside the flood plain, new building must have a minimum elevation for openings at or

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above the flood elevation. These flood elevations will be implemented in the ~~zoning by~~ Zoning By-law.

~~12.05.208.7~~ Because there is no engineered mapping available for the Municipality of Whitestone and because the boundaries of the ~~Flood Plain~~ flood plain may be designated on Schedule 'A' through aerial photograph interpretation by qualified ~~consultants~~ professionals, marginal refinements to the boundaries of the Flood Plain areas will not require an amendment to this Plan provided that any boundary adjustments are in keeping with the intent of the flood plain mapping and provided that the refinements are acceptable to both Council and the Ministry of Natural Resources and ~~Forestry and~~ that the adjoining land use designation will apply.

~~12.05.308.8~~ The Official Plan will be amended to incorporate engineered flood plain mapping should this become available. Where mapping exists, it will be shown on the schedules to this Plan.

~~12.05.408.9~~ Under certain circumstances, within or near designated Flood Plains, an application for new development may be required to obtain a detailed engineering study to more accurately determine the level and extent of the regulatory flood elevation.

~~12.05.508.10~~ The expansion of existing non-conforming uses, i.e. those uses below the current regulatory flood elevation, will also generally be subject to review and Municipal approval in the Flood Plain. However, minor additions to existing development may be permitted by rezoning.

~~12.05.608.11~~ New lots may be created by consent or plan of subdivision along a flood plain boundary where there is adequate development area outside the flood plain in each proposed lot and where there would be safe access under flood conditions. Development and site alteration shall be prohibited in areas with potential erosion hazards unless it has been demonstrated that the site and its access would be safe using the 100 year erosion rate.

~~12.05.708.12~~ The Zoning By-law implementing this policy will zone flood plains in a separate restrictive land use category.

## ~~12.06~~ — Environment

### 12.09 Land Use Compatibility

~~12.0609.1~~ This Plan recognizes that the Ministry of the Environment, Conservation and ~~Climate Change~~ Parks establishes a number of guidelines to supplement the Province's air, noise and odour approvals under the *Environmental Protection Act* and *Ontario Water Resources Act*. The Municipality will continue to recognize these guidelines when reviewing land use compatibility for any of its planning approvals.

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- 12.0609.2 All proposed development in the Municipality of Whitestone shall meet provincial standards for air, ground, light, noise, and water pollution control.
- 12.0609.3 Any proposed change from an industrial or commercial use to a residential use will require the submission of a Record of Site Condition in accordance with the *Environmental Protection Act* prior to any rezoning.

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## 12.0609.4 Brownfield Development

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

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

## 12.0609.5 Land Use Change and Land Use Compatibility

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

[12.09.5.1](#) The Approval Authority may request, in accordance with this Plan, appropriate studies to address identified and potential issues related to land use compatibility prior to consideration and approval of any planning applications submitted to the Approval Authority. These studies shall be in accord with applicable ~~M.O.E.C.C. Guidelines~~ [provincial guidelines](#).

## 12.0609.6 Compatibility Between Land Uses

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

## 12.0609.7 Establishing Influence Areas for Industrial Land Uses

In absence of establishing actual areas of influence for industrial land uses, separation distances between industrial and sensitive land uses should be in

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accord with applicable Ministry of the Environment, [Conservation](#) and [Climate Change Guidelines](#) Parks.

## 12.0610.8 Development in Proximity to Waste Disposal Sites and Unidentified Waste Disposal Sites

Where new development is proposed within 500 metres of the boundary of any waste disposal site, a feasibility study in keeping with the [Ministry of the Environment and Climate Change's provincial](#) D-Series Guidelines will need to be prepared by a qualified professional.

## **SECTION 13.0 WATERFRONT POLICIES**

### **13.01 Definition**

**Commented [JR21]:** 90 metres of lot frontage for all lots

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

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

### **13.02 Form of Development**

13.02.1 The general form of development includes:

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

**Commented [JR22]:** Do we want the reference to the trailer by-law to be and AND requirement?

### **13.03 Principles of Waterfront Development**

13.03.1 The principles of waterfront development are based upon the relevant objectives of this Plan.

**Draft Official Plan  
section to be reviewed  
January 29 2026**

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- 13.03.2 These principles include maintaining the low-density residential shoreline density together with ~~occasional~~existing tourist commercial uses.
- 13.03.3 The ~~municipality~~Municipality is interested in preserving the character of its waterfront communities.
- 13.03.4 These principles include ensuring that any development complies with any relevant carrying capacity for any particular lake or part thereof.
- 13.03.5 A strong principle in considering any waterfront development will be the protection of natural heritage vales. The ~~municipality~~Municipality will require the assessment of impacts and in particular environmental impacts and protecting against any negative or adverse impacts on any ecological functions.
- 13.03.6 An important principle for the consideration of any waterfront development will be to prevent any negative impacts on water quality or quantity.
- 13.03.7 The ~~municipality~~Municipality shall consider the degree of obtrusiveness of built form to ensure the compatibility of any new development. To this end, boathouses and boatports are not permitted over the water.
- 13.03.8 The ~~municipality~~Municipality shall ensure that all development is evaluated for risks in terms of traffic, navigation, natural or man-made hazards.

~~13.03.9 The municipality will encourage the protection of cultural heritage resources in accordance with 2.6 of the PPS.~~

13.03.9 In considering applications for waterfront development council shall ensure that cultural heritage resources both on shore and in the water are not adversely affected. When necessary, the Municipality will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.

## 13.04 Water Quality Protection

13.04.1 The preservation of water quality of recreational waterbodies is paramount to the ~~municipality~~Municipality. The ~~municipality~~Municipality supports the tenets of the guidelines set out in the Lakeshore Capacity Assessment Handbook and recognizes that the science on lake capacity is evolving. ~~-as well as the former provincial water quality objectives.~~

13.04.2 The Municipality of Whitestone has both warm water lakes and cold-water lakes. The ~~coldwater~~cold water lakes include Fairholme, Lorimer, Miskokway, Trout Lake and Lake Wahwashkesh. Development on or upstream of any of these lakes that are deemed to be at capacity shall only occur in accordance with the Lakeshore Capacity Assessment Handbook.

~~For all other waterbodies including the river systems in the municipality, the following policies shall apply.~~

**Commented [JR23]:** Make comment about current science as well as the LSCAH

**Commented [JR24R23]:** Included in the waterfront section where the reference to development setback is included.

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- 13.04.3 It is the policy of this Plan to encourage an increased front yard setback for sewage disposal systems. The Ontario Building Code requires a clearance of 15 metres. However, for the purposes of mitigating against the potential of phosphorus loading of the waterbody, it is recommended that sewage disposal systems (either conventional septic tank tile field or Ontario Building Code approved filter beds, or tertiary treatment systems) be located at least 30 metres from the shoreline of the lake whenever possible.
- 13.04.4 To the greatest extent possible, the lot owners and/or their contractors make use of B Horizon soils in constructing their leaching beds given the high and beneficial capabilities of such soils to irreversibly complex phosphorus.
- 13.04.5 For any imported soils needed to construct the leaching beds, the lot owners and/or their contractors be required to use tested B horizon soil that may have high capabilities to retain phosphorus (in the order of 50 milligrams phosphorus per 100 grams of soil), based on electrostatic absorption or binding, and mineralization with reactive iron and aluminum.
- 13.04.6 The area between the shoreline and any development on the lot including the cottage and septic system be maintained in its natural state in order to preserve a buffer of natural vegetation. The restrictions would require that the setback be altered or disturbed as little as possible, and trees should not be cut, nor vegetation cleared within it so that it functions as a natural shoreline buffer, except for access (a reasonable wide pathway to the shoreline), safety, or selective cutting or limbing for the reasonable provision of views from dwelling or cabins (bunkies). The width of the buffer should be the required front yard set out in the ~~zoning by~~ Zoning By-law or larger should dwellings exceed the minimum required yard.
- 13.04.7 French drains or soakaway pits be used for treating stormwater from hard surfaces (roof-tops) as a method of decreasing potential phosphorus impacts to ~~downgradient~~ down-gradient surface waters.
- 13.04.8 Prior to the construction of any buildings or septic systems, properly constructed sediment fencing be installed along the inner limit of the required shoreline setback in area adjacent to or ~~downgradient~~ down-gradient from the proposed site disturbances and construction activities.
- 13.04.9 The sediment fencing be properly maintained until all construction has been completed and the soils have been fully stabilized following construction to avoid excess sedimentation and potential loss of fish and wildlife habitat.
- 13.04.10 The Municipality may undertake independent lake capacity studies to assist in guiding future planning and encourages the lake partners programs for water quality testing. ~~and development policies for specific lakes.~~
- 13.04.11 The Municipality may establish a water monitoring program for lakes to guide future planning and development policies.

**Commented [JR25]:** Make this at 25% area similar to lake specific policies.

**Commented [JR26R25]:** Prefer not to reference the number in the OP and leave it to the zoning by-law to include the numbers

**Commented [JR27R25]:** Have included 25% in General Waterfront Development policies.

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## 13.05 Recreational Capacity

13.05.1 The Municipality of Whitestone is aware that inland waterbodies may have limited capacity to accommodate additional waterfront activities like boating, fishing, swimming and other in water recreation. While it is recognized that this aspect of a waterbody use is an extremely subjective analysis, the ~~municipality~~Municipality may require an assessment of the development on the present users of the lake.

13.05.2 Marinas and boat access facilities are important elements in a waterfront community. While existing marinas and boat access facilities need protection, new and expanding facilities may have significant impacts on existing waterfront activities. As a result, new marinas and boat access facilities will be required to undertake an assessment to determine the appropriateness and suitability of such uses.

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## 13.06 New Waterfront Commercial Development

13.06.1 This Plan recognizes that there are a variety but limited number of commercial land uses along the shores of recreational waterbodies. These include marinas, cottage rentals, campgrounds and isolated historical businesses.

13.06.2 Given the fact that most shoreline areas on the ~~municipality's~~ Municipality's recreational waterbodies have been developed as low density residential or cottage area, any new commercial development proposed in these areas will have a potential to be incompatible with these existing uses.

13.06.3 The resort commercial uses permitted in the Waterfront designation shall be limited to existing and appropriately zoned tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis (which includes tent and trailer camps, rental cabins and housekeeping cottages), lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the resort commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personal and staff members.

13.06.4 It is the intent of this Plan to provide for the continuation of ~~existing~~ tourist establishments and resort commercial uses and, wherever possible, to recognize their future viability and contribution to the local economy in keeping with changing lifestyles and leisure activities.

13.06.5 Prior to considering a rezoning application to allow the conversion of existing tourist commercial uses to residential uses, the Municipality shall be satisfied that the change in use has a positive long-term impact on the economy, the environment and the surrounding area.

~~13.06.3 Rather than prohibit new commercial uses along the waterfront, the municipality will require a number of studies to ensure that a proposed development is appropriate in terms of need, impacts and any mitigative measures. A zoning by-law amendment would also be required.~~

06.6 New resort commercial developments shall not be permitted. The Municipality may consider expansions of existing resort commercial uses by way of Zoning By-law amendment and or site plan control. In considering ~~such~~ applications to expand an existing resort or an OPA to permit a new resort ~~applications~~, the following shall be addressed:

- (a) Regard shall be had for the layout and design of resort commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.

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

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## 13.07 Shoreline Structures and Modifications

- 13.07.1 The ~~principle~~ principal objectives of the policies for development in the waterfront area of the Municipality of Whitestone are to preserve, maintain and enhance the natural features of the shoreline and ridgelines.
- 13.07.2 There are a range of accessory buildings and structures that can be expected to be developed along the shoreline of the recreational waterbodies. These structures include saunas, docks, pumphouses, storage buildings and gazebos. These buildings and structures may be allowed in the front yard of shoreline properties subject to the provisions of any implementing ~~zoning by~~ Zoning By-law, and the applicable policies of this Plan, operation statements or any other applicable approvals of government agencies.

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13.07.3 Boathouses and Boatports are ~~waterfront structures that have significant impacts on the natural landscape of the shorelines along the recreational waterbodies. It is the policy of this Plan not to permit boathouses except through a site specific zoning amendment~~ permitted. These

~~13.07.4 Marinas, boat access facilities, docks, boathouses, boatports and other shoreline structures will not be permitted where they would front onto Type 1 Fish Habitat~~ have the potential to impact the character of a lake.

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## **SECTION 14.0 – COMMERCIAL OR INDUSTRIAL DEVELOPMENT**

14.01 The Council of the Municipality of Whitestone supports the establishment of new businesses in all areas to improve employment opportunities and to provide an increased commercial assessment base.

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14.02 ~~As it is difficult to predict where new commercial and dry industrial and commercial development may wish to locate, the designations of commercial and industrial have not yet been applied to any particular areas. Proposed businesses may locate~~ uses are permitted in any designation subject to the following conditions in accordance with ~~M.O.E.C.C.'s~~ Provincial D-Series ~~and Noise~~ Guidelines:

Commented [JR28]: Does Council want to permit these uses in every designation including the waterfront?

- (a) ~~14.02.1 — submission~~ Submission of a report by the applicant describing the use and what measures, if any, that are proposed to mitigate against any impacts: financial; environmental; social; or physical;
- (b) ~~14.02.2 — an~~ An amendment to the ~~zoning by~~ Zoning By-law;
- (c) ~~14.02.3 — the filing and~~ The approval of a site plan; and
- (d) ~~14.02.4 — consultation~~ Consultation with any relevant agency.

## **SECTION 15.0 – CULTURAL HERITAGE**

### **15.01 Cultural Heritage Policies**

15.01.1 For the purpose of this Plan, cultural heritage resources include ~~buildings, structures, archaeological and historic sites, cemeteries, resources, built heritage resources and cultural heritage~~ landscapes ~~and landmarks~~, either individually or in groups, and are considered by the ~~municipality of~~ Municipality or other agencies as being ~~historically or prehistorically significant. The of cultural heritage value or interest. The conservation, which includes identification, or~~ recognition, protection, ~~enhancement~~ use and proper management, of significant cultural heritage resources is ~~encourage~~ encouraged by the Council of the Municipality of Whitestone. The Council of the Municipality of Whitestone will encourage the ~~maintenance and preservation~~ conservation of ~~buildings, sites and structures of historical~~ cultural heritage resources or ~~architectural~~ properties of cultural heritage value or interest.

15.01.2 Pursuant to the Ontario Heritage Act, Council may by by-law, and in consultation with the municipal heritage committee, where one has been established:

- a) designate ~~these buildings~~ properties to be of cultural heritage value or interest;

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b) define the municipality, or any area or areas within the municipality as ~~Heritage Conservation Areas pursuant to the Ontario Heritage Act in order~~an area to be examined for designation as a heritage conservation ~~options to be considered when there are development related impacts.~~district; and

c) designate the municipality, or any area or areas within the municipality, as a heritage conservation district.

15.01.3 Alteration or demolition of designated property may also be postponed until such time as Council is satisfied that the heritage attributes of the property are ~~protected~~conserved by alternative or altered development proposals.

## **~~15.02~~—Cultural Heritage and Archaeological Resources**

~~— The Municipality recognizes that there may be significant archaeological potential areas in Whitestone. To date no such areas have been identified by the province or any agency. Should an area of cultural or archaeological significance become known, the municipality shall have regard for the provincial policy applying to the preservation of these resources.~~15.01.4 Council will require any person who proposes to demolish or alter a property designated under Part IV of the Ontario Heritage Act to submit an application to Council for approval under the Ontario Heritage Act.

15.01.5 ~~Council shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Alteration or demolition should be supported by technical cultural heritage studies (e.g., heritage impact assessment).~~

15.01.6 ~~Council shall ensure that residential and/or commercial infill in significant areas of cultural heritage value or interest is sensitive to the existing scale, massing, and pattern of those areas; is consistent with existing landscape and streetscape qualities; and does not result in the loss of any significant cultural heritage resources.~~

15.01.7 ~~The municipal clerk shall maintain a Register of Heritage Properties which will include properties that have been designated under Part IV or Part V of the Ontario Heritage Act. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register, in accordance with relevant provisions of the Ontario Heritage Act. The Register of Heritage Properties will be available on a publicly accessible website and will be updated regularly to ensure effective conservation.~~

15.01.8 ~~A Municipal Heritage Committee may be established pursuant to Section 28 of the Ontario Heritage Act to advise and assist council on matters related to Parts IV and V of the Ontario Heritage Act.~~

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15.01.9 In partnership with Indigenous communities, Council will develop a protocol and collaborative process for conserving cultural heritage resources that may be of interest to Indigenous communities.

15.02

## ~~15.03~~ Heritage Impact Assessments

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

## 15.0403 Archaeological Resources

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

15.03.2 The Municipality shall~~may require archaeological~~ assessments to be carried out by consultant archaeologists licensed under the *Ontario Heritage Act* ~~shall be required~~ as a condition of any development proposal affecting areas containing ~~a known~~an archaeological site or considered to have archaeological potential.

15.03.3 Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as set out by the Ministry of ~~Tourism, Culture~~Citizenship and ~~Sport~~Multiculturalism, as well as the terms and conditions of an archaeological licence under the *Ontario Heritage Act*.

15.03.4 Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.

15.03.5 The preservation of archaeological sites in an intact condition is the preferred means for the mitigation of impacts to archaeological sites. Archaeological excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.

## ~~15.05—Marine Archaeological Resources~~

15.03.6 When development has the potential to impact a known or suspected cemetery or burial site, the Municipality shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply. Development shall be guided by this legislation and any direction from the Ministry of Public and Business Service Delivery and Procurement.

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15.03.7 The Municipality will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Citizenship and Multiculturalism under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.

15.03.8 The Municipality will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.

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15.03.9 The Municipality may develop an Archaeological Management Plan which includes but not limited to:

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a) maps that identify known archaeological sites, and areas of archaeological potential, and archaeologically sensitive areas where known significant or culturally sensitive archaeological sites are present and where probability of finding another site is high;

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b) processes and procedures for identifying and managing archaeological resources in a municipality; and

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c) a protocol for collaborative approaches with Indigenous communities to identify known or potential archaeological sites.

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

## 15.04 Marine Archaeological Resources

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

## SECTION 16.0 – LAND USE POLICY AREAS

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

### 16.01 Rural Designation

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16.01.1 This designation will apply to the interior areas of the Municipality away from the recreational waterfront areas and beyond the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.

16.01.2 ~~Land~~Permitted uses in the Rural ~~area~~designation include:

- (a) resource extraction – pits and existing quarries ~~by rezoning~~
- (b) agricultural
- (c) residential
- (d) parks and recreation
- (e) institutional
- (f) utilities
- (g) commercial/industrial by rezoning
- (h) bed and breakfasts
- (i) home occupations

- forestry
- home industries

(j) \_\_\_\_\_

- (k) a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, as applicable.

Commented [JR29]: update

Commented [JR30]: Consider moving to a policy

16.01.3 The Rural areas of the Municipality are a significant part of Whitestone's character. It is the intention of this Plan to preserve this character, ~~as far as possible.~~

16.01.4 New ~~development~~lot creation in the rural/Rural area ~~is most likely to proceed~~shall occur by consent. ~~Consents should be limited in number and new~~New lots should be at a larger standard to maintain the qualities of the Rural area.

~~16.01.5 To maintain the attractiveness of Whitestone's Rural character, the Municipality will require a high standard of property maintenance.~~

~~16.01.6 In accordance with the general policies of this Plan, travel trailers are not acceptable substitutes for conventional cottages or homes.~~

~~16.01.7~~16.01.5 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. The application of Minimum Distance Formulae will include the flexibility of all ~~implementations~~implementation guidelines where applicable.

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16.01.6 In addition to the permitted uses of this Section, On-farm diversified uses and agriculture related uses shall be permitted on farm properties.

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16.01.7 Whitestone has a rich history of agricultural uses. Agricultural lots shall be protected from incompatible development including lot creation that would remove agricultural lands from operation.

## 16.02 Waterfront Designation

16.02.1 Lands that are physically and functionally located adjacent to recreational waterbodies have been designated in the Waterfront policy designation. A broad band around each lake has been identified on the Land Use Schedule intending to apply to a single depth of properties. Second tier or back lot development is not permitted in these areas.

16.02.2 ~~The Permitted uses in the Waterfront policy category will~~ designation include ~~single detached~~ residential dwellings, ~~existing marinas~~ and ~~associated uses, seasonal residential dwellings and existing~~ tourist commercial uses, access points and waterfront landings in accordance with all other policies of this Plan, and a trailer, motorhome, or tent in accordance with the provisions of the Municipality's trailer by-law, if applicable.

Commented [JR31]: Consider moving to a policy

16.02.3 The base standard for new development in the Waterfront designation are set out in the Specific Lake Policies set out below.

16.02.4 The ~~standard Zoning By-law will establish standards~~ for new or expanding tourist commercial facilities ~~on the Municipality's lakes will be set out in the implementing zoning by-law.~~ These standards will include a maximum density and minimum ~~water front~~ lot frontage requirements.

16.02.5 Lakes or rivers not designated in the Waterfront Policy Area but that are considered as recreational waterbodies, may be developed provided the applicable policies of this Plan are met. Land division for these parcels will be at larger standards to reflect the more limited recreational qualities of these waterways.

16.02.6 Any expansion of existing tourist commercial uses on lakes that are currently at capacity, must demonstrate, to the satisfaction of Council, that these facilities will not increase the nutrient concentration of the lake.

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

### 16.02.8

~~16.02.8 Boathouses associated with the commercial use are a permitted use on the lakebed adjacent to waterfront designated lands subject to complying with all~~

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~~applicable policies of this Plan and the implementing zoning by-law and obtaining the necessary approvals from the M.N.R.F. where required.~~

~~16.02.9 Any permanently flooded lands that are privately owned should be conveyed to the Crown to form part of the Crown lakebed. Alternatively, should the Crown not be prepared to accept these flooded lands, the lands may be conveyed to the Municipality.~~

~~16.02.10~~ All lake development will be reviewed in respect of the natural heritage and biophysical features of the lake including slopes, sensitive areas, soils, tree cover, views and impacts on the natural landscape. Individual site constraints will be considered during the review of any development.

16.02.149 All lands adjacent to or fronting recreational waterbodies will be considered as ~~site plan control~~ [Site Plan Control](#) areas.

16.02.1210 The Council of the Municipality of Whitestone recognizes the interest of a number of lake neighbourhoods to undertake planning programs for lakes. The results of these lake planning studies may form the basis for additional lake specific planning policies as set out in Section 17.0 ~~below~~.

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

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[16.02.12 New septic systems shall be setback a minimum of 30 metres from the high watermark of Lakes and Rivers. Reductions to this distance shall not require an amendment to this Plan, but shall only be permitted when supported by a study prepared by a professional that details how phosphorus and nitrogen are managed to prevent impacts to the water quality of the Lake.](#)

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

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

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## 16.03 Crown Land Designation

### 16.03.1 General

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

16.03.2 If Crown land should be patented or leased to private ~~land owners~~ landowners, the Municipality's planning documents will be applied to these lands.

16.03.3 Crown lands including parks and conservation reserves will be identified on the land use plan.

16.03.4 While the Municipality supports the Ministry of Natural Resources ~~and Forestry~~ and its management programs for Crown land, there may be a number of opportunities to dispose of Crown lands not identified as protected areas, that could be developed in a sustainable manner and that would contribute to the economic base of Whitestone without compromising the environment or the quiet enjoyment of the inhabitants of the area. Council supports Crown land dispositions in these instances.

16.03.5 ~~Council~~ The Township may be concerned over conflicts that occur between parks, conservation reserves and historical uses that are permitted in these protected areas. Council will support whatever measures are available to resolve these conflicts in favour of historical land use activities.

16.03.6 The Township may work with the MNR to encourage Crown Lands to be appropriately managed in order to reduce conflict between users of Crown Land and area residents and to ensure that the infrastructure that supports the use of Crown Land is appropriately managed.

## 16.04 Environmental Protection Designation

16.04.1 Environmental Protection designation is land and water areas containing natural features or ecological functions of Provincial and local significance as identified by the Province or the Municipality.

16.04.2 Environmental Protection Area lands contain features such as locally significant wetlands, watercourses, habitat of endangered and threatened species, significant wildlife habitat, fish habitat, lands prone to flooding, steep slopes or erosion hazards.

16.04.3 Permitted uses include:

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- (a) passive recreational uses, such as nature viewing and pedestrian trail activities;
- (b) floating docks accessory to a residential use;
- (c) forestry and resource management use where undertaken in a manner that minimizes any potential impact on the natural features and functions of the area; and
- (d) watershed management and flood and erosion control projects carried out or supervised by a public agency and archaeological conservation.

16.04.4 It is the policy of this Plan to restrict the alteration of the physical or ecological features of lands designated *Environmental Protection Area*. Any proposed site alteration to an *Environmental Protection Area* shall be supported by appropriate justification in the form of an Environmental Impact Study. The precise boundary of any *Environmental Protection Area* shall be determined as a component of the required Environmental Impact Study.

16.04.5 Not all of the natural heritage features in the Municipality have been designated *Environmental Protection Area* or incorporated on the Land Use Schedules at the date of the adoption of this Plan. As new information becomes available, additional lands may be incorporated into the *Environmental Protection Area* designation as part of the five-year review or as an Amendment to the Official Plan required by the *Planning Act*.

16.04.6 It is essential that *Environmental Protection Areas* be protected from future development to preserve the Municipality's natural environment. As such, an application for the redesignation of an area of private lands designated *Environmental Protection Area*, may be given due consideration only if it is established to the satisfaction of the Municipality through an Environmental Impact Study that the lands and/or adjacent lands are not part of the environmental feature and that any development proposed will have no negative impact on the environmental feature or ecological function of the area. Nothing in this Official Plan shall be construed to imply that *Environmental Protection Area* lands are free and open to the general public or that such areas will be purchased by the Municipality or any other public agency.

16.04.7 The Zoning By-law shall incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands designated *Environmental Protection Area* in relation to the extent and importance of the natural environmental features and ecological functions of the area.

## **SECTION 17.0 – LAKE SPECIFIC POLICIES**

Commented [JR33]: Review – can there be policies

### **17.01 Bolger/Kashegaba Lakes**

17.01.1 Bolger and Kashegaba Lakes are located in Burton Township and straddle the CNR railway line. Historically, the railway was the primary access into these lakes. Access to the lakes remains poor. However, the inhabitants of these lakes

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understand the isolation and difficulty of access, ~~often preferring float plane access.~~ There are opportunities for a land division by consent where a limited number of lots are created. ~~Only one new lot was created on these lakes in the last five years.~~ The standard for new lots should reflect the pattern of existing development on the lakes.

17.01.2 Access to Kashegaba and Bolger Lakes is increasing at the access facility adjacent to the hydro line at the west end of the lakes. This access point is limited in terms of space for both vehicular and boat parking. The trail or roadway ~~in to~~ into the access point is in poor condition and can often be impassable. The ~~municipality~~ Municipality recognizes the efforts of lake residents to maintain this access arrangement and it supports this facility so long as the ~~province~~ Province continues to allow the access ~~so long as~~ and it is recognized that the Municipality has no liability or responsibility for this facility.

17.01.3 Any proposal for additional lots on these lakes will be required to demonstrate that adequate parking and docking is available.

## 17.02 Gooseneck Lake

17.02.1 Gooseneck Lake is located partly in Burton ~~Townships~~ Township and empties into the south basin of Lake Wahwashkesh. Although the ~~lake~~ Lake is small (217 ~~ha~~ hectares) it has over 22.8 kilometres of shoreline. ~~Gooseneck Lake is a medium sized, lake comprised of low density residential lots and Crown Land. It has a long "riverine" shape that consists of narrow "gooseneck like" channels and bays which limits the lake surface for use and recreational boating. The landscape is typical Canadian Shield, and the rocky shorelines have a rugged and natural appearance that contributes to its character. Thirty percent of its shorelines are Crown land and this contributes to its predominantly natural character.~~

17.02.2 Much of the lake is water access. There is a historical public access on the ~~lake~~ Lake that the Municipality supports ~~maintaining~~ using proceeds of any cash-in-lieu of parkland collected as a condition of development or the sale of shore road allowances.

17.02.3 A large portion of the shoreline of Gooseneck Lake has been identified as Type 1 ~~F~~ fish Habitat. Any development proposed along the shoreline will need to comply with the fish habitat protection policies of this Plan.

17.02.4 ~~The water~~ ~~In~~ order to maintain the quality of Gooseneck ~~is relatively good. However, there are a number of significant constraints to any new lot creation along the shoreline. When~~ Lake, when new lot creation is proposed, the approval authority will carefully consider impacts and appropriateness based upon the ~~location of natural features, the~~ character of the lake and applying best management practices for new development ~~including but not limited to development setbacks and preservation or revegetation of shoreline areas.~~

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~~17.02.5 The Municipality of does not support the disposition of Crown Land in the area of Gooseneck Lake, except to address historic minor encroachments.~~

~~17.02.6 In order to protect the quality of the lake environment and to ensure there is an appropriate balance between the built form and natural environment the Zoning By-law shall establish a maximum shoreline activity area of up to 25% of the shoreline frontage. The Zoning By-law may also cap the width of shoreline activity areas.~~

~~17.02.7 New septic systems shall be setback a minimum of 30 metres from the Lake. Reductions to this distance shall not require an amendment to this Plan, but shall only be permitted when supported by a study prepared by a professional that details how phosphorus and nitrogen are managed to prevent impacts to the water quality of the Lake.~~

~~17.02.8 New lot creation on Gooseneck Lake shall generally have a minimum lot frontage of 150 metres. Lesser lot frontages shall only be considered where site specific justification is provided to demonstrate how the semi-wilderness values of the Lake are protected. This could involve the greater building setbacks, restrictions on shoreline structures or increased vegetation preservation areas.~~

Commented [JR34]: Moved to waterfront section

## 17.03 Magnetawan River

17.03.1 The Magnetawan River flows from one end of the Municipality westward eventually into the Georgian Bay. The River and its tributaries are a significant recreational waterbody in Whitestone, and it has attracted considerable growth and development including communities like Maple Island. The Municipality supports additional development along the ~~river~~ **River** but at a premium standard outside of the Maple Island community.

Commented [JR35]: What does this mean? Have 90 metre lot frontage requirements and vegetation preservation requirements in the OP.

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17.03.2 The Magnetawan River Basin Regulatory Flood Levels Study has examined the issue of water levels along the Magnetawan River and the lakes that it connects. This waterway and its associated lakes are subject to flooding particularly during the spring thaw. While few lakes and rivers have had a detailed engineering study to determine actual flood plain levels or potential floodways, any development along the river or its connecting waterbodies may need the determination of these flood levels by a qualified engineer.

~~17.03.3 The standard for new development along the Magnetawan River or its tributaries will require a minimum of 90 metres of river frontage.~~

Commented [JR36]: Moved to waterfront section

## 17.04 Fairholme Lake

17.04.1 Fairholme Lake in Hagerman Township is a lake trout lake that is at capacity. New lot creation may only be considered in accordance with the LCAH.

17.04.2 A historical subdivision development on Fairholme Lake being Plans M-430 and M-431 were designed so that few of the lots had direct frontage on the lake. Instead, two Blocks, A and G were designed to require any building to be off the lake and to limit or reduce the impact of human activity on the lake. Block A and G of Plans M-430 and M-431 may be used for shoreline structures including docks, decks, boathouses, saunas or pump houses so long as these structures are approved by the collective owners of these blocks and so long as any of these structures are authorized by any applicable government agency.

## 17.05 Limestone Lake

17.05.1 Limestone Lake is a small lake in Hagerman that abuts Highway No. 124 at Limestone Lake Lodge. A recent subdivision along the south shore has all but depleted any residual development capacity for the lake. Much of the balance of the undeveloped portion of the lake is water access and the shoreline is comprised of has-Type 1 Fish Habitat-shoreline.

17.05.2 Additional development by consent may occur on Limestone Lake if it can be demonstrated that there is development capacity and in accordance with all other applicable policies of this Plan.

## 17.06 Lorimer Lake

17.06.1 Lorimer Lake is managed as a lake trout lake and the lake has been identified as being at capacity. New lot creation may shall only be considered permitted in accordance with the LCAH Lakeshore Capacity Assessment Handbook and where sewage disposal systems are a minimum of 300 metres from the Lake. All new lots shall have a minimum lot frontage of 45090 metres.

Commented [JR37]: Review where Lorimer Lake is identified as an at capacity lake trout lake.

Commented [JR38R37]: This section still needs review.

Commented [JR39]: Additional policy that it a put-grow-take lake

Commented [JR40]: Remove as referenced earlier in the document

Commented [JR41R40]: Not referenced earlier. Zoning by-law establishes a 15 metre front yard.

17.06.2 New dwellings shall be setback a minimum of 30 metres from the Lake.

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17.06.3 Notwithstanding Section 17.06, limited development such as one new lot may be considered where it is demonstrated through an approved site evaluation report that there are native and undisturbed soils to a depth of over 3 metres meeting specified chemical composition and hydrologic conditions.

Commented [JR42]: Include as a general policy in the OP.

Commented [JR43R42]: Come back to this

## 17.07 Manson Lake

17.07.1 Manson Lake is a small lake that is partly in Whitestone and partly in McKellar. The ~~lake~~Lake is subject to heavy fishing pressure partly because of the convenient landing at a nearby public road.

17.07.2 The Municipality will allow a limited number of consents on the ~~lake~~Lake to recognize the desire by some property owners to create a parcel for a family member. ~~These land divisions should be subject to a large lot standard (90 metres) and be subject to all other policies of this Plan.~~

Commented [JR44]: General Waterfront Designation policy requiring 90 metres of lot frontage

17.07.3 ~~Because~~Due to the ~~lake is~~Lake being partly ~~in~~located within McKellar, the Municipality encourages its neighbour to adopt similar policy and land regulations for this lake.

17.07.4 The Municipality may adopt a strategy that discourages heavy fishing on the ~~lake~~Lake by removing or limiting access to the lake.

## 17.08 Shawanaga Lake / Shawanaga River

17.08.1 Shawanaga Lake is a warm water lake with considerable shoreline in Hagerman, Ferguson and Burpee. There is potential for additional development along its shoreline.

17.08.2 Because of the long, narrow shape of Shawanaga Lake, it is heavily impacted by recreational boats. New development should be available on a limited basis to recognize the crowding that is occurring on the lake.

17.08.3 There is limited land available for additional development on Shawanaga Lake for new lot creation although the lake is considered to have excellent water quality.

## 17.09 Whitestone Lake

17.09.1 Whitestone Lake is the second largest ~~lake~~Lake in the Municipality with a large number of homes and cottages. There is very little privately owned shoreline that is capable of being subdivided for additional lots on the lake. The water quality of Whitestone Lake is good and Council will take whatever measures are necessary and appropriate to protect this water quality.

~~17.09.2 New development may occur on Whitestone Lake at a standard not less than 90 metres of water frontage subject to all other policies of this Plan.~~

Commented [JR45]: Covered in general waterfront policies

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17.09.3 There is only one good public access located on Whitestone Lake in the ~~village~~Village of Dunchurch. Council will attempt to secure additional access points for the public on Whitestone Lake.

17.09.4 Council is becoming increasingly aware of Whitestone Lake residents concerns over congestion on the ~~lake~~Lake and unsafe boating conditions. Council will undertake measures to impose speed limits and promote safety on Whitestone ~~and other lakes in the Municipality~~Lake.

Commented [JR46]: Does council want this in the OP

## 17.10 Wahwashkesh Lake

17.10.1 Wahwashkesh Lake is the largest ~~lake~~Lake in the Parry Sound area with ~~1724~~1,721 hectares of surface area. The ~~lake~~Lake is comprised of two distinct basins. The north basin is considered the smaller of the two, and the south basin is called "the Big Lake".

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

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

17.10.2 The water quality of the north and south basins of Lake Wahwashkesh are sensitive to additional shoreline development. ~~In order to respond to the need to protect and conserve the natural features of the lake, the minimum new standards for the creation of new lots for the entire lake will be 100 metres of frontage and 0.6 hectares of lot area.~~ The residual development capacity will change in the future as more up-to-date scientific approaches are used to determine an appropriate level of development capacity.

Commented [JR47]: 90 metres included in general policies

17.10.3 A large number of property owners on Wahwashkesh Lake access their properties by water. There are only three public access points (all on the north basin) two marinas and a private landing. This Plan ~~generally~~ requires that any new water access lots be ~~required~~subject to ~~provide a mainland access that is legally conveyed with the water access property in order not to put further pressures on the crowded public landings. Variances to this water access policy will be discouraged.~~ policies of Section 8.03.

17.10.4 There are two marinas on Wahwashkesh Lake. The Municipality will support the continued operation of these marinas as far as possible to ensure the continuation of these important services on the ~~L~~lake.

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17.10.5 The water levels of Wahwashkesh Lake rise dramatically during the spring causing potential flood hazards. It will be the policy of this Plan that the openings of any habitable buildings must be above the theoretical flood elevation as set out in Section 12.05.1. Foundations, footings and non-habitable structures should be adequately designed to recognize the potential for flooding at elevations lower than the flood elevation.

17.10.6 In order to properly respond to a diverse number of issues that may arise during the development of properties along the shoreline of Wahwashkesh Lake, these properties will be designated as a site plan control area. ~~Site plan control~~ [Plan Control](#) is a necessary and valuable tool to protect the character of the shoreline of Lake Wahwashkesh and to provide vegetated buffers to mitigate the impacts of development on the natural environment and the lake.

17.10.7 Lake Wahwashkesh is known for its Atlantic Coastal Plain Flora. The ~~lake~~ [Lake](#) is ranked in the top five of all lakes in Ontario for such flora. This has been extensively documented by the Natural Heritage League and the World Wildlife Fund in a 1989 study. Any development along the shores of Lake Wahwashkesh should have regard for its impact on this rare coastal flora environment and be directed away from Atlantic Coastal Plain Flora features. [An EIS shall be required prior to any development adjacent to Lake Wahwashkesh.](#)

~~17.10.8 Prior to new lot creation, the consideration of reduced development setbacks from the shoreline or the sale of shore road allowances, the Municipality may require the preparation of an Environmental Impact Study.~~

Commented [JR48]: General policy added to waterfront section

## 17.11 Miskokway Lake and Trout Lake

~~For Miskokway and Trout Lakes, the~~ [17.11.1 The](#) development capacity of [Miskokway Lake and Trout Lake](#), has not been determined. These are known ~~coldwater~~ [cold water](#) lakes that support a ~~coldwater~~ [cold water](#) fishery. No further consents or land division that results in the creation of new lot development within 300 metres of the lakes will be permitted unless studies have been undertaken to demonstrate that there is capacity without adversely impacting the habitat features of these lakes. The Ministry of Natural Resources ~~and Forestry~~ should be contacted for technical advice.

## 17.12 Labrash Lake

17.12.1 Labrash Lake is a small lake that flows into the Magnetawan River. The ~~lake~~ [Lake](#) is small with few cottages and the residents of the ~~lake~~ [Lake](#) have expressed an interest in preserving the low density on the ~~!Lake~~. ~~New lot creation on Labrash Lake will require a minimum frontage of 150 metres.~~

17.12.2 All development on Labrash Lake will be subject to ~~site plan control~~ [Site Plan Control](#).

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## 17.13 Other Recreational Waterbodies

~~17.13.1 Other waterbodies that fall within the definition of a recreational waterbody will be eligible for development subject to complying with all other applicable policies of this Plan for access, physical suitability, environmental protection and other relevant planning criteria.~~

~~17.13.2 The standard for new lots in the unspecified recreational waterbodies will be 90 metres of frontage and not less than 1.0 hectares of land area unless a study such as a hydrogeological study has been provided to demonstrate site conditions are suitable for the long term provision of private individual sewer and water services.~~

**Commented [JR49]:** Covered in the waterfront designation section.

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## **SECTION 18.0 – COMMUNITY AREAS OVERLAY**

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

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## **SECTION 19.0 – COMMUNITY IMPROVEMENT POLICIES**

### **19.01 Goal**

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

### **19.02 Objective**

The objectives of the Municipality of Whitestone are to:

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

### **19.03 Improvement Criteria**

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

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

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

## 19.04 Phasing

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

## 19.05 Community Improvement Area

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

## 19.06 Implementation

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

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

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*Municipal Act, and*

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

## **SECTION 20.0 – PROPERTY STANDARDS**

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

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

~~20.02 The Municipality may appoint a Property Standards Officer, who will be responsible for administering and enforcing the Property Standards By-law. Information concerning substandard housing conditions, overuse of existing buildings, neglected yards and other problems will also be collected by inspectors and other personnel in the Municipality.~~

~~The Municipality may appoint a Property Standards Committee as provided in the Planning Act for the purpose of hearing appeals against an order of the Property Standards Officer. It is intended that a close liaison will be maintained between the Property Standards Committee, the Property Standards Officer and Council to ensure effective administration of the By-law.~~

~~20.03 Without sacrificing in any way the long term objective of the Property Standards Policy, it is the policy of this Plan that the Property Standards By-law may be administered at all times to assist the citizens of the Municipality who have low or fixed incomes. Orders issued by the Property Standards Officer~~

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[designated](#) under the ~~By-law will clearly be in the public interest~~ [Ontario Heritage Act](#).

~~20.04 As an integral part of the Property Standards Policy, Council may support continued participation in any available home rehabilitation programmes to afford its residents the greatest opportunity possible to comply with property standards.~~

## **SECTION 21.0 – IMPLEMENTATION**

### **21.01 Accessory Uses**

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

### **21.02 Boundaries**

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

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## 21.03 Numerical Interpretation

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

## 21.04 Deeming By-laws

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

## 21.05 Site Plan Control

All development in the whole of the Municipality may be subject to the provisions of ~~The~~the Site Plan Control ~~Requirements~~requirements under the *Planning Act*. Commercial, industrial, institutional and certain residential uses may be designated as ~~site plan control areas~~Site Plan Control Areas by by-law of the Municipality in accordance with the requirements of the *Planning Act*.

## 21.06 Existing Development Applications

~~There are a number of applications for subdivisions or consents that predate the adoption date of this Official Plan document. The new policies contained in this Site Plan may not apply to these applications so long as they are in compliance with current Municipal Standards for land use. Control can be utilized wherever possible to conserve cultural heritage resources by ensuring that new development so long as they have been accepted as 'complete applications' per is compatible with and/or does not adversely impact those resources. This may include requiring the prescribed information in owner of a property with cultural heritage value or interest to satisfy conditions as part of the Planning Act and so long as the Council is satisfied that the general intent and purpose of the new Official Site Plan is maintained as far as possible. Control agreement with the Municipality.~~

## 21.07 Special Exceptions For Existing Uses

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

## 21.08 Holding Provisions

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21.08.1 The *Planning Act* provides for the use of the holding symbol "H" in conjunction with any land use zone found within the implementing ~~zoning by~~ Zoning By-law.

21.08.2 The purpose of the holding zone is to prevent or limit the use of land until such time as Council is satisfied that further development may take place and the appropriate environmental studies and services have been reviewed and approved. The objectives and use of this symbol are set out herein.

21.08.3 The holding symbol may be applied to lands to be developed where the ultimate use of the land has been clearly established but:

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

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

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

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

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

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

## 21.09 Zoning

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

## 21.10 Non-Conforming Uses

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

## 21.11 Special Notices

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

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

## 21.12 Plan Review

~~Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the Basis, Objectives and Policies of the Plan shall be reviewed at least once every~~

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~~five years at a meeting of Council in accordance with the provisions of the Planning Act. The Council of the Municipality of Whitestone shall, not less than every five years, hold a special meeting open to the public to determine the need for a revision of the Official Plan and in determining the need for a revision, Council shall have regard to the Provincial Policy Statement.~~

~~The five year review shall consist of an assessment of:~~

- ~~a) the continuing relevance of the assumptions used to develop this Plan as found in Section 4.0 of the Basis of this document;~~
- ~~b) the degree to which the objectives of this Plan have been met;~~
- ~~c) the effectiveness of the policies in the Plan in solving problems and realizing objectives;~~
- ~~d) the effectiveness of policy guidelines in protecting water quality, heritage resources, natural resources and habitat and the environment within the Municipality; and,~~
- ~~e) plans and policies of other levels of government.~~

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

## 21.13 Amendments

~~An amendment to Schedule 'A' or the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule 'A' with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of Amendment to this Plan, Council shall have regard to the following criteria:~~

- ~~(a) i) the need for the proposed use;~~
- ~~(b) ii) the extent to which the existing areas which are designated for the use are developed, and the nature and adequacy of such existing development;~~
- ~~(c) iii) the physical suitability of the land for such proposed use;~~
- ~~(d) iv) the location of the areas under consideration with respect to:
  - ~~i. the adequacy of the existing and proposed roadway system;~~
  - ~~ii. the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;~~~~

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- iii. ~~the~~ adequacy of the water supply, sewage disposal facilities, and other ~~municipal~~ Municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council shall request from the developer and subject to the approval authority having jurisdiction;
  - iv. ~~the~~ compatibility of such proposed use with uses in the surrounding area;
  - v. ~~the~~ potential effect of the proposed use on the financial position of the Municipality;
  - vi. ~~the~~ impacts of the proposed use on the natural environment; and
- (e) ~~v)~~ the Provincial ~~Policy Statements~~ Planning Statement.

## 21.14 Amenity Policies

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

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

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

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

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## 21.15 Development Charges/ Community Benefits

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

## 21.16 Pre-consultation and Complete Application

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

21.16.2 As part of a Pre-consultation application, Township staff will identify the material needed to support an application. Based site specific circumstances, required material could include a variety of supporting studies, that may include: \_\_\_\_\_

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

**Commented [JR50]:** Larger preface here to provide background an soften.

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(r) Tree Preservation Plan

(s) Functional Servicing Report:

(t) Illumination Study; and/or

(u) Any additional information identified by the Municipality during pre-consultation.

21.16.3 The cost associated with all the required studies shall be the sole responsibility of the applicant. Costs incurred for the Municipality to peer review the studies, as required, shall also be the responsibility of the applicant.

## **21.17 Future Studies to Address Emerging Issues**

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

a) Public and municipal access points to lakes for cottage lots.

b) Disposition of Crown Land for municipal purposes.

c) Roads inventory and Roads Needs Study.

d) Lake-by-lake development potential/capacity review.

e) Municipal Employment Area Study.

f) Municipal property review

g) Solid Waste Management Study

## **SECTION 22.0 – SPECIAL POLICIES**

### **22.01 Exceptions**

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

### **22.02 Water Use**

22.02.1 The Council of the Municipality of Whitestone recognize the overlapping but limited jurisdiction over navigable waters. The Municipality will support and participate in any planning programs over water use with senior levels of government to manage such activities in accordance with the goals and objectives of this Official Plan.

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

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

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

## 22.03 Signs

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

## 22.04 Lights

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

## 22.05 Sleeping Cabins

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

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

## 22.06 Channels

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

## 22.07 Second Cottages

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

## 22.08 Navigability

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

## 22.09 Common Docks

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

## 22.10 Derelict Vehicles

The Municipality may enact by-laws to control derelict motor vehicles [or boats](#).

## 22.11 Boathouses

~~Boathouses~~[22.11.1](#) [In-water boathouses and boatports are not permitted.](#) [Dry-land boathouses](#) are permitted accessory ~~uses~~[structures](#) in the Waterfront designation.

[22.11.2](#) The use of structures to store boats along or at the shoreline of properties is a planning concern in the Municipality, particularly where the said structures are large and/or obtrusive on the natural landscape. ~~Rather than prohibit such structures, the zoning by law implementing this policy will provide for size limitations for such structures and appropriate setback and height regulations.~~

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

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

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

22.11.5 All such oversized dryland boathouses will be subject to ~~site plan control~~Site Plan Control.

## 22.12 Noise/Vibration/Land Use Compatibility

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

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

22.12.3 There are additional land use compatibility matters that must be considered in the Official Plan. Long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and

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other contaminants. Development and land use patterns which may cause environmental or public health and safety concerns will be avoided. When assessing land use compatibility issues, the Municipality shall have regard to the ~~Ministry of the Environment and Climate Change's~~ Provincial D-Series Guidelines on Land Use Compatibility, and recognize minimum separation distances where required.

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## 22.13 Crown Lakebed

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

## 22.14 Narrow Waterbodies

22.14.1 Development on narrow waterbodies and channels will be discouraged, where the width of the channel or waterbody is less than 100 metres. ~~Rather than prohibiting development in such instances, Council and Planning Board will apply a formula designed to increase minimum frontages for new development as the width of the waterbody decreases.~~

### GLOSSARY (For interpretation purposes only and not part of plan policy)

~~**Agricultural Use and Related Uses** means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-22.14.2~~ Where lot creation is proposed in narrow waterbodies, larger lot frontages shall be required to maintain the character of the shoreline.

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

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

22.14.5 Properties in narrow waterbodies may be placed in a separate zone that requires greater lot frontages, greater development setbacks and limits the development of shoreline structures in comparison to other waterfront areas.

## 22.15 Waterfront Landings

~~22.15.1 Waterfront Landings are properties that provide access for water access properties. Waterfront Landings may contain parking areas and docking facilities for a limited number of boats and may be tied to water access properties. Waterfront Landings are not appropriate for all properties and may~~

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~~be permitted in the Waterfront Designation subject to a Zoning By-law amendment and the following criteria:~~

- ~~— A limited number of boat docking spaces may be permitted.~~
- ~~— Site specific zoning to specify the use and outline performance standards such as the maximum number of boat docking and car parking spaces and to limit the development of structures.~~
- ~~— The site is appropriately buffered from neighbouring land uses.~~
- ~~— A natural shoreline buffer is maintained between parking areas and the shoreline, except for a meandering path for access to docking areas.~~
- ~~A stormwater management plan is provided to outline how stormwater~~
- ~~from the parking area is to be mitigated before entering the lake.~~
- ~~— The preparation of an EIS to consider fish habitat and the potential impact of dock development and parking areas and to recommend mitigation measure and techniques. The EIS shall also identify the most appropriate location for docks.~~
- ~~— Proper legal access.~~

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## **22.16 Dark Sky Lighting**

22.16.1 The Municipality supports efforts to reduce, light pollution while ensuring safe access to lots. Through the site plan control process, all light fixtures shall be dark sky compliant. The Municipality will support future stewardship initiatives that promote public education on dark sky lighting initiatives.

## **22.17 Telecommunication Facilities**

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

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

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

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

## **22.18 Renewable Energy Systems**

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

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

## **22.19 Short-Term Rental**

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

22.19.2 The recent phenomenon of dwelling units being used as dedicated short-term accommodations has precipitated the need for management and regulation of short-term rental accommodations to protect the planned function of residential areas.

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

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

## **22.20 Climate Change**

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

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

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## Appendix 1 - GLOSSARY (For interpretation purposes only and not part of plan policy)

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~~**Agricultural Use and Related Uses** means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agroforestry; maple syrup production; associated on-farm buildings and structures; and 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.~~

~~**Garden Suites or Granny Flat** is a small, portable, detached house originally conceived and designed to accommodate an elderly or disabled person(s) on the same lot as the home of the host family.~~

~~**Group Home** is a single housekeeping unit in a residential dwelling in which up to ten (10) persons, excluding staff or the receiving family, live as a household under responsible supervision consistent with the requirements of the residents and which is licenced or approved under Provincial Statute and in compliance with municipal by-laws.~~

~~**Non-Impact Lot** is a parcel of land created by a land division authority that because of its location or servicing design will not contribute nutrients to any waterbody that is down grade from the lot.~~

~~**Recreational Waterbody** is a waterbody that is navigable, the bed of the waterbody is owned by the Crown and it is capable of sustaining normal recreational activities including swimming, boating and fishing.~~

~~**Wayside Pit or Quarry** means a temporary excavation from which sand, gravel or earth fill material is removed by:~~

- ~~(a) a public authority for its own use in maintaining local roads and highways or for land fill sites;~~
- ~~(b) by the owner of a lot having an area of at least two hectares for his own personal use; or,~~
- ~~(c) by someone issued a quarry permit from the appropriate government authority to extract sand or gravel from Crown land.~~

## **Appendix 1 - Municipal Road Standards**

Year-Round Road Standards are as follows:

- right-of-way 20 metres
- clearing width 20 metres
- surface width 6 metres
- granular depth 150mm
- surface treatment tar and chip
- shoulder width 1 metre (each side)
- ditches 0.5 metres

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- culverts 400mm
- cover over bedrock 450mm
- maximum grade 12%
- dead ends 12 metres

Seasonal Road and Cottage Road Standards are as follows:

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

- right-of-way 20 metres
- clearing width 12 metres
- surface width 6 metres
- granular depth 150mm
- ~~surface treatment~~ tar and chip
- shoulder width 0.5 metres (each side)
- ditches 0.5 metres
- culverts 400mm
- cover over bedrock 450mm
- maximum grade 12.4%
- dead ends 12 metres

## Seasonal Road Standard

- ~~right-of-way~~ 20 metres
- ~~clearing width~~ 12 metres
- ~~surface width~~ 5 metres
- ~~granular depth~~ 150mm
- ~~surface treatment~~ granular
- ~~shoulder width~~ 0.5 metres
- ~~ditches~~ 0.5 metres
- ~~culverts~~ 400mm
- ~~cover over bedrock~~ 450mm
- ~~maximum grade~~ 14%
- ~~dead ends~~ 10 metres

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