

Official Plan
of the
Municipality of Wawa



Adopted By Council
by By-law 2379-10
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THE STRUCTURE OF THE PLAN

This Official Plan is divided into five parts, each of which is described below.

PART A (Vision) contains the vision of the Plan. This vision was prepared by Council and is based on an understanding of past and future trends and the values of Wawa citizens. The goals that form the basis of the Plan flow from the vision. These goals establish a basis for policies articulated in the Plan. This section of the Plan also describes how the vision is implemented through a series of land use designations.

PART B (Land Use Designations) contains the land use policies that apply to lands in the Municipality.

PART C (General Environmental Policies) contains the policies dealing with rivers and streams, floodplains and hazardous slopes throughout the Municipality. In addition, policies that specify the requirements for water resource and stormwater management reports and environmental impact studies are contained in this section.

PART D (General Development Policies) contains policies that deal with land use planning matters such as water and sewer servicing, transportation, cultural heritage resources and the subdivision of land. These policies apply to the whole of the Municipality.

PART E (Plan Implementation and Administration) describes how the policies of the Official Plan will be implemented.

PART A – VISION

A1 THE VISION

This Official Plan is a statement that the Municipality of Wawa is a resilient, leader in Northern Ontario.

This Plan was prepared during a period of prolonged economic decline, with the community facing adversity and uncertainty. Despite this uncertainty, Wawa chose to embrace the future with a sense of optimism and confidence.

This Plan challenges the perception that Wawa is a remote northern community and instead recognizes that proximity to the Trans-Canada Highway, Lake Superior and a Great Lakes shipping wharf, an airport, vast natural resources and the reality of a digital, global marketplace collectively put Wawa in a position of strength to plan for the future.

This Official Plan acknowledges that while the community is aging and the population is in decline, Wawa has more “social infrastructure” and amenities than many communities twice its size. In addition, the extensive open space and natural features including lakes and rivers will continue to make Wawa a special place for citizens and visitors. Collectively, these assets contribute to stability and will help maintain a good quality of life in the community over the lifespan of this Official Plan. Council will protect these assets to the best of their ability.

The goals and policies within this Plan promote and value diversity, partnership, entrepreneurial spirit, and working collectively to achieve and enjoy success as a community. Through this Plan, there will be potential and opportunity for sustainable economic and social growth and development in natural resources, recreation and tourism, industry, culture, skilled trades, alternative energy, education and information technology.

Land use planning is not an exact science, and while this Plan charts a path that is believed to be practical and reflective of local and Provincial interests, it is recognized that these interests may change and evolve over time. As a result, Council will not view this Plan in a static manner and will be open to amendments that improve the Plan and represent good planning.

A2 SUSTAINABILITY

The goals of this Plan are premised on principles of sustainability. This means the Community will try to meet its needs today without unreasonably compromising opportunities for future generations to meet their own needs.

The policies of this Plan are founded on the premise that a sustainable community is composed of the following three principle elements in balance:

- i) The Environment: a connected system of environmental features that support a healthy ecosystem;
- ii) The Economy: a strong, diversified and resilient economy that provides a variety of employment opportunities for citizens and is attractive to commercial and industrial investment; and,
- iii) The Socio-Cultural Fabric: a strong sense of culture and heritage and the provision of affordable public services and amenities.

A2.1 ENVIRONMENTAL SUSTAINABILITY

This Plan identifies a number of defining environmental and topographical features that contribute to Wawa's extensive natural heritage system. The protection of these features is a key underlying principle in this Plan.

This Plan contains policies that recognize the character of Wawa's green spaces, water resources, and terrestrial landscape as resources that contribute to the natural northern character of Wawa.

The policies of this Plan also recognize the challenges created by Provincial interests in resource extraction in natural areas and attempts to manage these issues. Wawa will support innovative and sustainable development policies and practices to protect the natural environment and help reduce greenhouse gas emissions.

Energy conservation and the encouragement of innovative energy supply alternatives are key components of the Wawa's vision for sustainable development.

A2.2 ECONOMIC SUSTAINABILITY

A sustainable economic future for Wawa will be made possible by ensuring a stable and sound fiscal position for the Municipality to support programs and services for citizens.

The need for economic sustainability is strongly articulated through the vision, goals and policies in this Plan that encourage entrepreneurial spirit and diverse employment opportunities based in resources, recreation and tourism and technology. Also critical to economic sustainability is to retain a skilled and adaptable work force through opportunities for higher education and skills training.

A2.3 SOCIAL SUSTAINABILITY

Social sustainability addresses the basic community need for housing, education, health care, employment, food, safety, security and cultural and recreational opportunities. The policies of this Plan intend to foster a good quality of life for all residents through the development of a healthy community and the provision of necessary human services and programs.

Individual needs vary with age, income, ability, skills, background and interests. As communities change and grow, there is additional pressure to provide for these needs and ensure communities remain healthy and that a high quality of life is maintained.

The provision of human services comes from several agencies including the Province (hospitals and health care facilities), school boards (education) while the Municipality is responsible for fire services, libraries, community facilities, parks, and recreational amenities. In addition, human services are provided by other private sector or quasi-public institutions, such as private schools, places of worship, and community service groups. Continued coordination and partnership among all human service providers is essential to the social-cultural health of Wawa.

A3 GOALS**A3.1 THE NATURAL ENVIRONMENT**

1. To protect and, where possible, enhance significant natural heritage features and functions in the Municipality.
2. To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Municipality.
3. To ensure that land use planning recognizes the importance of groundwater and surface water resources and protects these resources from adverse impacts.
4. To encourage the maintenance of an open space system that links environmental and recreational resources in the Municipality.
5. To strengthen Wawa's role as a service centre in Algoma District and Northeastern Ontario by supporting and maintaining employment lands and uses and by providing a broad base of community services.
6. To direct the majority of new residential development to the Wawa Settlement Area where municipal sewer and water services are available.

A3.2 GROWTH AND SETTLEMENT

1. To maintain and promote the Wawa Settlement Area as a primary growth and employment centre in Northern Algoma District.
2. To facilitate residential infilling, redevelopment and rounding out in the Michipicoten River Village.
3. To permit a limited amount of rural residential development in the interest of promoting resource-related recreation development and rural residential secondary uses that are appropriate and compatible within the rural area.
4. To permit a broad range of housing types and densities to meet the needs of a changing demographic of current and future residents of the Municipality and District.
5. To reinforce the function of Downtown Wawa as the primary cultural, service and retail focal points by promoting mixed-use development.

6. To encourage a strong connection between the Downtown and the waterfront areas through mixed-use developments and improvements to public space.
7. To encourage further intensification and use of the lands within the downtown core and to make every effort to improve the economic health of the core by encouraging redevelopment and the broadest mix of uses.

A3.3 RURAL LANDS

1. To recognize that resource extraction will be primary and pre-eminent uses in the rural area.
2. To encourage the development of recreational uses in the rural areas for the benefit and enjoyment of residents and visitors.
3. To mitigate the impact of resource activities on the rural character of the Municipality.
4. To show leadership and promote research in the development of alternative “green” energy infrastructure.
5. To permit rural land uses that are not suited to settlement areas, support entrepreneurial spirit and contribute to the local economy.

A3.4 ECONOMIC DEVELOPMENT

1. To encourage economic growth and to provide opportunities for economic development in a manner which will sustain and improve the quality of life in the Municipality.
2. To encourage land use that generates employment opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Municipality and Northern Algoma District.
3. To support and maintain existing transportation infrastructure in the interest of fostering economic growth and investment.
4. To encourage the development of tourist commercial uses in the Downtown as well as in appropriate shoreline and rural areas.
5. To establish and maintain a supply of employment lands suited to a diverse range of industrial uses.
6. To encourage the development of home-based businesses and home industries provided such uses are compatible with adjacent uses.

7. To recognize, protect and, where appropriate, utilize cultural heritage features and resources in conjunction with economic development and tourism initiatives.

A4 THE LAND USE CONCEPT

The following land use designations are designed to reflect major categories of existing or anticipated land use in the Municipality.

A4.1 WAWA RESIDENTIAL

Lands designated *Wawa Residential* are the site of primarily existing and planned residential development as well as complementary mixed use and community uses on full municipal services in the Wawa Settlement Area.

A4.2 VILLAGE RESIDENTIAL

Lands designated *Village Residential* are the site of primarily existing and planned residential development on partial municipal services in the Michipicoten River Village Settlement Area.

A4.3 EMPLOYMENT

The *Employment* designation applies to lands in the Municipality which are proposed to be used primarily for industrial use.

A4.4 DOWNTOWN

Lands designated *Downtown* are the site of primarily commercial uses within the core area of the Wawa Settlement Area.

A4.5 RURAL

The *Rural* designation generally includes all lands outside of the Settlement Area including shoreline areas.

A4.6 CROWN LAND

The *Crown Land* designation applies to those lands that are owned by the Crown and to which local planning policy is not applicable.

A4.7 ENVIRONMENTAL PROTECTION

The *Environmental Protection* designation identifies significant natural features which is intended to be protected from incompatible land use.

A4.8 OPEN SPACE

The *Open Space* designation identifies lands which are owned by a public agency or authority.

A4.9 RURAL HIGHWAY COMMERCIAL

The *Rural Highway Commercial* designation identifies lands which are intended to provide a suitable area for space extensive and/or service oriented commercial uses.

A4.10 HIGHWAY COMMERCIAL

The *Highway Commercial* designation identifies lands within the Wawa Settlement Area which are intended to provide a suitable area for mixed uses.

A4.11 INSTITUTIONAL

The *Institutional* designation identifies existing land and buildings utilized for public authorities, agencies and services and also include places of worship.

PART B – LAND USE DESIGNATIONS

B1 WAWA RESIDENTIAL

B1.1 PURPOSE

The purpose of the *Wawa Residential* designation is to:

- a) recognize the stable and compatible mix of primarily residential land uses which make up the settlement area of Wawa;
- b) encourage the provision of a full range of housing opportunities that are affordable and meet the Municipality’s housing needs;
- c) promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential redevelopment and intensification, where appropriate; and,
- d) ensure that the Wawa Settlement Area permits a variety of complementary and compatible land uses.

B1.2 LOCATION

The *Wawa Residential* designation primarily applies to existing or proposed residential uses in the existing urban settlement of Wawa.

B1.3 PERMITTED USES

Permitted uses in the *Wawa Residential* designation include:

- a) single detached dwellings;
- b) accessory apartments in single-detached dwellings subject to Section B1.4;
- c) semi-detached dwellings;
- d) duplex dwellings;
- e) townhouse multiple and apartment dwellings subject to Section B1.5;
- f) home occupations subject to Section B1.6;

- g) bed and breakfast establishments in single detached dwellings, subject to Section B1.7;
- h) complementary uses such as residential care facilities, rooming houses, daycare centres and small-scale institutional and open space uses, subject to Sections B1.8 and B 1.9; and,
- i) existing uses and minor expansions thereto.

B1.4 ACCESSORY APARTMENTS

Accessory apartments are considered to be a form of affordable housing and may be permitted in single detached dwellings in the *Wawa Residential* designation, subject to a Zoning By-law Amendment. In considering such an application, Council shall be satisfied that:

- a) the apartment will comply with the Ontario Building and Fire Codes as well as applicable provisions of the Municipality's Zoning By-law;
- b) adequate parking is available on the lot for both dwelling units; and,
- c) the second dwelling unit is designed and located in such a manner to not have an impact on the character of the surrounding neighbourhood.

B1.5 TOWNHOUSE, ROOMING HOUSE, MULTIPLE AND APARTMENT DWELLINGS

Townhouse dwellings may be permitted in the *Wawa Residential* designation, subject to re-zoning. In considering a zoning by-law amendment and a site plan to permit a new townhouse development, Council shall have regard to the criteria provided in this Section.

Rooming and boarding houses may also be permitted in the *Wawa Residential* designation subject to the criteria below and provided the total number of occupants of the rooming house does not exceed 6 persons. Where an applicant proposes to establish a rooming or boarding for more than 6 persons, the zoning approval shall be subject to the Temporary Use permissions under the Planning Act and this Plan.

Multiple unit developments and apartment buildings may be permitted in the *Wawa Residential* designation provided the maximum density of such developments does not exceed 20 units per net residential hectare and the maximum building height does not exceed three storeys. The maximum density and/or height may be increased, subject to an amendment to the implementing zoning by-law, provided the lot is suitable for the proposed building and provided the increase in density and/or height is compatible with surrounding land uses.

In considering a zoning by-law amendment and a site plan to permit a townhouse, rooming/boarding houses, multiple apartment development, Council shall be satisfied that the proposal:

- a) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- b) can be easily integrated with surrounding land uses;
- c) will not cause or create traffic hazards or an unmanageable level of congestion on surrounding roads;
- d) is located in proximity to community facilities, such as parks, schools, open spaces or the downtown;
- e) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site; and,
- f) can be serviced by municipal sewer and water services which are planned and available within the Settlement Area.

B1.6 HOME OCCUPATIONS

Home occupations are typically professional or service oriented work activities that are carried on within the residential dwelling or accessory building that typically do not involve the retail sale of goods and services. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

Where a home occupation is proposed on lands that have access to a Provincial highway, the Ministry of Transportation shall be consulted to determine if a land use permit is necessary for access and/or signage.

B1.7 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are permitted in single detached dwellings, provided the bed and breakfast establishment:

- a) is located within the principal residence of the owner/operator;
- b) preserves the character of the dwelling as a private residence; and,
- c) is licensed annually in accordance with Municipal Lodging and Bed and Breakfast Licensing by-law as amended, where applicable.

The implementing Zoning By-law shall define a bed and breakfast establishment and may further detail the conditions under which a bed and breakfast establishment may be permitted.

B1.8 DAYCARE CENTRES AND SMALL-SCALE INSTITUTIONAL USES

Daycare centres and small-scale institutional uses which serve the community, such as public and private elementary schools, Montessori schools, housing for seniors, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the scale, massing and siting of the development is compatible and consistent with development on adjoining lands; and,
- c) the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

B1.9 RESIDENTIAL CARE FACILITIES

Residential care facilities are defined as residential facilities which accommodate residents who have a range of emotional, psychiatric, physical, developmental, or social problems who live in a 24-hour supervised setting, and receive both room and board and assistance with daily living.

There are a variety of residential care facilities which are generally categorized as group homes, second level boarding/lodging homes, or treatment centres, depending upon their program, funding, size, operator, or Provincial licensing as it may apply. The Zoning By-laws shall provide specific definitions for these residential care facilities as well as performance standards. New programs may emerge over time depending upon Provincial funding and licensing, and further amendments to the Zoning By-laws may be required as warranted.

This Plan supports the provision of an adequate regional supply of residential care facilities subject to appropriate funding from senior government agencies, the provision of adequate community services for clients and proper siting of such facilities in accordance with the policies of this Plan.

B1.10 IMPLEMENTING ZONING BY-LAW

All lands in the *Wawa Residential* designation shall be placed primarily in Residential zones in the implementing Zoning By-law.

B2 VILLAGE RESIDENTIAL**B2.1 PURPOSE**

The purpose of the *Village Residential* designation is to:

- a) recognize a stable and culturally significant rural settlement area in the Municipality;
- b) recognize a compact community that provides a valued housing alternative to the Wawa Settlement Area; and,
- c) co-ordinate rounding out of the settlement and appropriate residential infilling.

B2.2 LOCATION

The *Village Residential* designation as identified on Schedule A-2 applies to the existing rural settlement known as the Michipicoten River Village or “The Mission”.

B2.3 PERMITTED USES

Permitted uses in the *Village Residential* designation include:

- a) single detached dwellings;
- b) home occupations subject to Section B2.4;
- c) bed and breakfast establishments in single detached dwellings, subject to Section B2.5;
- d) complementary uses such as small-scale institutional and open space uses, subject to Section B2.6; and,
- e) existing uses and minor expansions thereto.

B2.4 HOME OCCUPATIONS

Home occupations are typically professional or service oriented work activities that are carried on within a residential dwelling or accessory building that typically do not involve the retail sale of goods and services. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

B2.5 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are permitted in single detached dwellings, provided the bed and breakfast establishment:

- a) is located within the principal residence of the owner/operator;
- b) preserves the character of the dwelling as a private residence; and,
- c) is licensed annually in accordance with Municipal Lodging and Bed and Breakfast Licensing by-law as amended, where applicable.

The implementing Zoning By-law shall define a bed and breakfast establishment and may further detail the conditions under which a bed and breakfast establishment may be permitted.

B2.6 SMALL-SCALE INSTITUTIONAL OR OPEN SPACE USES

Small-scale institutional uses which serve the community, such as Montessori schools, housing for seniors, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the use can be appropriately serviced in accordance with the servicing policies of this Plan;
- c) the scale, massing and siting of the development is compatible and consistent with development on adjoining lands; and,
- d) the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

B2.7 IMPLEMENTING ZONING BY-LAW

All lands in the *Village Residential* designation shall be placed primarily in Residential zones in the implementing Zoning By-law. However, other uses will be placed in appropriate Institutional, Open Space or other zones.

B3 EMPLOYMENT

B3.1 PURPOSE

The purpose of the *Employment* designation is to:

- a) provide lands for the creation of diverse employment opportunities;
- b) improve the economic climate in the Municipality by making lands available for employment generating uses;
- c) ensure that new industrial development occurs in an orderly and compatible manner; and,
- d) provide areas where entrepreneurs and skilled trades can grow and develop and serve the needs of Northeastern Ontario business.

B3.2 LOCATION

The *Employment* designation as shown on the Schedules to this Plan applies to several existing locations throughout the Municipality.

B3.3 PERMITTED USES

Permitted uses on lands designated *Employment* include manufacturing, assembly, processing, fabrication, storage and/or warehousing uses and research establishments, wholesaling, service commercial establishments and similar uses. Accessory retail and office uses are also permitted, provided they occupy only a limited amount of the gross floor area and are clearly accessory and incidental to the industrial use.

B3.4 DEVELOPMENT POLICIES

The development or redevelopment of uses in the *Employment* designation may be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion of the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:

- a) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent residential or other sensitive uses which are existing or are planned in accordance with this Official Plan. To address this issue Council may require the business owner to retain a qualified professional to complete an assessment which demonstrates that the proposed use is compliant with the MOE D-Series Guidelines.

- b) The use has access to a municipal road and is serviced by municipal water and sanitary services. Where employment uses do not have access to municipal water and sanitary uses, Section 3.5 shall apply;
- c) Adequate parking and loading facilities are provided on the site;
- d) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area;
- e) Outdoor storage areas are substantially screened from view of passing traffic; and,
- f) Where a proposed use abuts or is in close proximity to an existing sensitive land use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses. It is anticipated that where a D-Series assessment is completed, recommendations for buffering will be required.

B3.5 EMPLOYMENT USES LOCATED OUTSIDE OF THE SETTLEMENT AREAS

For lands located in the *Employment* designation and located outside of a Settlement Area only low water industrial uses shall be permitted until such time as it may be feasible to extend municipal services to such lands.

For the purpose of this Official Plan, low water uses shall be defined as uses which generate less than 50,000 litres per day. The following shall also apply for various assessment and approvals:

- a) for industrial uses that have an average daily flow greater than 4,500 litres per day, the Ministry of the Environment B-7 Guideline "Incorporation of the Reasonable Use Concept into Groundwater Management Activities" shall apply; and,
- b) for industrial uses that generate sewage effluent of more than 10,000 litres per day, a Certificate of Approval from the Ministry of the Environment will be required. For uses that generate less than 10,000 litres per day, a *Building Code Act* permit shall be required from the appropriate approval body.

New industrial uses requiring more than 50,000 litres of water per day shall require an amendment to the Zoning By-law as well as a Permit to Take Water under the *Ontario Water Resources Act*. An application to amend the Zoning By-law to permit an industrial use requiring more than 50,000 litres of water per day shall be accompanied by a hydrogeological evaluation confirming that the required water quantity is available for the use and will not impact adjacent wells. Such an application shall also be accompanied by a Servicing Options Report

and shall adhere to all applicable requirements of the Ministry of the Environment and follow their Guideline “Incorporation of the Reasonable Use Concept into MOE Groundwater Management Activities”. The Municipality may wish to consider the requirement for new industrial and commercial development proposals on private services to complete a groundwater impact assessment. This study will determine the ability of the subject land to treat sewage effluent and to determine the susceptibility of groundwater contamination from sewage effluent.

B3.6 AGGREGATE RESOURCE EXTRACTION ON EMPLOYMENT LANDS

Within the *Employment* designation aggregate resource extractive areas licensed under the Aggregate Resources Act shall take precedence over other land uses until such time as the extraction license is removed from the site or employment uses can be accommodated with the extractive use in a compatible manner.

B3.7 IMPLEMENTING ZONING BY-LAW

All lands within the *Employment* designation shall be placed in an appropriate Employment Zone in the implementing zoning by-law. Lands in the *Employment* designation may be subject to a Holding provision to ensure technical issues relating to development have been addressed. A Holding provision may also be applied to historic but dormant industrial lands, the purpose of which is to require the clearance and potential remediation in accordance with Ministry of Environment standards before such lands may be used in accordance with this Plan.

B4 DOWNTOWN**B4.1 PURPOSE**

The purpose of the *Downtown* designation is to:

- a) Reinforce the role of Downtown Wawa as a primary destination for business, commerce and hospitality in the community and District of Algoma.
- b) Encourage re-development in the Downtown to foster growth in tourism, recreation and hospitality sectors.
- c) Encourage re-investment and redevelopment of currently underutilized or vacant buildings.
- d) Create attractive pedestrian linkages within the Downtown and from the Downtown to Wawa Lake, specifically where recommended by the Wawa Lake Waterfront Plan.
- e) Encourage the retention and/or re-creation and promotion of cultural heritage attributes in buildings and public spaces in the Downtown.

B4.2 THE VISION FOR THE DOWNTOWN

Downtown Wawa forms part of a proud and historic northern community that will continue to provide quality service to its local population and will creatively evolve to become a leading waterfront destination for tourism and recreation in Northern Ontario by showcasing its physical and social history.

B4.3 LOCATION

The *Downtown* designation as shown on Schedule A-1 applies to the traditional downtown location primarily fronting on Broadway Avenue.

B4.4 PERMITTED USES

Permitted uses in the *Downtown* designation include:

- a) Retail uses;
- b) Service uses;
- c) Business offices;
- d) Banks and financial institutions;
- e) Hotels, inns and bed and breakfast establishments;

- f) Theatres;
- g) Day care centres;
- h) Private and commercial schools;
- i) Places of worship, schools, libraries and other institutional uses;
- j) Health care facilities;
- k) Restaurants and take-out restaurants
- l) Second storey residential uses;
- m) Funeral homes;
- n) Festivals and open air markets;
- o) Public uses and service utilities and structures;
- p) Museums and art galleries, and;
- q) Existing residential uses and minor expansions thereto.

B4.5 DEVELOPMENT POLICIES

B4.5.1 New Lots Created by Consent

The creation of new lots by consent to sever may be permitted, provided the consent is in keeping with the objectives of this Plan and does not unduly fragment the land base of the Downtown to make it more difficult to accommodate usable building space. The creation of new lots in the Downtown shall also comply with Section D4 (General Consent Policies).

B4.5.2 New Development and Redevelopment Policies

The following policies are intended to guide proposals for new development or redevelopment in the *Downtown* designation:

- a) Land assembly is encouraged to create larger, more viable development parcels;
- b) All future development shall occur on the basis of being connected to full sewer and water services;
- c) Hospitality and tourist oriented uses that will enhance the pedestrian linkage between the downtown and open space areas are encouraged;

- d) All development proposals requiring a Planning Act approval may be required to restore or enhance their building façade in order to maintain the architectural character and identity of the Downtown.

B4.5.3 Existing Residential Uses in the Downtown

This Plan recognizes and encourages residential uses in the Downtown area provided such uses are located in the second storey of buildings or are developed on land or in buildings which are vacant or under-utilized.

B4.5.4 Parking

Commercial uses located in the *Downtown* designation shall generally be exempt from the provision of on-site parking, although the provision of on-site parking for owners, employees and for the physically challenged is encouraged. In lieu of the provision of on-site parking in accordance with applicable zone requirements, the Municipality may pass a by-law to accept cash-in-lieu where parking can be reasonably accommodated on the street or off-site in another appropriate location. In determining the cash-in-lieu payment, Council shall have regard to the cost to provide and maintain a parking space in the Downtown.

B4.6 PUBLIC SPACE IN THE DOWNTOWN

Public land in the Downtown includes streets, sidewalks, parking lots, parks and administrative or public buildings. It is a policy of this Plan that the municipality should partner with stakeholders to maintain public space in a manner that is complementary to the Downtown and is consistent with the objectives of this Plan. Specific projects aimed to revitalize public lands and buildings may include:

- a) Provision of streetscape landscaping such as trees, shrubs and flowers;
- b) Provision of street furniture, lighting, flower planters, art and monuments in strategic, pedestrian oriented locations;
- c) Improvements to the gateway to the Downtown located at the intersection of Broadway Avenue, Mission Road and Main Street;
- e) Provision of wayfinding signage;
- f) Provision of parking areas for campers, recreational vehicles and trailers; and/or,
- g) Renovations and/or façade improvements to existing public buildings.

B4.7 IMPLEMENTING ZONING BY-LAW

All lands that are used for commercial purposes shall be placed in a Downtown Commercial Zone in the implementing Zoning By-law.

B5 AIRPORT**B5.1 OBJECTIVE**

The purpose of the *Airport* designation is to recognize the Wawa Airport as an important component of the local and district transportation infrastructure.

B5.2 LOCATION

The *Airport* designation as shown on Schedule A-1 to this Plan applies to all lands currently under the ownership of the Wawa Airport Authority.

B5.3 PERMITTED USES

Permitted used in the *Airport* designation include:

- a) Private and public airport facilities and accessory uses;
- b) manufacturing, assembly, maintenance, processing, fabrication, storage and/or warehouse uses and research establishments;
- c) bulk fuel storage and sales;
- d) outfitter administration and staging uses;
- e) accessory accommodation facilities;
- f) training and educational facilities; and
- g) private clubs.

B5.4 DEVELOPMENT POLICIES

The development of uses in the *Airport* designation may be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion to the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:

- a) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent uses;
- b) The proposed use is compliant with any guideline or specification established by Transport Canada;
- c) Adequate parking and loading facilities are provided on the site;

- d) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area; and,
- e) Outdoor storage areas are substantially screened from view from passing traffic.

B5.5 IMPLEMENTING ZONING BY-LAW

All lands located in the *Airport* designation shall be required to be placed in a zone category which reflects existing uses in the implementing Zoning By-law.

B6 RURAL**B6.1 PURPOSE**

The purpose of the *Rural* designation is to:

- a) emphasize the importance of the rural character of the Municipality which is comprised of spectacular mix of land, trees, water and a significant number of socio-cultural features and landmarks;
- b) support and foster resource-related recreational uses as a means to expand and diversify the local economy;
- c) identify lands which are valued for Provincially and locally defined interests in resource extraction; and,
- d) identify lands which are valued for socio-cultural and environmental purposes.

B6.2 LOCATION

The *Rural* designation essentially applies to the majority of land in the Municipality which has not otherwise been placed in one of the primary land use designations.

B6.3 PERMITTED USES

- a) agricultural and nursery uses;
- b) single detached dwellings on existing lots;
- c) bed and breakfast establishments;
- d) home occupations, home industries subject to the provisions of Section B6.5.1 of this Plan;
- e) hunt camps, seasonal dwellings and recreational dwellings;
- f) commercial dog kennels subject to Section B6.5.6 of this Plan;
- g) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
- h) tourist commercial uses;
- i) transportation services, outposts and staging areas for tourism or the provision of services to remote areas;

- j) work camps and staging areas related to resource uses;
- k) forestry and resource management uses;
- l) resource related exhibition and tourism establishments or research and training establishments;
- m) mineral exploration and mining activities authorized under the Mining Act;
- n) cemeteries subject to Section B6.5.6 of this Plan;
- o) space extensive industrial uses characterized by open storage;
- p) alternative energy systems subject to Section B6.5.8;
- q) telecommunications towers and infrastructure;
- r) the extraction of consolidated or unconsolidated stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage subject to Section B6.6; and
- s) wayside pits and quarries, portable asphalt plants and concrete plants for specific road works undertaken by a public authority in the area.

B6.4 DEVELOPMENT POLICIES

B6.4.1 The Creation of New Lots

The intent of this Plan is to maintain the rural character of the Municipality and therefore the majority of new residential development will be directed to the Wawa Settlement Area or the Michipicoten River Village. However, the creation of new lots may be permitted in the *Rural* designation subject to the following policies:

- a) the severance will facilitate the division of two or more lots which have merged in title;
- b) the severance will facilitate the division of parts of a lot that are devoted to different uses that existed on the date this Plan was adopted;
- c) the severance will result in the creation of a new lot from a lot having a minimum lot area of 10 hectares, which existed on the date of approval of this Official Plan and which has not been the subject of any prior severance for the purpose of creating a residential lot;
- d) the lot abuts the shoreline of a lake, subject to the policies in Section C1; and,

- e) the severance conforms with applicable criteria listed in Section D4.
- f) the proposed lot complies with the criteria set out in Section D4 (General Consent Policies) of this Plan.

B6.5 DEVELOPMENT POLICIES FOR RURAL USES

B6.5.1 Home Occupations and Home Industries

This Plan will permit additional activities, such as home occupations and home industries in the *Rural* designation.

Home occupations are typically professional work and service activities that are carried out within the residential dwelling or accessory building that typically do not involve the sale of goods not produced on the premises. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

Home industries are small-scale industrial uses that are accessory to a rural residential use. These uses should be screened from view and should not detract from the rural residential character of the lot or the surrounding area. Home industries may include welding, carpentry or machine shops, or agricultural related uses that involve the processing or transportation of regional produce or other products. The accessory retail sale of products produced in the home industry is also permitted. The repair, storage or sale of motor vehicles is generally not considered to be a home industry. Home industries will be permitted as-of-right in the implementing Zoning By-law, provided:

- a) the home industry is located on a lot that has a minimum area of 2.0 hectares and is separated from the lot line of any residential dwelling at least 300 metres or a lesser distance as determined through a technical assessment in accordance with the MOE D-Series Guidelines;
- b) the home industry is not a Class 3 industry as defined by the MOE D-Series Guideline;
- c) any open storage associated with the home industry is limited and screened from view;
- d) the home industry has a limited number of employees; and,
- e) the home industry is clearly accessory to a residential use and does not detract from the primary use of the property.

The development of a new home industry may be subject to Site Plan Control.

B6.5.2 Resource Related Research and Training Establishments

The development of resource related research and training establishments is encouraged in the Municipality. Such uses may be permitted subject to rezoning, provided Council is satisfied that:

- a) the use is related to and will benefit the Provincial and/or regional resource or recreation and tourism industries;
- b) the use will assist in the furthering of knowledge in the resource or recreation sectors of the economy; and,
- c) the use will assist the resource or recreation sectors through training and the identification of new methods and procedures.

B6.5.3 Resource Related Exhibitions and Tourism Establishments

This Plan supports the development of uses that promote the potential of the resource, recreation or socio-cultural sectors. On this basis, uses such as art studios, fishing derbies, resource equipment exhibitions, eco-tours, holiday-related exhibitions and small-scale educational or interpretive establishments are permitted in the *Rural* designation. Such uses may be subject to Site Plan Control and/or Development Agreements, depending on their location, scale or frequency.

B6.5.4 Tourist Commercial Uses

Tourist commercial uses such as campgrounds and resort uses may be permitted subject to an amendment to the implementing Zoning By-law. These uses shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan

Before considering an amendment to the Zoning By-law to permit any of these uses in the *Rural* designation, Council shall be satisfied that the proposed use:

- a) is compatible with the rural character of the area;
- b) can be designed and sited to blend in with the topography and setting of the lot;
- c) is located on a lot having an area of no less than 5.0 hectares;
- d) is located where it would have little or no impact on existing aggregate extraction or mineral mining operations;
- e) can be serviced with an appropriate water supply and means of sewage

disposal; and,

- f) can be appropriately buffered from adjacent uses.

B6.5.5 Commercial Dog Kennels

Commercial dog kennels may be permitted in the *Rural* designation provided the lands do not abut the shoreline of a lake and subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, Council shall be satisfied that:

- a) the size of the proposed dog kennel is appropriate for the area;
- b) the building housing the dog kennel and the associated dog runs is set back at least 100 metres from lot lines;
- c) the use is located at least 500 metres from lands within the *Wawa Residential* designation or any lot which abuts the shoreline of a lake;
- d) the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties;
- e) an appropriate animal waste management plan is put in place; and,
- f) an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

A new dog kennel shall also be subject to a Site Plan Agreement in accordance with Section E1.4 of this Plan.

B6.5.6 Cemeteries

In accordance with the Cemeteries Act and its appurtenant regulations, cemeteries may be permitted in the *Rural* designation subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that the applicant has prepared all of the requisite material required under the provisions of the Cemeteries Act, including the ability to set aside a reserve fund for long term maintenance. Cemeteries will be subject to site plan control and may be subject to other agreements concerning long term maintenance and responsibility.

B6.5.7 Agricultural Uses Including Hobby Farms

Council recognizes that hobby farming is an agricultural use that is in keeping with the character of the rural area. A hobby farm is defined as a farm with a residence where a limited number of domestic animals are kept primarily for

recreational purposes and where buildings related to the hobby farm are clearly subordinate and incidental to the residential use. Agricultural uses including hobby farms are permitted in the *Rural* designation, provided the minimum lot size is 2.0 hectares. Where a new lot is to be created for the purpose of an agricultural use which involves the keeping of livestock, regard shall be had to the Minimum Distance Separation II Formulae.

B6.5.8 Alternative Energy Systems

Alternative energy systems and infrastructure designed to feed hydroelectric power into the grid shall be permitted in the *Rural* designation subject to Provincial statutes and regulations. Council strongly encourages the proponents of alternative energy systems to exceed the minimum Provincial requirements related to public consultation and communication.

Alternative energy systems and infrastructure designed for personal use which are not subject to Provincial statutes or regulation are also permitted in the *Rural* designation, but may be subject to development standards in the Comprehensive Zoning By-law.

B6.6 AGGREGATE EXTRACTION (EXTRACTIVE OVERLAY)

B6.6.1 Intent

The geological composition of lands in the Municipality of Wawa is characterized by consolidated and unconsolidated mineral aggregates that are sought after by the aggregate industry and are considered to be a resource of Provincial Significance. This information has been adapted from geological map resources and is attached to this Plan for information purposes at Appendix 1.

At the time this Plan was prepared, there were several licensed and permitted aggregate extractive operations in the Municipality. These sites are identified on Appendix 1 as *Extractive Overlay*. New sites or expansions to existing sites will not require an Amendment to this Plan, but where new areas become licensed under the ARA, the *Extractive Overlay* will be added to Appendix 1 at the time of an Official Plan Update.

The following policies apply to the entire *Rural* designation and are intended to provide guidance to the community, Council and proponents of aggregate operations with respect to the establishment of new operations or the expansion of existing operations.

B6.6.2 Relationship between this Plan and the Ministry of Natural Resources

It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the *Aggregate Resources Act* in the Municipality of Wawa. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent(s) of the mineral aggregate operation, the community and Council before licenses are issued or modified, in order to ensure that new mineral aggregate operations or expansions to existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.

B6.6.3 Development Adjacent to Existing Extractive Operations

When new development (through a Planning Act application) is proposed within 300 metres of a pit or 500 metres of a quarry within the *Rural* designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. In order to address this issue, the proponent will be required to retain a qualified professional to complete an impact assessment of noise and vibration levels in accordance Publication NPC-119 (MOE) or any successor this publication.

B6.6.4 New Mineral Aggregate Operations or Expansions to Existing Operations

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations shall require an Amendment to the Zoning By-law. All such applications shall be supported by studies that address:

- a) the effect of the mineral aggregate extractive operation on:
 - i) the natural heritage features and functions on the site and in the area proximate to the proposed site. For the purpose of this subsection, natural heritage features include lakes and major navigable waterways;
 - ii) nearby residents including the Michipicoten First Nation;
 - iii) recreational resources and activities;
 - iv) the character of the area;
 - v) the quality and quantity of groundwater and surface water in the subwatershed;
 - vi) the built or cultural heritage resources in the area including cultural heritage landscapes, archaeological sites and areas of archaeological potential as identified on Schedule D or as confirmed by the Ministry of Culture and the Michipicoten First Nation;

- vii) significant geologic formations on the site and in the area;
 - viii) where blasting is necessary as part of the operation, the groundwater recharge functions on the site and in the immediate area assessed by a hydrogeological study;
 - ix) surface water features in the area; and,
 - x) nearby wells used for drinking water purposes which have the potential to be impacted by extractive activities.
- b) the location and suitability of the proposed haul routes;
 - c) the effect of the noise, odour, dust and vibration generated by the proposed use assessed in accordance with the MOE's D-Series Guidelines and other applicable Provincial regulations;
 - d) how the natural features and functions on the site and in the area can be protected and/or buffered during the operation of the facility and/or after the facility has been progressively rehabilitated;
 - e) that the proposed facility will not impact Endangered Species or the habitat of Endangered Species as required by the Endangered Species Act;
 - f) how the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts; and,
 - g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is complete.

B6.6.5 Development of Other Uses in Proximity to Aggregate Resources

Aggregate resources should be protected from development and land uses that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Aggregate resources should also be protected from development or land uses that may preclude or hinder the effective and/or economical extraction of aggregate in the future. However, there may be cases where the economical and/or physical extraction of aggregate is not feasible and/or appropriate. In such cases, development or land use permitted by this Plan on lands so designated may be permitted, if it can be shown to the satisfaction of Council that:

- a) the land use pattern in the area has reduced the feasibility of extraction; or,
- b) there is not enough aggregate in the area to justify its economical

- extraction; or,
- c) the proposed land use or development serves a greater long term public interest; and,
 - d) issues of public health, public safety and environmental impact are addressed.

B6.6.6 Conservation and Reuse of Aggregate Resources

The reuse and recycling of concrete, asphalt, brick, glass and other suitable materials should be utilized to conserve aggregate materials, provided such reuse and recycling is permitted in the Zoning By-law and the storage of such material can be accommodated in a manner that is safe and does not pose a contamination risk.

B6.6.7 Rehabilitation

The progressive rehabilitation of all pits and quarries in the Municipality is a goal of this Plan. Wherever possible, Council will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all licenses have progressive rehabilitation plans and where applicable, are actively completing site rehabilitation and restoration.

If a site is to be rehabilitated to a natural state, it is the intent of this Plan that natural self-sustaining vegetation and hydrologic features be established and restored.

B6.6.8 Michipicoten Harbour Special Policy Overlay Area

The Michipicoten Harbour Special Policy Area has been established to identify an area where the quarrying of mineral aggregate resources is a primary permitted use as well as related accessory uses such as crushing, drilling, blasting, screening, washing, stockpiling and loading of mineral aggregate resources and products. The Michipicoten Harbour Special Policy Overlay Area is depicted on Schedule "A" to this Plan. The development of a quarry and related accessory uses in this area is subject to the policies for the Michipicoten Harbour Special Policy Overlay Area.

Given the historical industrial use of the harbour, the Michipicoten Harbour Special Policy Overlay Area complements the existing Industrial and Rural land use designations and related policies and permitted uses contained in the Official Plan.

The Michipicoten Harbour Special Policy Overlay Area requires the establishment of environmental buffers and linkages that are to be preserved and

will be zoned to reflect their location and function. However, existing uses located within identified buffer and linkage areas will be permitted to continue.

B6.6.8.1 DEVELOPMENT POLICIES

Development in the Michipicoten Harbour Special Policy Area will be implemented through zoning, Site Plan Control and the applicable provisions of the Aggregate Resource Act. Studies may be required by Council to ensure compatibility and to minimize environmental impacts. The following studies are required for any quarry operation

B6.6.8.1.1 Water Quality and Quantity

In order to prevent impacts to water quality or quantity upon groundwater or surface water the following policies shall apply:

a) Groundwater Monitoring

All lands subject to extraction shall undergo a water-monitoring program in accordance with the licensing requirements of the Aggregate Resources Act.

The monitoring program shall confirm water table elevations for the extraction area and be reflected in the Design Reports for any quarry. In addition, subsequent to extraction commencing, a water-monitoring program shall be required which will consist of measuring and documenting the level of the water table on a weekly basis.

b) Sulphur Bearing Rocks

The proponent shall prepare a Contingency Plan which establishes an ongoing monitoring program, the purpose of which is to identify sulphur-bearing rocks and a protocol to follow in the event such a deposit is encountered.

Such a plan shall be prepared to the satisfaction of the Municipality and shall be enforced under the provisions of the Aggregate Resources Act license.

c) Stormwater Management

Prior to extraction occurring on site, a Stormwater Management Plan shall be prepared to the satisfaction of the Municipality. Such a plan shall be prepared by a qualified professional and shall include a surface water monitoring protocol for the adjacent creek and shoreline waters.

d) Spills Contingency

In conjunction with the Stormwater Management Plan mentioned above, the proponent shall also prepare a Spill Contingency Plan. Such a plan will be

prepared to the satisfaction of the Municipality and will identify storage sites for fuels and lubricants, outline handling procedures and a protocol to contain and clean-up accidental spills, including spills of mineral aggregate material into Lake Superior.

B6.6.8.1.2 Waste Disposal

All waste material generated by any facility shall be disposed of at an approved waste receiving facility and/or in accordance with Ministry of Environment regulations.

B6.6.8.1.3 Progressive Rehabilitation

Council places a high priority on the progressive rehabilitation of the lands subject to extraction. Rehabilitation will occur as prescribed by the license issued by the Ministry of Natural Resources under the Aggregate Resources Act and such rehabilitation shall be accommodating to subsequent land uses.

B6.6.8.2 IMPLEMENTATION AND REGULATORY POLICIES

B6.6.8.2.1 Zoning

Lands located in the Michipicoten Harbour Special Policy Overlay Area shall be placed in appropriate zone categories.

In order to mitigate adverse impacts upon fish habitat a minimum 30 metre setback for all permitted uses from the top-of-bank of cold water streams and the high water mark of the Lake Superior shoreline shall be established in the implementing Zoning By-law.

B6.6.8.2.2 Aggregate Resources Act

The quarrying and extraction of mineral aggregate resources in the Michipicoten Harbour Special Policy Overlay Area is subject to the requirements and regulations of the Aggregate Resources Act of Ontario.

B6.6.8.2.3 Development Agreements

Council may require the proponent of any mineral aggregate operation or other land use developed in the Michipicoten Harbour Special Policy Overlay Area designation to enter into one or more agreements to ensure operational aspects are adhered to by the owner and subsequent owners.

B6.6.8.2.4 Site Plan Control

Council shall pass a Site Plan Control By-law in accordance with the Planning Act to regulate development and land use that is appropriately governed by Site

Plan Control. All lands depicted as being subject to the Michipicoten Harbour Special Policy Overlay Area on Schedule "A" are subject to Site Plan Control. Notwithstanding this policy any use authorized or licensed under the Aggregate Resources Act shall not be subject to Site Plan Control.

B6.6.8.2.5 Holding Provisions

Uses permitted in the Michipicoten Harbour Special Policy Overlay Area shall be subject to Holding provisions as per Section 36 of the Planning Act to ensure policy matters are dealt with to the satisfaction of the Municipality and all applicable Provincial agencies, with the exception that uses authorized or licensed under the Aggregate Resources Act shall not be subject to Holding Provisions.

B6.6.8.2.6 Interpretation

The Michipicoten Harbour Special Policy Overlay Area is identified on Schedule A to this Plan. These lands have been designated to comply with the policies and requirements set out in Ontario Municipal Board decision PL040025. Where any conflict or further interpretation with respect to the Michipicoten Harbour Special Policy Overlay Area arises Council shall make specific reference to Ontario Municipal Board decision PL040025.

B6.6.9 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an amendment to this Plan, rezoning, or development permit under the Planning Act in all areas of the Municipality, except residential areas and environmentally sensitive areas including those areas designated as Environmental Protection, and provided that they are consistent with the Provincial Policy Statement.

B6.7 MINERAL RESOURCES**B6.7.1 Intent**

It is the intent of Council to work with the Ministry of Northern Development and Mines (MNDM) to obtain information regarding mineral resources, to identify areas of mineral potential and abandoned mine sites.

B6.7.2 Permitted Uses

For the purpose of this Official Plan, mineral mining operations are those facilities designed and authorized under the Mining Act to extract metallic minerals such as ore, gold and copper, or non-metallic minerals such as graphite, mica or talc. Mineral mining operations include above and below ground work, open pits and quarries as well as associated processing, transportation, waste and tailing storage, and directly related activities all regulated in accordance with the Mining Act. Mineral mining excludes pits and quarries used for mineral aggregate extraction authorized under the Aggregate Resource Act.

B6.7.3 Quality of Resources in Wawa

In the preparation of this Plan, the Municipality consulted with the Ministry of Northern Development, Mines and Forestry and it was determined that all land within the municipal boundaries has provincially significant mineral potential. Proposed development should be carefully considered to avoid conflicting land uses.

B6.7.4 Development Policies

Mineral mining and related activities will only be permitted outside of identified settlement areas. The compatibility of mining activities with surrounding land use designations will determine the specific nature of permitted mining and mining related activities.

The establishment of mining related activities shall be subject to the approval of the Ministry of Northern Development, Mines and Forestry under the Mining Act and the Environmental Protection Act and will require the issuance of a Development Permit by the Municipality.

B6.7.5 Abandoned Mine Sites

When a development is proposed within 1,000 metres of an abandoned mine hazard as identified on Schedule A to this Plan, there is potential for impact on a proposed development. The Municipality and proponent shall consult with MNDMF – Regional Land Use Geologist in order to assess the nature of hazards

and what technical studies may need to be completed to determine whether the land is suitable for the type of development proposed and that the development does not interfere with any rehabilitation, maintenance or monitoring requirement for the mine workings/hazards.

B6.8 IMPLEMENTING ZONING BY-LAW

All lands in the *Rural* designation shall be placed in a Rural Zone in the implementing Zoning By-law.

The implementing Zoning By-law shall place all existing licensed aggregate operations and all aggregate permits in a Mineral Aggregate Resource One (MAR1) Zone that permits quarries and sand and gravel extraction operations.

B7 ENVIRONMENTAL PROTECTION**B7.1 PURPOSE**

The purpose of the *Environmental Protection* designation is to:

- a) identify natural heritage features and functions in the Municipality which are locally, regionally and Provincially significant;
- b) maintain and enhance the ecological integrity of the Natural Heritage System;
- c) minimize the potential for the loss or fragmentation of Natural Heritage Feature and the habitats and ecological functions they provide; and,

B7.2 LOCATION

The *Environmental Protection* designation is intended to include the following components of the Municipality's Natural Heritage System:

- a) Provincially Significant Wetlands;
- b) Provincially Significant Coastal Wetlands;
- c) Wetlands;
- d) Significant Habitat of Endangered or Threatened Species;
- e) Conservation Reserves established by the Province of Ontario;
- f) Type 1 Fish Habitat;
- g) Provincially Significant Areas of Natural and Scientific Interest (ANSI) and,
- h) Any other areas that have been determined to be environmentally significant as a result of a planning process.

Lands designated Environmental Protection are shown on Schedule A to this Plan. The individual features of the *Environmental Protection* designation are shown on Schedule B to this Plan.

B7.3 PERMITTED USES

Permitted uses on lands designated *Environmental Protection* are limited to conservation and passive recreational uses that do not require development or site alteration. For the purposes of Part B7.2 a), b), c), d) and f) above, works

and infrastructure that by their nature must be located within the floodway, such as flood and erosion control works, are permitted. For the purposes of this section, a golf course or similar land use is not a passive recreational use. Proposals for the development of buildings and structures are required to be accompanied by a supporting Environmental Impact Study which demonstrates, for the purposes of Part B9.2 a), b) and d) that no negative impact on the natural features or their ecological functions will occur due to the proposed development. Mineral mining, forestry and woodlot management activities will not be restricted by this Official Plan, however, such activities must adhere to the statutory provisions of the Endangered Species Act and Fisheries Act, the Migratory Birds Act and other legislation which protects natural heritage features, functions and the species that depend on such features or functions as habitat.

B7.4 GENERAL POLICIES APPLYING TO THE ENVIRONMENTAL PROTECTION DESIGNATION

B7.4.1 Use of Lands in Private Ownership

Where any land within the Environmental Protection system is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public.

B7.4.2 Adjacent Lands

Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- a) 120 metres of the boundary of a Provincially Significant Wetland, Provincially Significant Coastal Wetland or wetland that has been evaluated by the Ministry of Natural Resources;
- b) 50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest (Life Science or Earth Science);
- c) 50 metres from significant wildlife habitat including a habitat of an endangered or threatened species and where scientific data has determined a different setback the greater of the two will be required, and;
- d) 30 metres from the following fish habitat areas:
 - i) a watercourse with no defined bed and banks or intermittent stream;
 - ii) a non-meandering stream with defined bed and banks;

- iii) a meandering stream

No development or site alteration shall be permitted on these adjacent lands unless an Environmental Impact Study and/or a subwatershed study and/or a geotechnical study is completed and approved by Council, subject to the comments of the appropriate agencies. The requirements for an Environmental Impact Study are contained in Section 9.11 (Requirements for an Environmental Impact Study) of this Plan.

The scale and the contents of the required studies shall be determined at the time the development is proposed. The width of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed.

B7.5 DESCRIPTION OF COMPONENTS OF THE ENVIRONMENTAL PROTECTION DESIGNATION

The Natural Heritage System represents a network of natural areas that continues to exist after the area was settled and the lands and waters that support the ecological functions are critical to the survival of these areas. Below is a description of those components of the natural heritage system that are within the *Environmental Protection* designation.

B7.6 WETLANDS

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. Known wetlands identified by the Ministry of Natural Resources are shown on Schedule B. The four types of wetlands are swamps, marshes, bogs and fens. Wetlands play an important role in the Natural Heritage System, since they:

- provide habitat for plants and animals;
- store water for groundwater recharge purposes;
- trap sediments, nutrients and contaminants thereby improving downstream water quality;
- provide corridors for plant and animal movements; and,
- provide flood control and protect shorelines from erosion.

According to data supplied by the Ministry of Natural Resources at the time this Plan was prepared, no Provincial evaluations have been prepared for wetlands in the Municipality and therefore there are no confirmed Significant Wetlands or Significant Coastal Wetlands. Regardless, it is a policy of this Plan that all wetlands, regardless of classification be placed in the *Environmental Protection* designation.

B7.7 SIGNIFICANT HABITAT OF ENDANGERED, THREATENED SPECIES

An endangered species is a species listed in the Regulations under the Endangered Species Act that is at risk of extinction throughout all or a portion of its Ontario range, if limiting factors are not reversed. A threatened species is a native species that is at risk of becoming endangered through all or a portion of its Ontario range. Threatened or endangered species are listed on the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and Committee on the Status of Species at Risk in Ontario (COSSARO) lists. The 'significant habitat' is the area of land that is necessary for the maintenance, survival and/or recovery of naturally occurring or re-introduced populations of endangered, or threatened species.

According to data provided by the Ministry of Natural Resources, there are no known endangered species or habitat located within the municipal boundary. However, where additional studies and/or consultation authorized by the Ministry of Natural Resources confirms such habitats, it is the intent of this Plan that these areas be subject to the policies of this Section.

The Ontario Ministry of Natural Resources is responsible for approving and defining significant habitat of endangered species and threatened species. For significant habitat of endangered species and threatened species in the Municipality of Wawa, the following policies will apply:

- a) An environmental impact study must be undertaken by the proponent to confirm the presence of any endangered species and threatened species and/or their significant habitat.
- b) Development and site alteration shall not be permitted in the significant habitat area of endangered species and threatened species.
- c) Development and site alteration on adjacent lands to the significant habitat of an endangered species or threatened species is not permitted, unless it has been demonstrated (through appropriate evaluation) that there will be no negative impacts on the natural features or their ecological functions. "Adjacent to" will generally mean within 50 metres of such habitat unless it is determined through the consideration of appropriate information or studies that a greater or lesser distance should be considered for particular species or site.
- d) Development proponents should exercise due diligence to ensure that any activities being contemplated would not contravene the Endangered Species Act, 2007, that came into effect on June 30, 2008.

B7.8 DEVELOPMENT IN THE ENVIRONMENTAL PROTECTION DESIGNATION

There may be circumstances where development may be appropriate in the *Environmental Protection* designation, if such development:

- a) is not located within a the habitat of endangered or threatened species;
- b) cannot be located on another portion of the lot that is not within the Environmental Protection Zone;
- c) is essential in the location proposed;
- d) does not result in an expansion or intensification of an existing use as it relates to Provincially Significant Coastal Wetlands and significant habitat or endangered or threatened species;
- e) is set back as far as possible from a watercourse; and,
- f) is supported by an Environmental Impact Study that is prepared in accordance with this Section B7.8 (Requirements for an Environmental Impact Study) and approved by Council, subject to the comments of the appropriate agencies.

The requirement for an Environmental Impact Study may be waived by Council if the intent is to replace an existing building, as long as development, and any new site alteration is in the same existing disturbed area/site alteration envelope as that which it is replacing and will not result in a negative impact on the adjacent natural features or on their ecological functions.

Where new development is proposed within the *Environmental Protection* designation and the proposal conforms with the above criteria, a planning approval will be required. For the purposes of this policy, development is not intended to include the creation of a new lot for conservation purposes, forestry or woodlot management practices.

B7.9 REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT STUDY

Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS shall be prepared in accordance with the requirements of this section.

B7.9.1 Purpose of an EIS

The purpose of an EIS is to:

- a) collect and evaluate all the appropriate information in order to have a

complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);

- b) make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the Municipality; and,
- c) evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.

Where the focus of study is adjacent to lands as defined by this Plan, the EIS shall evaluate the ecological function of the adjacent lands and demonstrate that there will be no negative impacts on natural features or ecological functions.

Any EIS required by this Plan must describe the critical natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.

Any EIS must be approved by Council and any other appropriate agencies, before a planning application that facilitates the development, is subject to the EIS and is accepted by Council.

B7.9.2 Contents of an EIS

The EIS shall include a description of:

- a) the proposed undertaking;
- b) the natural features and ecological functions of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to development;
- c) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the *Environmental Protection* designation;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design and how they will be addressed;
- f) any monitoring that may be required to ensure that mitigating measures

are achieving the intended goals;

- g) how the proposed use affects the possibility of linking core areas of the natural heritage system by natural corridors that may or may not be identified on the schedules to this Plan; and,
- h) recommendations with respect to how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking. For example, the EIS may recommend limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.

B7.9.3 What an EIS Should Demonstrate

The EIS should demonstrate, where applicable, that the proposed use will:

- a) not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
- b) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
- c) not cause erosion or siltation of watercourses or changes to watercourse morphology;
- d) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- e) not cause an increase in flood potential on or off the site;
- f) maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic and fish habitats;
- g) not significantly affect the scenic qualities of the area;
- h) not encourage the demand for further development that would negatively affect wetland functions or contiguous wetland areas;
- i) enhance and restore endangered terrestrial, aquatic and fish habitats where appropriate and feasible;
- j) not create noise that will have an adverse impact on the enjoyment of neighbouring properties;

- k) not interfere with the function of existing or potential natural corridors;
- l) not lead to a significant reduction in the forest resource or interior forest habitat in an area; and,
- m) not lead to species loss or negative impacts on endangered, threatened or vulnerable species and/or their habitat.

In addition, the EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule B to this Plan or the ecological functions for which the area is identified.

B7.10 ZONING BY-LAW IMPLEMENTATION

The boundaries of the *Environmental Protection* designation as shown on Schedule A reflect current data provided by the Ministry of Natural Resources at the time this Official Plan was prepared. To ensure consistency, this same data will be used in the implementing Zoning By-law and such lands will be placed in appropriate environmental zones in the implementing Zoning By-law.

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

The implementing Zoning By-law shall also specify that all buildings and structures be set back an appropriate distance from the boundary of an Environmental Protection Zone. A reduction in the setbacks will require either an amendment to the implementing Zoning By-law or a minor variance subject to the comments of the appropriate agencies. Matters to be considered in reviewing an application to reduce the setback include:

- a) the nature and stability of the soils;
- b) the nature and stability of the vegetation and cover;
- c) the slope of the land;
- d) the nature of existing and proposed drainage patterns;
- e) the nature of the fish and wildlife that may be present; and,
- f) the scale of the proposed development.

Council shall be satisfied that the proposed development can be accommodated without there being a negative impact on the features and functions of the corridor and in a safe manner.

B8 OPEN SPACE**B8.1 PURPOSE**

The purpose of the *Open Space* designation is to:

- a) identify large land holdings in the Municipality in public ownership;
- b) ensure that the use and development of open space lands is consistent with the environmental objectives of this Official Plan;
- c) ensure that the residents and tourists have access to a properly planned and accessible parkland system, and;
- d) where applicable, providing safe and connected pedestrian and non-motorized vehicular access to public spaces and shorelines.

B8.2 LOCATION

The *Open Space* designation as shown on the Schedules to this Plan applies to municipal parks, buildings and facilities held in public ownership.

B8.3 PERMITTED USES

Permitted uses in the *Open Space* designation may include parks, playgrounds, recreational trails and uses, sports fields, golf courses, community facilities, interpretive centres, museums, cultural heritage uses, banquet facilities and accessory uses such as washrooms, change rooms, administration offices and vending services.

B8.4 COMPONENTS OF THE OPEN SPACE DESIGNATION**B8.4.1 Community Parks in the Settlement Areas**

Community parks in the Settlement Areas are also considered to be part of the Municipality's Open Space system. It is a policy of this Plan that these parks will continue to provide a wide range of recreational opportunities for the Municipality's residents and visitors. However, it is also a policy of this Plan that before any major changes in funding or the level of service in each of the existing community parks are made, a long-range plan is prepared. Such a long-range plan should review and obtain public input on the current and proposed functions of the park and the type and scale of the improvements required to ensure that the park meets the community's needs and is cost-effective to operate.

B8.4.2 Sandy Beach

The public beach on Lake Superior known as Sandy Beach is not owned by the Municipality of Wawa. Notwithstanding, these lands have been placed in the *Open Space* designation given the prominent location of these lands on the Lake Superior shoreline and given the historic use of these lands for passive recreational purposes by the public. It is a policy of Council, notwithstanding the permitted uses in Section B8.2, that Sandy Beach only be used and maintained for passive recreational purposes.

B8.4.3 Relationship between the Environmental Protection designation and the Open Space designation

It is recognized that there are lands in the *Open Space* designation which should be designated Environmental Protection given they form part of or are in proximity to a Significant Natural Heritage Feature. Where this occurs, as confirmed by Schedule B, the policies of Section B7 shall take precedence over the Open Space policies. Council has chosen to identify these lands as Open Space in the Plan as it is a source of community pride that such lands are protected in public ownership.

B8.5 ZONING BY-LAW IMPLEMENTATION

All lands in the *Open Space* designation shall be placed in an Open Space Zone in the implementing Zoning By-law.

B9 URBAN HIGHWAY COMMERCIAL**B9.1 PURPOSE**

The purpose of the *Urban Highway Commercial* designation is to recognize existing commercial lands along Highway 17 and Mission Road and provide policies to ensure future expansion and redevelopment of this area is orderly and safe.

B9.2 PERMITTED USES

Permitted uses on lands designated *Urban Highway Commercial* include:

- a) auto service and sales;
- b) restaurants;
- c) accommodation facilities;
- d) large format retail uses;
- e) department stores;
- f) supermarkets;
- g) wholesale establishments;
- h) storage and/or warehousing establishments;
- i) mixed use development which combine medium density housing with commercial uses;
- j) institutional uses; and,
- k) space extensive retail uses such as:
 - i) automotive related products;
 - ii) large and bulky goods such as furniture and appliances;
 - iii) home improvement materials;
 - iv) hardware; and,
 - v) nursery or garden supply centres.

B9.3 FORM OF DEVELOPMENT

It is the intent of this Plan that development within the *Highway Commercial* designation be comprehensively planned to ensure that servicing and access can be adequately addressed. In this regard the establishment of new *Urban Highway Commercial* shall be planned in conjunction with other existing and proposed uses to minimize direct access onto Highway 101 (Mission Road) or Highway 17.

B9.4 DEVELOPMENT POLICIES

All new uses shall be subject to an amendment to the implementing Zoning By-law and will be subject to Site Plan Control. Any redevelopment of existing uses which would involve an expansion to the floor area of more than 25% may also be subject to Site Plan Control. Prior to considering an application for a Zoning By-law Amendment and/or Site Plan approval, Council shall be satisfied that:

- a) adequate parking and loading facilities are provided on the site;
- b) such uses are designed to provide or maintain a desirable gateway to the community;
- c) new or redeveloping uses incorporate landscaping to enhance the site and surrounding area;
- d) outdoor storage areas are substantially screened from view from passing traffic;
- e) all options respecting shared access from the road are reviewed and implemented, if feasible;
- f) parking areas are oriented to the rear or side of the lot so the primary building can be brought closer to the road; and,
- g) where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.

B9.5 RELATIONSHIP BETWEEN THE URBAN HIGHWAY COMMERCIAL AREA AND THE DOWNTOWN

As noted in Section B4 of this Plan, the *Downtown* designation in Wawa is intended to function as the primary commercial and service area for the Municipality. Notwithstanding, it is acknowledged that certain contemporary retail formats do not lend themselves to lands within the traditional Downtown area. In addition, given that Wawa intends to strengthen its role as a service centre in North Algoma District it is important that lands be available for contemporary retail space. Notwithstanding, Council will encourage the use and re-use of land

and buildings in the Downtown and may also establish site-specific Development Charges for the establishment of new commercial uses in the *Highway Commercial* designation.

B9.6 ZONING BY-LAW IMPLEMENTATION

All lands within the *Urban Highway Commercial* designation shall be placed in an appropriate Commercial Zone in the implementing Zoning By-law.

B10 RURAL HIGHWAY COMMERCIAL

B10.1 PURPOSE

The purpose of the *Rural Highway Commercial* designation is to:

- a) recognize highway commercial uses in the Municipality which serve the traveling public and/or rural residents; and,
- b) ensure that new rural highway commercial development occurs in an orderly manner; and,
- c) reinforce the Municipality's role as a primary service centre to Northern Ontario residents and to travelers on the Trans-Canada Highway.

B10.2 LOCATION

The *Rural Highway Commercial* designation as shown on the Schedules to this Plan applies to existing commercial uses on or in proximity to Highway 17. New rural highway commercial uses will require an Official Plan Amendment.

B10.3 PERMITTED USES

Permitted uses on lands designated Rural Highway Commercial include auto service and sales, convenience stores, restaurants, wholesale establishments, accommodation uses, storage and/or warehousing establishments, recreation-related retail and service uses, auction yards, garden centres, institutional uses and other similar uses.

B10.4 FORM OF DEVELOPMENT

It is the intent of this Plan that development within the *Rural Highway Commercial* designation serve the needs of the rural community or the traveling public and be planned to ensure that servicing and access can be adequately addressed.

B10.5 DEVELOPMENT POLICIES

All new uses may be subject to an amendment to the Official Plan and/or implementing Zoning By-law and will be subject to Site Plan Control. Prior to considering an application, Council shall be satisfied that:

- a) Adequate parking and loading facilities are provided on the site;
- b) Landscaping will be provided to enhance the site and surrounding area;

- c) Outdoor storage areas are substantially screened from the view of passing traffic;
- d) The proposed use can be serviced with an appropriate water supply and means of sewage disposal; and,
- e) Where a proposed use abuts or is in proximity to an existing sensitive use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.

B10.6 IMPLEMENTING ZONING BY-LAW

All lands within the *Rural Highway Commercial* designation shall be placed in an appropriate Commercial Zone in the implementing Zoning By-law.