

AECOM

Appendix J

Land Use Impact Assessment

City of Sault Ste. Marie

**Sault Ste. Marie Solid Waste Environmental
Assessment
Land Use Impact Assessment
FINAL**

Prepared by:

AECOM

523 Wellington Street East
Sault Ste. Marie, ON, Canada P6A 2M4
www.aecom.com

705 942 2612 tel
705 942 3642 fax

Project Number:

60117627

Date:

December, 2022

Statement of Qualifications and Limitations

The attached Report (the "Report") has been prepared by AECOM Canada Ltd. ("AECOM") for the benefit of the Client ("Client") in accordance with the agreement between AECOM and Client, including the scope of work detailed therein (the "Agreement").

The information, data, recommendations and conclusions contained in the Report (collectively, the "Information"):

- is subject to the scope, schedule, and other constraints and limitations in the Agreement and the qualifications contained in the Report (the "Limitations");
- represents AECOM's professional judgement in light of the Limitations and industry standards for the preparation of similar reports;
- may be based on information provided to AECOM which has not been independently verified;
- has not been updated since the date of issuance of the Report and its accuracy is limited to the time period and circumstances in which it was collected, processed, made or issued;
- must be read as a whole and sections thereof should not be read out of such context;
- was prepared for the specific purposes described in the Report and the Agreement; and
- in the case of subsurface, environmental or geotechnical conditions, may be based on limited testing and on the assumption that such conditions are uniform and not variable either geographically or over time.

AECOM shall be entitled to rely upon the accuracy and completeness of information that was provided to it and has no obligation to update such information. AECOM accepts no responsibility for any events or circumstances that may have occurred since the date on which the Report was prepared and, in the case of subsurface, environmental or geotechnical conditions, is not responsible for any variability in such conditions, geographically or over time.

AECOM agrees that the Report represents its professional judgement as described above and that the Information has been prepared for the specific purpose and use described in the Report and the Agreement, but AECOM makes no other representations, or any guarantees or warranties whatsoever, whether express or implied, with respect to the Report, the Information or any part thereof.

Without in any way limiting the generality of the foregoing, any estimates or opinions regarding probable construction costs or construction schedule provided by AECOM represent AECOM's professional judgement in light of its experience and the knowledge and information available to it at the time of preparation. Since AECOM has no control over market or economic conditions, prices for construction labour, equipment or materials or bidding procedures, AECOM, its directors, officers and employees are not able to, nor do they, make any representations, warranties or guarantees whatsoever, whether express or implied, with respect to such estimates or opinions, or their variance from actual construction costs or schedules, and accept no responsibility for any loss or damage arising therefrom or in any way related thereto. Persons relying on such estimates or opinions do so at their own risk.

Except (1) as agreed to in writing by AECOM and Client; (2) as required by-law; or (3) to the extent used by governmental reviewing agencies for the purpose of obtaining permits or approvals, the Report and the Information may be used and relied upon only by Client.

AECOM accepts no responsibility, and denies any liability whatsoever, to parties other than Client who may obtain access to the Report or the Information for any injury, loss or damage suffered by such parties arising from their use of, reliance upon, or decisions or actions based on the Report or any of the Information ("improper use of the Report"), except to the extent those parties have obtained the prior written consent of AECOM to use and rely upon the Report and the Information. Any injury, loss or damages arising from improper use of the Report shall be borne by the party making such use.

This Statement of Qualifications and Limitations is attached to and forms part of the Report and any use of the Report is subject to the terms hereof.

December 15, 2022

Ms. Catherine Taddo, P. Eng.
Engineering Department
City of Sault Ste. Marie
99 Foster Drive, 5th Floor
Sault Ste. Marie, ON P6A 5N1

Dear Ms. Taddo:

Project No: 60117637

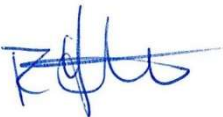
**Regarding: City of Sault Ste. Marie Solid Waste Management Environmental Assessment
Land Use Impact Assessment**

We are pleased to submit our FINAL Land Use Impact Assessment Report which has been prepared to support a proposed expansion of the existing municipal landfill located on Fifth Line.

The land use impact assessment inventories the land uses within the study area, identifies potential impacts the proposed expansion may have relative to relevant Ministry guidelines, Provincial Policy Statement 2020, City of Sault Ste. Marie land use policies and Sault Ste. Marie Regional Conservation Authority regulations and develops mitigating measures to address potential impacts.

This report has been updated to address comments included in a memo dated June 14, 2017 from Gillianne Marshall of the Ministry.

Sincerely,
AECOM Canada Ltd.



Rick Talvitie, P. Eng.
Manager, Northern Ontario

RT:nm

Encl.

Distribution List

# of Hard Copies	PDF Required	Association / Company Name
2	1	City of Sault Ste. Marie
3	1	AECOM

Revision Log

Revision #	Revised By	Date	Issue / Revision Description
0	R. Talvitie	April 30, 2015	DRAFT for City staff review
1	R. Talvitie	October 5, 2015	Revised DRAFT
2	R. Talvitie	February, 2020	FINAL – includes revisions to address Ministry June 2017 comments
3	R. Talvitie	May 25, 2020	FINAL – updated to incorporate City comments and PPS 2020
4	R. Talvitie	December 15, 2022	FINAL – revised number of properties within the existing Area of Influence and recent property acquisitions

AECOM Signatures

Report Prepared By:

Rick Talvitie, P. Eng.
Manager, Northern Ontario

Report Reviewed By:

Darrell Maahs, C. Tech.
Project Manager

Table of Contents

Statement of Qualifications and Limitations

Letter of Transmittal

Distribution List

	page
1. Introduction	1
2. Methodology	1
3. Detailed Description of the Land Use Environment Potentially Affected	1
3.1 On-site Study Area	3
3.2 Site Vicinity Study Area	3
3.3 Regional Study Area	4
4. Evaluation of Potential Land Use Impacts	4
4.1 Provincial and City Planning Policies	4
4.2 Ministry Guidelines	6
4.3 Sault Ste. Marie Regional Conservation Area (SSMRCA)	7
5. Project Alignment with Planning Policies and Proposed Mitigation	7
5.1 Provincial Policy Statement (PPS) 2020	7
5.2 Official Plan Policies	10
5.3 Ministry Guidelines	11
6. Net Effects and Monitoring	15

List of Figures

Figure 1 Study Area and Zoning Designation

List of Tables

Table 1: Land uses in Expanded Area of Influence	4
Table 2: Project Alignment with PPS 2020	7
Table 3: Proposed Mitigation for Sensitive Uses within the Area of Influence	12

Appendices

- Appendix A. PPS 2020 and OP Excerpts
- Appendix B. Ministry Guidelines D1 and D4
- Appendix C. Special Exceptions
- Appendix D. Photos of Properties in Expanded Area of Influence
- Appendix E. Spills and Hazardous Materials Policy

1. Introduction

This document presents the findings of the land use impact assessment as part of the Environmental Assessment (EA) of the proposed expansion of the City of Sault Ste. Marie's landfill located on Fifth Line. The proposed project includes an expansion of the disposal boundaries to the north and west. Landfill mining is also proposed within the western portion of the existing disposal footprint to facilitate the construction of a liner to enhance environmental management at the site. The mining process involves excavation of waste within the existing disposal footprint, removing fines and recyclables, transferring the residual waste to a new lined cell and lining the mined area to accommodate future waste disposal. The City has owned and successfully operated this site for 30+ years and the proposed expansion incorporates operational and site development enhancements to further build on the historical success. The planned expansion will be accommodated within existing City-owned lands.

The land use impact assessment examines and evaluates the potential for land use impacts from the landfill expansion. The assessment was completed with consideration of the existing Official Plan (OP) and Zoning By-law, relevant Ministry (Note: within this document Ministry refer to the current Ministry that has responsibility for review and approval of the Environmental Assessment) guidelines for land uses in the vicinity of operating landfills, Provincial Policy Statement (PPS) 2020 and the historical track record for the existing operating site. The potential disruption effect on local residents and businesses is evaluated as part of the socio-economic assessment.

Following on from this introductory section the report takes on the following format:

- Outline of the methodology and approach to the land use assessment;
- Description of the study area including a summary of existing land uses in the study area;
- Evaluation of potential land use impacts;
- Proposed mitigation; and
- Net effects and monitoring.

2. Methodology

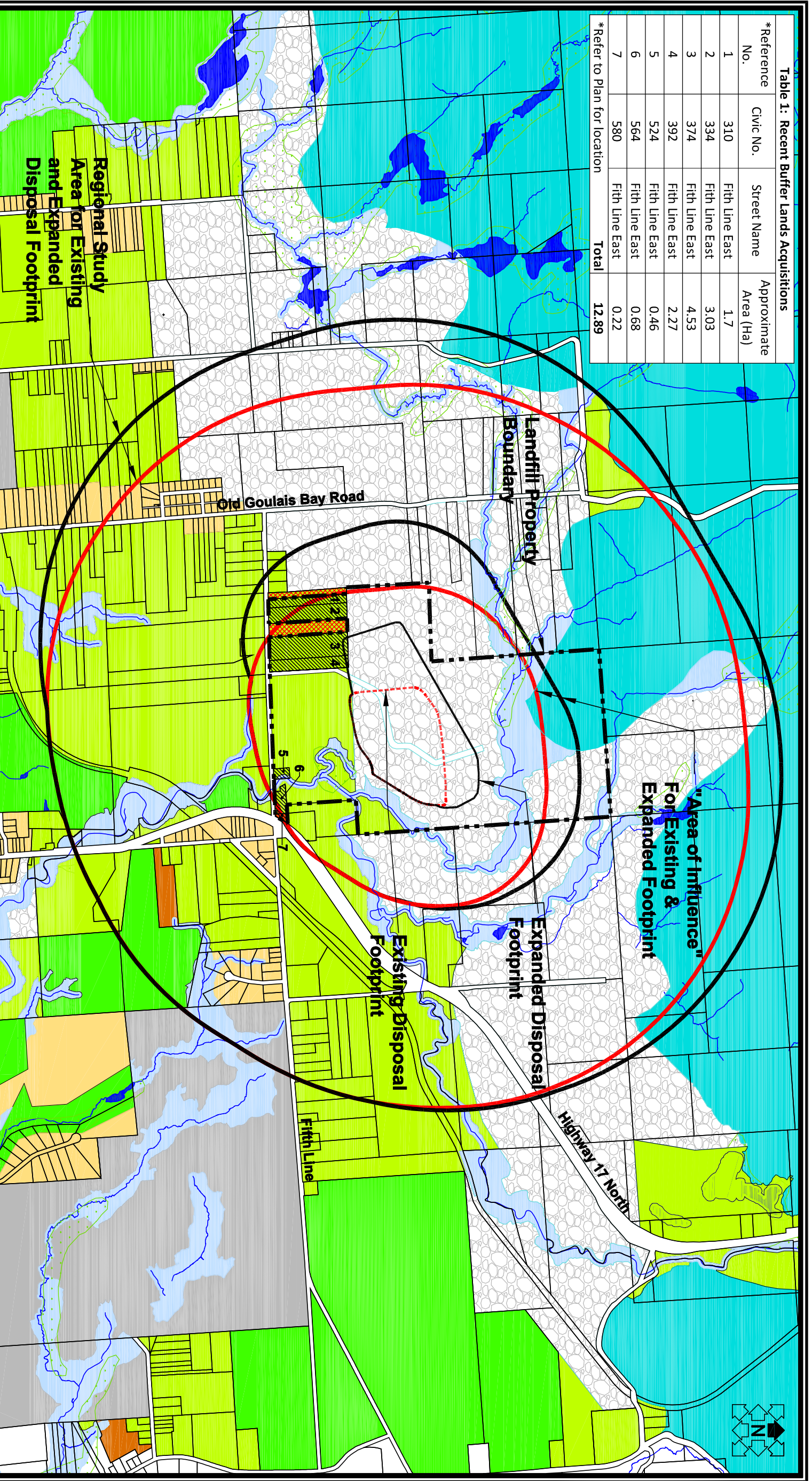
The approach taken to complete the land use impact assessment was to inventory the land uses within the study area, identify potential impacts the proposed expansion may have relative to relevant Ministry guidelines, City of Sault Ste. Marie land use policies/ guidelines and PPS 2020 and develop mitigating measures to address potential impacts.

3. Detailed Description of the Land Use Environment Potentially Affected

For the purposes of the detailed impact assessment, the "on-site study area" is defined as lands within the preferred landfill footprint (existing and expansion areas). The "site vicinity study area" is defined as all properties lying wholly or partially within a 500m radius of the "on-site study area" and the "regional study area" extends an additional 1km from the "site vicinity study area" (refer to Figure 1).

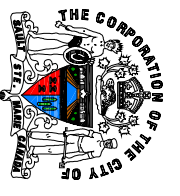
All of the lands required for the waste disposal activities and ancillary activities are currently owned by the City of Sault Ste. Marie. The site boundaries are delineated in Figure 1. Included in the Figure are recent City property acquisitions to enhance the site's buffer lands. These acquisitions significantly enhance the buffer lands and also remove a number of sensitive uses from the area of influence.

*Reference No.	Civic No.	Street Name	Approximate Area (Ha)
1	310	Fifth Line East	1.7
2	334	Fifth Line East	3.03
3	374	Fifth Line East	4.53
4	392	Fifth Line East	2.27
5	524	Fifth Line East	0.46
6	564	Fifth Line East	0.68
7	580	Fifth Line East	0.22
*Refer to Plan for location			Total
			12.89



AECOM

AECOM Canada Ltd.
523 Wellington Street East, Sault Ste. Marie, Ontario, Canada
P6A2M4 T705.942.2812 F705.942.3942



- Rural Precambrian Uplands
- Rural Area Zone: RAhp
- Rural Aggregate Extraction Zone
- Institutional Zone
- Parks and Recreation Zone
- Mobile Home Residential Zone
- Highway Zone
- Estate Residential
- Environmental Management
- Recent Buffer Lands Acquisitions (See Table 1). Currently excluded from Special Exception 23
- Proposed Buffer Lands Acquisitions

**LAND USE IMPACT
ASSESSMENT STUDY AREA
AND EXISTING ZONING**

Project 60117627
December 2022

Figure 1

3.1 On-site Study Area

The existing land uses within the on-site study area consist of existing waste disposal activities (existing disposal footprint), organic processing (ie. leaf and yard waste composting in open windrows, curing and screening compost and storage of the final product) and wooded area.

The on-site study area is designated Rural Area in City's Official Plan and zoned Rural Area (RA) and Rural Aggregate Extraction (REX) in the City's Zoning By-law. A significant proportion of this area is also subject to Special Exception 23.

Special Exception 23 was approved in 1984 and allows use as a sanitary landfill where "sanitary landfill site" shall mean a place where waste is deposited under controlled conditions including proper compaction and regular covering with an approved cover material. It also may include ancillary operations associated with the landfill site such as, but not limited to, leachate collection, site access, storage and maintenance of heavy equipment, weigh scales and monitoring wells.

The current comprehensive zoning by-law was approved in 2005 and since that time, the City has acquired 7 additional properties adjoining the landfill site which has resulted in an expansion of the overall landfill site boundaries, enhanced the buffer lands and removed sensitive uses from the area of influence. As a result of the more recent acquisitions, a portion of the current site falls outside of the defined Special Exception 23 boundaries (refer to Figure 1). A zoning by-law amendment is required to expand the Special Exception 23 area to cover portions of the expanded site that will be hosting future landfilling and ancillary operations.

The City is continuing to actively pursue other proposed acquisitions within the area of influence with a focus on the Fifth Line residential property immediately abutting the site's west property boundary.

3.2 Site Vicinity Study Area

The site vicinity study area includes all properties lying wholly or partially within a 500 m radius of the proposed expansion footprint. This area coincides with the area of influence of a landfill site as prescribed in Ministry Guideline D4 (copy included in Appendix B). The existing land uses within the site vicinity study area include ancillary waste management and disposal activities (ie. weigh scales, leachate collection and management, site access, maintenance and storage of heavy equipment, administration offices, public drop-off for waste and recyclables, landfill gas blower station and flare), residential (single family homes), recreational (campground), aggregate extraction operations, and contractor's yards.

Within the Official Plan and Zoning By-Law all of these properties are designated Rural Area and zoned Rural Area, Rural Precambrian Uplands, Environmental Management, Rural Aggregate Extraction and Highway. In addition the following Special Exceptions apply within this area; S-11, S-23, S-113, S-228, S-233, S-239, S-303. Copies of the special exceptions are included in Appendix C.

The proposed expansion of the site will result in a moderate increase in the site's area of influence as defined in Ministry Guideline D4 and illustrated in Figure 1. There are a total of 12 properties located within the site's expanded area of influence that are not included in the existing site's area of influence. These properties are summarized in Table 1.

Table 1: Land uses in Expanded Area of Influence

Current Land Use	Quantity	Zoning
Residential	8	Rural Area and Aggregate Extraction
Contractor Yard/Aggregate Extraction	2	Rural Area and Aggregate Extraction
Vacant/inactive (includes a former race track)	2	Rural Area and Aggregate Extraction

Note: in cases where a property includes a residence and business it has been classified as residential in this table.

The vast majority of the “landfill site” (all properties owned by the City that comprise the entire site) is included within the on-site or site vicinity study area and as noted in the forgoing section, Special Exception 23 allows use as a sanitary landfill. However, a relatively small portion of the existing site which will accommodate a portion of the expanded disposal footprint and some of the future ancillary waste management facilities lies outside of the Special Exception 23 boundaries. A zoning by-law amendment is required to expand the Special Exception 23 boundaries to include all future disposal activities and associated ancillary waste management functions.

3.3 Regional Study Area

The regional study area consists of all properties outside of the site vicinity study area and lying wholly or partially within a 1 km radius from the site vicinity study area. This area has been included in the study to provide some context on land uses surrounding the area that is typically impacted the most by a landfill site. Although the northern portion of the landfill site (i.e. north of Canon Creek) lies within this area, there is no planned waste disposal or ancillary waste management functions within this area. This northern area of the site serves as buffer lands only.

There is a broad mix of land uses within the regional study area. Within the Official Plan all of these properties are designated Rural Area. Zoning includes Rural Area, Environmental Management, Rural Aggregate Extraction, Rural Precambrian Uplands, Highway, Estate Residential, Mobile Home Residential and Parks and Recreation.

All of these properties are beyond the prescribed 500m influence area of a landfill site as outlined in Ministry Guideline D4. There are no anticipated land use impacts within this area.

4. Evaluation of Potential Land Use Impacts

Land use planning in Ontario is generally guided by a hierarchical system starting with the PPS 2020 and followed by Municipal Official Plans and Zoning By-Laws. The Ministry also publishes Guidelines specific to land use planning for landfill sites. These include Guideline D1: Land Use Compatibility and Guideline D4: Land Use On or Near Landfills and Dumps (refer to Appendix B). Lastly, a portion of the landfill site is included in the Sault Ste. Marie Regional Conservation Authority (SSMRCA) regulated area which may also impact the site development. Each of these guidance documents is discussed in the following subsections.

4.1 Provincial and City Planning Policies

The Provincial and City Planning policies have been established to guide planning and development decision making and to protect sensitive resources and the environment. The PPS 2020 incorporates several statements/policies which could potentially impact the proposed expansion of the landfill. PPS 2020 is included in Appendix A and relevant excerpts or concepts have been reproduced in Section 5.1, Table 2. The alignment of the

proposed project to the PPS has also been incorporated in Table 2 and where appropriate mitigation strategies are noted.

The City's Official Plan incorporates a number of policies which could potentially impact the proposed expansion of the landfill. The relevant sections of the Official Plan are included in Appendix A and summarized below:

- Section 2.4 - Heritage;
- Section 3.2- Natural Heritage Features;
- Section 3.6 - Fish Habitat; and
- Section 4.1 - Groundwater Recharge Protection Area.

Each of these policies is addressed in the following paragraphs.

Heritage

The Official Plan policy indicates that an Archaeological Impact Assessment is required for development that may impact medium to high potential archaeological sites. The proposed landfill expansion extends into areas that were previously identified as having archaeological potential. In accordance with Official Plan policies, a Stage 1 and 2 archaeological assessment was completed in accordance with the requirements of the Ontario Heritage Act (R.S.O. 1990), the Environmental Assessment Act (R.S.O. 1990), the Standards and Guidelines for Consultant Archaeologists (2011) and the Planning Act (R.S.O. 1990). The work was performed under the Professional Archaeological License of Luke Dalla Bona (P065).

Through the study process, no archaeological sites were found and the study concluded that no further archaeological assessment of the property is required. Refer to the full Stage 1 and 2 Archaeological Assessment Report for further details.

Natural Heritage Features and Fish Habitat

The City's Official Plan Schedule A identifies natural resources and environmental constraints. The natural features are categorized as Category 1 or Category 2 based on their significance. No development is permitted in Category 1 natural features or areas. The proposed landfill expansion is in an area that includes some Category 2 natural features.

Fish habitat is also classified as Type 1, 2 or 3 and similarly no development is permitted in Type 1 habitat. Portions of Canon Creek and Root River run through the landfill site and are situated adjacent to the disposal footprint. Both of these water courses are identified as Type 2 or 3 fish habitat in the City's Official Plan.

Official Plan policy indicates that an Environmental Impact Study is required to assess possible impacts of new development proposed within or adjacent to Category 2 natural features or within or adjacent to Type 2 or 3 fish habitat. In accordance with Official Plan policies, a "Natural Heritage Impact Assessment" was completed, the scope of which included vegetation, wildlife and aquatic life.

The study concluded that with the implementation of the recommended mitigation strategies, adverse effects on the natural environment can be avoided or minimized. Refer to Section 5 of this report and the full Natural Heritage Impact Assessment Report for further details.

Groundwater Recharge Protection Area

The landfill site is situated within the City's Groundwater Recharge Protection Area and the Source Water Protection Plan (SWPP). The SWPP encourages the City to include specific policies, in its Official Plan, to manage specific activities to protect this resource.

The City's Official Plan specifically addresses this matter under Section 4.1 entitled "Groundwater Recharge Protection Area" which prescribes specific policies for the management and storage of fuel and chemicals, vehicle maintenance, repair and storage, spill response, and storm water management. Given that the landfill site operations include many of these prescribed activities, these policies are relevant to the existing site and the proposed site expansion.

4.2 Ministry Guidelines

The principle objective of Ministry Guideline D1 is to minimize or prevent, through the use of buffers, the exposure of any person, property, plant, or animal life to adverse effects associated with the operation of specified facilities. It is intended to apply when a change in land use is proposed and a sensitive land use is within an area of influence. This Guideline is relevant as a zoning change is required to facilitate the proposed expansion and sensitive land uses exist within the expanded area of influence.

Guideline D-4 prescribes the specific area of influence that applies for a landfill site and is used to confirm whether a potential compatibility concern exists with proposed changes in land use. D-4 specifies restrictions and controls on land use that the Ministry wishes to see implemented in the vicinity of landfills in order to protect the health, safety, convenience and welfare of residents near the facility.

D-4 prescribes land uses that are considered sensitive to landfilling operations and those that are considered compatible with landfill operations.

For landfill sites where technical controls for leachate and landfill gas are required surrounding a fill area no land use may take place within 30m of the perimeter. The proposed expanded landfill configuration respects this minimum separation distance.

In addition, the Ministry considers the most significant contaminant discharges and visual problems to typically occur within 500m of the perimeter of the fill area. For the purposes of this proposal the site vicinity study area reflects this area of influence as prescribed by the Ministry.

The area of influence associated with the existing fill area is similar to the area of influence for the proposed expanded fill area. The principle impact of the proposed expansion is an expansion of the area of influence westerly. As noted in Section 3.2, there are 12 additional properties that are incorporated into the expanded Area of Influence. The additional properties that are included in the area of influence are shown in Figure 1 and summarized in Table 1. Photos taken from the street line for each impacted property are included in Appendix D.

In accordance with Guideline D-1, adequate separation based on the facility's influence area is the preferred method of mitigating adverse effects. In cases where the required separation is not available, potential compatibility problems need to be addressed through the completion of studies to assess the level of impact and develop appropriate mitigation (refer to Section 5.0 of this report). In addition to the mitigation included in Section 5.0 the City has been proactively acquiring properties in the vicinity of the site. The recent acquisitions are included in Figure 1 and these additions significantly enhance the site's buffer lands and remove sensitive uses from the area of influence.

4.3 Sault Ste. Marie Regional Conservation Area (SSMRCA)

Portions of the landfill site are situated within an area subject to the regulation of development, interference with wetlands and alterations to shorelines and watercourses administered by the SSMRCA. The regulation is intended to control flooding, erosion, dynamic beaches, pollution or the conservation of land. A permit is required prior to proceeding with any development in the regulated areas. Refer to Section 5 of this report and the Surface Water Impact Assessment and Mitigation Report.

5. Project Alignment with Planning Policies and Proposed Mitigation

There are approximately 12 properties located within the site's existing area of influence. The majority of the uses within the existing area of influence are sensitive. The proposed expansion will result in an additional 12 properties within the area of influence of the expanded site, 8 of which are considered sensitive.

This site has a successful 30-year operating history with sensitive uses within the existing area of influence during which the City has demonstrated an ability to effectively operate and manage nuisance impacts. The proponent has been cognizant of these sensitive uses and has adopted an operating approach that includes continual improvement in mitigating nuisance impacts. The City's commitment to mitigate impacts is demonstrated by the moderate number of documented complaints (ie. average of 8 per year over the period 2013-2022 and less than 2/year over the most recent two year period). The expanded site will continue to be operated in a similar manner but will include development and operational enhancements to improve upon the existing successful operations.

Over time the best management tools and approaches available to mitigate nuisance effects have improved. The proposal to expand the existing facility will support additional municipal investment to further enhance the controls and mitigating measures that presently exist for the existing site.

In accordance with Ministry Guidelines and City planning policies the City has also undertaken specific focused studies to assess the level of impact to sensitive land uses within the area of influence and to develop effective mitigating measures. Details of the mitigating measures are summarized in the following subsections and are more fully explained in the relevant discipline study reports prepared in conjunction with this Environmental Assessment.

5.1 Provincial Policy Statement (PPS) 2020

Table 2. highlights the alignment of the proposed project to the PPS 2020 and where appropriate identifies mitigation strategies.

Table 2: Project Alignment with PPS 2020

PPS 2020 Excerpts or Concept	Project Alignment
Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities.	The proposed project is planned to meet the current and future waste management needs within the service area. The expansion of the existing site represents efficient development as it confines the disposal activities to a single site and reduces the overall site area requirements. The proposed project takes advantage of existing transportation routes

PPS 2020 Excerpts or Concept	Project Alignment
	(external and internal) and existing site servicing eliminating a need for additional road and servicing infrastructure.
Infrastructure is to be sustainable and financially viable over its lifecycle.	The proposed project, as planned, is the most cost effective means of providing long term waste disposal capacity. The City has prepared a long term financial plan for its landfill and other waste services to ensure long-term financial viability.
Protect the environment and public health and minimize the undesirable effects of development, including impacts on air, water and other resources.	The proposed project will ensure that there continues to be a safe, reliable and environmentally responsible approach to waste disposal for residents within the service area. Numerous impact assessment reports, including hydrogeological, surface water, air and odour, have been completed and mitigating measures have been proposed as necessary to ensure undesirable effects are minimized and public health and the environment are protected. The City has also demonstrated through 30 years of operational experience that this site can be operated effectively with limited risk to the environment and public health and safety and this EA includes operational enhancements to further safeguard the public and environment.
The PPS notes that planning for infrastructure, public service facilities and employment areas can extend beyond a 25 year time horizon.	The City recognizes the challenges and significant timelines involved in undertaking a waste management EA. Given these challenges and the flexibility incorporated in the PPS which encourages longer term infrastructure planning, this EA covers an estimated timeframe of 25 years which is in keeping with the commentary provided by the EA Branch through its review of the DRAFT EA submission.
<p>Opportunities should be retained to locate new or expanding land uses that require separation from other uses.</p> <p>Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Where avoidance is not possible planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <p>a) there is an identified need for the proposed use;</p> <p>b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;</p> <p>c) adverse effects to the proposed sensitive land use are minimized and mitigated; and</p>	<p>The site is situated in a rural area with relatively few sensitive receptors. The proposed expansion is planned on lands that are wholly owned by the City. These lands were retained for this purpose and for buffer lands. The City recognizes the importance of buffer lands surrounding a landfill site and has continued to maintain a significant treed buffer around the full periphery of the site. In addition, the City has purchased a number of properties over time to increase the buffer lands. This approach is expected to continue in the future as area properties are offered for sale at fair market value. The City has also demonstrated through 30 years of operational experience that this site can be operated to effectively manage adverse effects from odour, noise and other contaminants. In addition to the successful operating history, a significant level of study has also been completed through this EA to understand the potential impacts of the proposed expansion and recommend additional mitigation as appropriate. The City has established an environmental monitoring committee which includes representation from the Ministry, City staff, City Council, and residents. This committee was established to identify potential concerns and provide input into landfill operations. The committee has been effective in communicating concerns and influencing change as necessary. This committee will continue its function with the expanded site. The City is also updating its Official Plan Policies to</p>

PPS 2020 Excerpts or Concept	Project Alignment
d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated	address land use compatibility and plans to include a designated 500m influence area around the disposal footprint. The development of sensitive uses within this area will be strictly controlled as outlined in PPS 2020.
Infrastructure should consider greenhouse gas emissions and impacts of climate change.	<p>The existing site includes an active landfill gas collection system which will be expanded to encompass the expanded site in phases. This system significantly reduces the overall greenhouse gas emissions from this site. The emissions are also considered in the air quality and odour impact assessment discipline report. The City will also continue to support and comply with Provincial organics program requirements as they evolve. Presently the City offers an extensive curbside leaf and yard waste program throughout the growing season and uses the composted material on City properties. The City is also planning to initiate a residential source separated organics collection and composting program by 2025.</p> <p>On-site stormwater ponds have been designed to retain the complete runoff from the 1:100 year rainfall.</p>
A land use pattern should be promoted that minimizes the length and number of vehicle trips.	Based on the Community buildout and the screening criteria used to screen for potential new greenfield sites a greenfield landfill option would result in increased travel distances. Furthermore, the existing routes that provide access to the site are well-established and are appropriately designated and no significant traffic volume increases are projected over the proposed extended life of the landfill.
Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.	The proposed project is planned to meet the current and future (i.e. until 2048) waste management needs within the service area and the City will continue with its current aggressive diversion programs and will supplement them as appropriate based on market conditions and regulatory requirements. The City will continue to support the Province in its efforts aimed at establishing a circular economy and reducing litter and waste generated in Ontario Communities including future consideration of food and organic waste diversion programs and producer responsibility for packaging. The City is also planning to initiate a residential source separated organics collection and composting program by 2025 which will assist in boosting the residential diversion rate to 50%.
Waste management systems shall be located and designed in accordance with provincial legislation and standards.	The proposed landfill expansion will be designed in accordance with provincial legislation and standards.
Protect natural heritage.	A study was completed to assess the potential impacts to the natural heritage. That study concluded that the proposed landfill expansion project, with the implementation of appropriate mitigation measures is not anticipated to have a residual adverse effect on the natural environment.

PPS 2020 Excerpts or Concept	Project Alignment
Engage with Indigenous communities and coordinate on land use planning matters.	This EA has incorporated opportunities for Aboriginal engagement and no specific land use planning matters have been raised to date. Engagement will also continue through the next phases of the study.
Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards <i>and/or</i> erosion hazards.	The proposed development has been located outside of the 100 year flood line of the adjacent Canon Creek and Root River. In addition, the City has incorporated erosion protection measures along the Canon Creek adjacent to the landfill site.
Significant built heritage resources, cultural heritage landscapes and archaeological resources shall be conserved.	The proposed project will not impact any significant built heritage resources or cultural heritage landscapes. In addition, a Stage 1 and 2 Archaeological Assessment was completed for the proposed expansion and no archaeological sites were found and the report concluded no further archaeological assessment of the property is required.
Before consideration is given to developing new infrastructure and public service facilities the use of existing infrastructure and public service facilities should be optimized.	The proposed expansion project is an optimization of an existing service facility. Furthermore, the existing site is currently fully serviced whereas a new site would likely require new servicing.
Protect, improve and restore quality of water.	The site is being designed using current design standards and includes a liner system in all new cells. In addition, the City is making an extra effort to improve water quality through the proposed mining and lining of the south-western portion of the existing disposal footprint.
Ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.	A "Surface Water Impact Assessment and Mitigation Report" was prepared to address stormwater volumes and contaminant loading. The proposed expansion will not have any significant impact on stormwater flows and the site design incorporates four separate ponds to manage and mitigate contaminant loading.

5.2 Official Plan Policies

As noted in Section 4.1 of this report there are a number of official plan policies which may impact the proposed expansion. Specific mitigating measures relevant to each of the policies are summarized in the following paragraphs.

Archaeological Potential

Although no specific mitigating measures were identified through the Stage 1 and 2 Archaeological reporting the construction contract will included provisions to stop work should any heritage resources be discovered during the excavation activities.

Natural Heritage Features and Fish Habitat

Potential direct impacts identified through the Natural Heritage Impact Assessment included woodland and meadow vegetation removal, loss of wildlife habitat, incidental wildlife mortality and erosion and sedimentation effects. In

addition, potential indirect effects identified included operational disturbance to wildlife and ecological linkages, operational aquatic effects and colonization of exotic invasive species.

To address these potential effects the following mitigation strategies were identified:

- Woodland edge management;
- Wildlife impact mitigation during construction;
- Erosion and sediment control;
- Storm water management and leachate collection system; and
- Environmental monitoring.

Details regarding these mitigating strategies are included in the Natural Heritage Impact Assessment Report.

Groundwater Recharge Protection Area

Recognizing that the existing and expanded landfill site includes fuel storage and handling, and vehicle maintenance, repair and storage, specific operating procedures will be included in the Design and Operations Report to mitigate potential impacts from these activities. In addition, the Official Plan policies also identify a need for a spill response action plan which is to be reviewed and updated annually. The existing Spills and Hazardous Materials Policy which includes provisions for annual reviews and employee training is attached in Appendix E.

In conjunction with the proposed site expansion the site's storm water management plan has also been updated to reflect site configuration changes and to enhance storm water quality leaving the site. The plan respects the requirement of the Official Plan and includes the collection, storage and treatment to remove contaminants prior to discharge to the environment. Details are included in the Storm Water Management Impact Assessment Report.

5.3 Ministry Guidelines

Sensitive land uses, as defined by the Ministry, exist within the area of influence of the existing site and expanded site. As noted in Section 3.2 there 12 additional properties within the expanded area of influence. Of the 12 properties, 8 of them are residential and considered sensitive. In order to address potential impacts, the following detailed impact assessment studies have been completed:

- Air Quality and Odour Impact;
- Noise Impact;
- Hydrogeological (groundwater) Impact;
- Traffic Impact;
- Socio-Economic Impact;
- Visual Impact; and
- Surface Water Impact.

The impacts identified through these studies and the proposed mitigation are summarized in Table 3. The individual discipline study reports should be referenced for specific details of the anticipated impacts and proposed mitigation.

Table 3: Proposed Mitigation for Sensitive Uses within the Area of Influence

Identified Impact	Proposed Mitigation	Reference Document
This site has a 30 year operating history during which the City has demonstrated an ability to effectively operate and manage nuisance impacts. The expanded site will include development and operational enhancements to improve upon the existing successful operations.		
Air Quality - air quality can be impacted from combustion of fuels and from the generation of dust and particulate matter on site.	<ul style="list-style-type: none"> No significant impacts are anticipated. Air quality modeling completed to predict pollutant concentrations for near-by off-property receptors indicated that there were no exceedances of relevant provincial air quality criteria anticipated. 	Sault Ste. Marie Solid Waste Environmental Assessment Air Quality and Odour Impact Assessment
Odour – odours can be generated from normal landfill operations including tipping, spreading and compacting waste. Experience at this site indicates principle odour generators are biosolids disposal and landfill gas. Landfill mining is also expected to be a principle short term odour generator.	<ul style="list-style-type: none"> Develop and implement a comprehensive odour management plan incorporating best management practices. Keep the working face as small as possible and apply cover daily. Minimize waste storage time and develop and employ special practices for highly odourous waste. Adjust operations and/or mitigative actions based on meteorological conditions. Continue operation of the active landfill gas collection system and implement staged expansion in conjunction with the development of each cell. Construct an on-site biosolids processing facility incorporating odour control equipment. By-pass screening of highly odourous mined waste and avoid mining in areas with perched leachate. Use chemical and/or biological treatment to mitigate odours. Use an experienced Contractor with a good track record for the mining process. Maintain an effective and responsive odour complaint procedure. Undertake regular odour monitoring and site inspections. Ensure employees are properly trained in standard operating procedures. 	Sault Ste. Marie Solid Waste Environmental Assessment Air Quality and Odour Impact Assessment
Noise – the operations at the expanded site will closely match the current operations. There will however be additional construction activities associated with future cell development and the site will be reconfigured over time which will result in some operations (eg. composting) in closer proximity to sensitive receptors.	<ul style="list-style-type: none"> Noise modeling was completed to predict noise levels at near-by off-property receptors. Based on the modeling completed there are no anticipated exceedances of relevant provincial noise criteria. 	Sault Ste. Marie Solid Waste Environmental Assessment Noise Impact Assessment

Identified Impact	Proposed Mitigation	Reference Document
<p>Hydrogeological – the infiltration of precipitation through waste can impact groundwater quality.</p>	<ul style="list-style-type: none"> • The existing horizontal leachate collection system along the south and south-east periphery of the existing disposal footprint will be maintained and replaced if necessary. • The proposed expansion and mined areas include a complete underdrain leachate collection system and composite liner system. • A horizontal north-south collector or new purge wells have been identified as a contingency measure along the western limit of the expanded disposal area to address, if necessary, remnant impacts from the existing site and provide a contingency for the expanded area. • The existing monitoring program will be expanded to include the expanded disposal footprint and ongoing monitoring of nearby private wells will be initiated. • Effective contingencies have been identified including: <ul style="list-style-type: none"> ○ A predictive monitoring program to identify possible issues or concerns in advance. ○ Extension of the downstream contaminant attenuation zone (CAZ); ○ Extension of potable water service easterly along Fifth Line to Highway 17 (Note: potable water service is currently provided to all properties along Fifth Line west of the landfill site) 	<p>Sault Ste. Marie Solid Waste Environmental Assessment Hydrogeological Impact Assessment</p>
<p>Traffic – changes in traffic patterns or volumes could impact transportation infrastructure and safety in the area.</p>	<ul style="list-style-type: none"> • Traffic volumes have been stable at moderate levels for many years and are not expected to increase significantly. • No significant impacts anticipated. • Monitoring included to address any significant changes in traffic volumes or operations. 	<p>Sault Ste. Marie Solid Waste Environmental Assessment Traffic Impact Assessment</p>
<p>Socio-Economic - Nuisance effects from both construction and operations at the landfill may disrupt the extent people can use and enjoy their property or public spaces (both inside and outside). It may also result in a downturn in customers for businesses. Major concerns included noise, odour, traffic, increased vermin and wildlife (rats, gulls, bears etc.). In addition there is a perception that private well water quality may be adversely impacted due to the presence of the landfill site.</p>	<ul style="list-style-type: none"> • Refer to mitigation measures detailed in this table under Air Quality, Odour, Noise, Hydrogeological and Traffic. • On-going engagement with the public. • Best management practices Vermin Management Plan will be developed and detailed in the Design and Operations report. 	<p>Sault Ste. Marie Solid Waste Environmental Assessment Socio-Economic Impact Assessment</p>

Identified Impact	Proposed Mitigation	Reference Document
<p>Aesthetics – the disposal footprint will be expanded to the north and west and will be the same height as the existing fill area. The expanded site is visible from small sections of Fifth Line at the hydro easement cross over and an existing residential property located adjacent to the south west edge of the site.</p>	<ul style="list-style-type: none"> • The site is generally not visible from the east, west and north. • The existing mature trees along the Fifth Line will be retained in the future site plan and will continue to provide effective visual buffers. • Vegetative treatments will be introduced at strategic locations to screen sporadic views from the south and south-west. • A native grass and wildflower mixture will be used as a vegetative cap on the final landform. • Reforestation will be completed in several areas to compensate for the loss of existing vegetation. 	<p>Sault Ste. Marie Solid Waste Environmental Assessment Visual Impact Assessment</p>
<p>Storm Water Management – the City’s Official Plan and Stormwater Management Guidelines include specific policies or guidelines regarding the management of storm water. In addition portions of the site are subject to regulations administered through the Sault Ste. Marie Regional Conservation Authority.</p>	<ul style="list-style-type: none"> • On-site storm water management will be achieved through a series of ditches and culverts leading to one of four single stage storm water management ponds. The ponds are designed to reduce total suspended solids loading and to provide emergency leachate/spill containment. The ponds will include emergency flow control systems at their outlet to allow storage of runoff in case of surface water contamination by leachate or on-site spills. Effluent quality monitoring will also be included. • No water quantity impacts are anticipated since the peak flow from the site is significantly smaller than those of the receiving watercourses and the on-site peak does not coincide with the water courses peaks. • The site development is planned to occur outside of the 100 year floodline. 	<p>Sault Ste. Marie Landfill Surface Water Impact Assessment and Mitigation Report</p>

In addition to the mitigation measures included in Table 3, the City has purchased several properties in the vicinity of the landfill site with the objective of increasing the buffer lands surrounding the site (refer to Figure 1). The City is currently proceeding with the expropriation of the Fifth Line residential property immediately abutting the site’s western boundary and will consider the acquisition of additional properties, within the site vicinity as they become available. This will continue to be implemented on a long-term basis to further enhance mitigation of nuisance impacts. Furthermore, any future development of vacant properties or redevelopment of existing developed properties that require City Planning Division approval will include consideration of Ministry Guideline D1 and D4. The City is currently updating its OP and shall incorporate policies addressing land use compatibility in the vicinity of the landfill. The City also understands and acknowledges the application of Ministry guidelines and City Planning Policies may restrict future development in the vicinity of the landfill.

The City plans to proceed with the necessary property rezoning following the receipt of EA Act approval. The rezoning is required for the hatched area shown in Figure 1 that is presently excluded from Special Exception 23.

6. Net Effects and Monitoring

There are approximately 14 properties located within the site's existing area of influence. The majority of the uses within the existing area of influence are sensitive. The proposed expansion will result in an additional 12 properties within the area of influence of the expanded site, 8 of which are considered sensitive.

In accordance with Guideline D-1, adequate separation based on the facility's influence area is the preferred method of mitigating adverse effects. In cases where the required separation is not available, potential compatibility problems need to be addressed through the completion of studies to assess the level of impact and develop appropriate mitigation which is summarized in Section 5 of this report.

Although some adverse effects are anticipated with the proposed landfill expansion, the detailed studies concluded that no significant net adverse effects are anticipated with the implementation of the proposed mitigating measures. These conclusions are also supported through 30+ years of successful operating experience at the site.

In addition to the mitigating measures summarized in Section 5 and detailed in the individual discipline reports, monitoring is also proposed to ensure the predicted effects are not exceeded. The monitoring activities are included in the individual discipline reports where relevant.

Appendix A

PPS 2020 and OP Excerpts

Provincial Policy Statement, 2020

Under the *Planning Act*

PROVINCIAL POLICY STATEMENT, 2020

Approved by the Lieutenant Governor in Council, Order in Council No. 229/2020

This Provincial Policy Statement was issued under section 3 of the *Planning Act* and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014.

Table of Contents

PART I:	PREAMBLE	1
PART II:	LEGISLATIVE AUTHORITY	2
PART III:	HOW TO READ THE PROVINCIAL POLICY STATEMENT	2
PART IV:	VISION FOR ONTARIO'S LAND USE PLANNING SYSTEM	5
PART V:	POLICIES	7
1.0	BUILDING STRONG HEALTHY COMMUNITIES	7
1.1	Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns	7
	Settlement Areas	8
	Rural Areas in Municipalities	10
	Rural Lands in Municipalities	11
	Territory Without Municipal Organization	12
1.2	Coordination	12
	Land Use Compatibility	14
1.3	Employment	14
	Employment Areas	15
1.4	Housing	16
1.5	Public Spaces, Recreation, Parks, Trails and Open Space	17
1.6	Infrastructure and Public Service Facilities	17
	Sewage, Water and Stormwater	18
	Transportation Systems	20
	Transportation and Infrastructure Corridors	20
	Airports, Rail and Marine Facilities	21
	Waste Management	21
	Energy Supply	22
1.7	Long-Term Economic Prosperity	22
1.8	Energy Conservation, Air Quality and Climate Change	22
2.0	WISE USE AND MANAGEMENT OF RESOURCES	24
2.1	Natural Heritage	24
2.2	Water	25
2.3	Agriculture	26
2.4	Minerals and Petroleum	28
2.5	Mineral Aggregate Resources	29
2.6	Cultural Heritage and Archaeology	31
3.0	PROTECTING PUBLIC HEALTH AND SAFETY	32
3.1	Natural Hazards	32
3.2	Human-Made Hazards	34
4.0	IMPLEMENTATION AND INTERPRETATION	35
5.0	FIGURE 1	37
6.0	DEFINITIONS	40

Part I: Preamble

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement.

Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Part II: Legislative Authority

The Provincial Policy Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on May 1, 2020.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

Part III: How to Read the Provincial Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

Guidance Material

Guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of the Provincial Policy Statement.

Relationship with Provincial Plans

The Provincial Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Growth Plan for Northern Ontario, build upon the policy foundation provided by the Provincial Policy Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Policy Statement. In contrast, where matters addressed in the Provincial Policy Statement do not overlap with policies in provincial plans, the policies in the Provincial Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Part IV: Vision for Ontario's Land Use Planning System

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.

It is equally important to protect the overall health and safety of the population, including preparing for the impacts of a changing climate. The Provincial Policy Statement directs development away from areas of natural and human-made hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and
- g) are *freight-supportive*.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:
 - a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
 - a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
 - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
 - c) in *prime agricultural areas*:
 - 1. the lands do not comprise *specialty crop areas*;
 - 2. alternative locations have been evaluated, and

- i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

- a) there would be no net increase in land within the *settlement areas*;
- b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
- c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;

- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - h) conserving biodiversity and considering the ecological benefits provided by nature; and
 - i) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3.
- 1.1.4.2 In *rural areas*, *rural settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
- 1.1.4.3 When directing development in *rural settlement areas* in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.
- 1.1.4.4 Growth and development may be directed to *rural lands* in accordance with policy 1.1.5, including where a municipality does not have a *settlement area*.

1.1.5 Rural Lands in Municipalities

- 1.1.5.1 When directing development on *rural lands*, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.
- 1.1.5.2 On *rural lands* located in municipalities, permitted uses are:
- a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings);
 - c) residential development, including lot creation, that is locally appropriate;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
- 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.
- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
- 1.1.5.5 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
- 1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

1.1.6 Territory Without Municipal Organization

- 1.1.6.1 On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).
- 1.1.6.2 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
- 1.1.6.3 The establishment of new permanent townships shall not be permitted.
- 1.1.6.4 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined, as part of a *comprehensive review*, that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

1.2 Coordination

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
 - a) managing and/or promoting growth and development that is integrated with *infrastructure* planning;
 - b) economic development strategies;

- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*; and
 - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.
- 1.2.2 Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters.
- 1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
- 1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
- a) identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist and informed by provincial guidelines;
 - b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
 - c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8;
 - d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8; and
 - e) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
- 1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
- 1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
- a) there is an identified need for the proposed use;
 - b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
 - d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
 - e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess *employment areas* identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from *sensitive land uses* to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other *sensitive land uses* that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-*employment areas*.

1.3.2.4 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
- c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

- 1.6.6.1 Planning for *sewage and water services* shall:
- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - 1. *municipal sewage services* and *municipal water services*; and
 - 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
 - b) ensure that these systems are provided in a manner that:
 - 1. can be sustained by the water resources upon which such services rely;
 - 2. prepares for the *impacts of a changing climate*;
 - 3. is feasible and financially viable over their lifecycle; and
 - 4. protects human health and safety, and the natural environment;
 - c) promote water conservation and water use efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process; and
 - e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.
- 1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

- a) their long-term operation and economic role is protected; and
- b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

- a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
- c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste Management

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy Supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
- f) promoting the redevelopment of *brownfield sites*;
- g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- h) providing opportunities for sustainable tourism development;
- i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*;
- j) promoting energy conservation and providing opportunities for increased energy supply;
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
- g) maximize vegetation within *settlement areas*, where feasible.

2.0 Wise Use and Management of Resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.

2.1.3 *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas, rural areas, and prime agricultural areas*.

2.1.4 *Development and site alteration* shall not be permitted in:

- a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
- b) *significant coastal wetlands*.

2.1.5 *Development and site alteration* shall not be permitted in:

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*; and
- f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

- 2.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
- 2.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
- 2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*
- 2.1.9 Nothing in policy 2.1 is intended to limit the ability of *agricultural uses* to continue.

2.2 Water

- 2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
- a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) evaluating and preparing for the *impacts of a changing climate* to water resource systems at the watershed level;
 - d) identifying water resource systems consisting of *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*;
 - e) maintaining linkages and related functions among *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas;
 - f) implementing necessary restrictions on *development and site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
 - g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
 - h) ensuring consideration of environmental lake capacity, where applicable; and
 - i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

- 2.2.2 *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.*

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features, sensitive ground water features, and their hydrologic functions.*

2.3 Agriculture

- 2.3.1 *Prime agricultural areas shall be protected for long-term use for agriculture.*

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

- 2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

Planning authorities are encouraged to use an *agricultural system* approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network*.

2.3.3 Permitted Uses

- 2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses, agriculture-related uses and on-farm diversified uses.*

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

- 2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

- 2.3.3.3 New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.3.4 Lot Creation and Lot Adjustments

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) *a residence surplus to a farming operation* as a result of farm consolidation, provided that:
 - 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 - 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8.

2.3.6 Non-Agricultural Uses in Prime Agricultural Areas

2.3.6.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:

- a) extraction of *minerals, petroleum resources and mineral aggregate resources*; or
- b) limited non-residential uses, provided that all of the following are demonstrated:

1. the land does not comprise a *specialty crop area*;
2. the proposed use complies with the *minimum distance separation formulae*;
3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and
4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

2.4 Minerals and Petroleum

2.4.1 *Minerals and petroleum resources* shall be protected for long-term use.

2.4.2 Protection of Long-Term Resource Supply

2.4.2.1 *Mineral mining operations and petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

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

2.4.3 Rehabilitation

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

2.4.4 Extraction in Prime Agricultural Areas

2.4.4.1 Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

2.5 Mineral Aggregate Resources

2.5.1 *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

2.5.2 Protection of Long-Term Resource Supply

2.5.2.1 As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

2.5.2.3 *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

2.5.2.5 In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

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

2.5.3 Rehabilitation

- 2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
- 2.5.3.2 *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
- 2.5.3.3 In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

2.5.4 Extraction in Prime Agricultural Areas

- 2.5.4.1 In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*.

Complete rehabilitation to an *agricultural condition* is not required if:

- a) outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) in a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- c) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and
- d) agricultural rehabilitation in remaining areas is maximized.

2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

- 2.5.5.1 *Wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan

amendment, rezoning, 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.

2.6 Cultural Heritage and Archaeology

- 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*
- 2.6.2 *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*
- 2.6.3 Planning authorities shall not permit *development and site alteration on adjacent lands to protected heritage property* except where the proposed *development and site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.

Accordingly:

3.1 Natural Hazards

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

3.1.2 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazard*;
- b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard along river, stream and small inland lake systems*:

- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
- b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

3.2 Human-Made Hazards

- 3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.
- 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.

4.0 Implementation and Interpretation

- 4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020.
- 4.2 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
- 4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
- 4.4 This Provincial Policy Statement shall be implemented in a manner that is consistent with Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
- 4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.
- 4.6 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

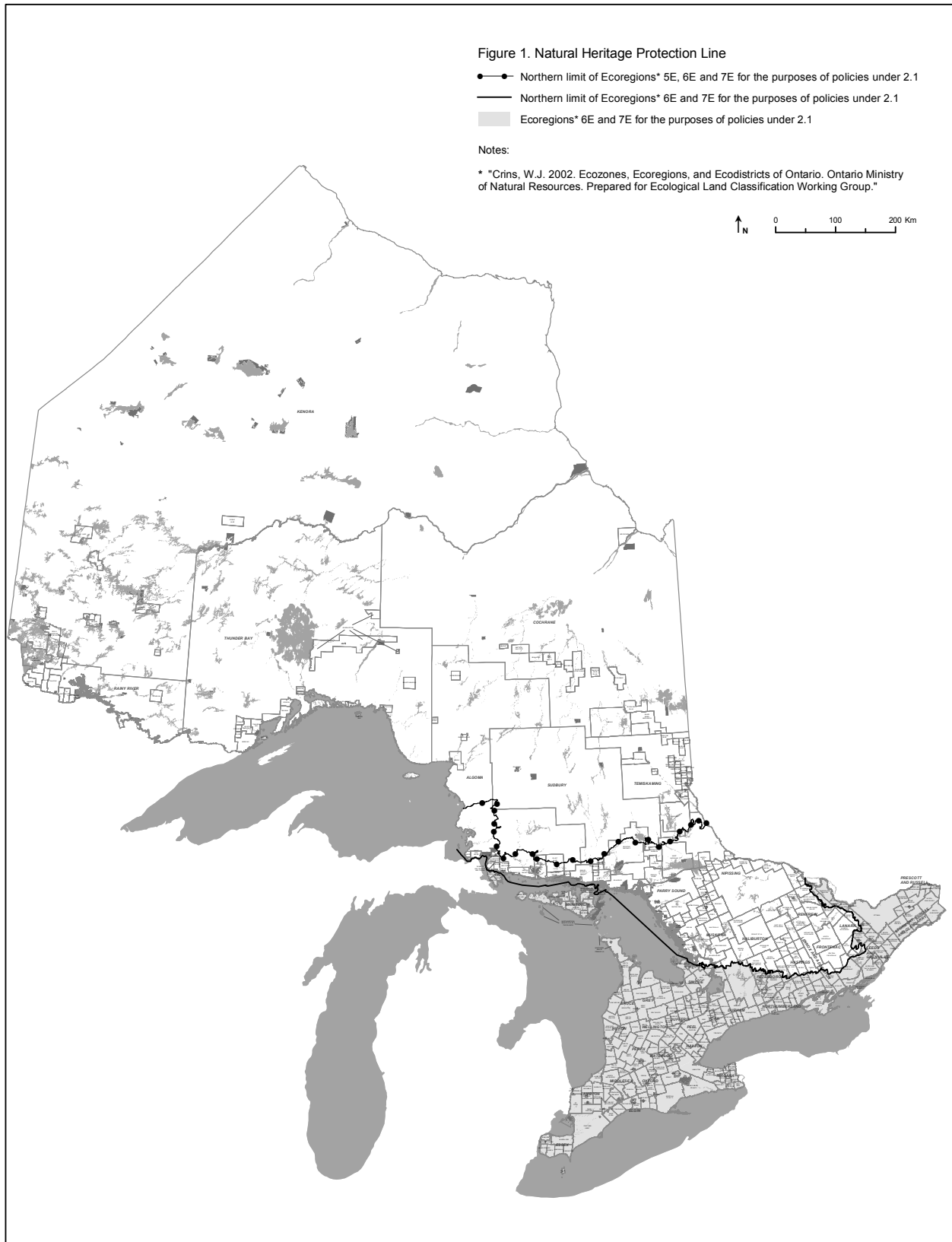
- 4.7 In addition to land use approvals under the *Planning Act*, *infrastructure* may also require approval under other legislation and regulations. An environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

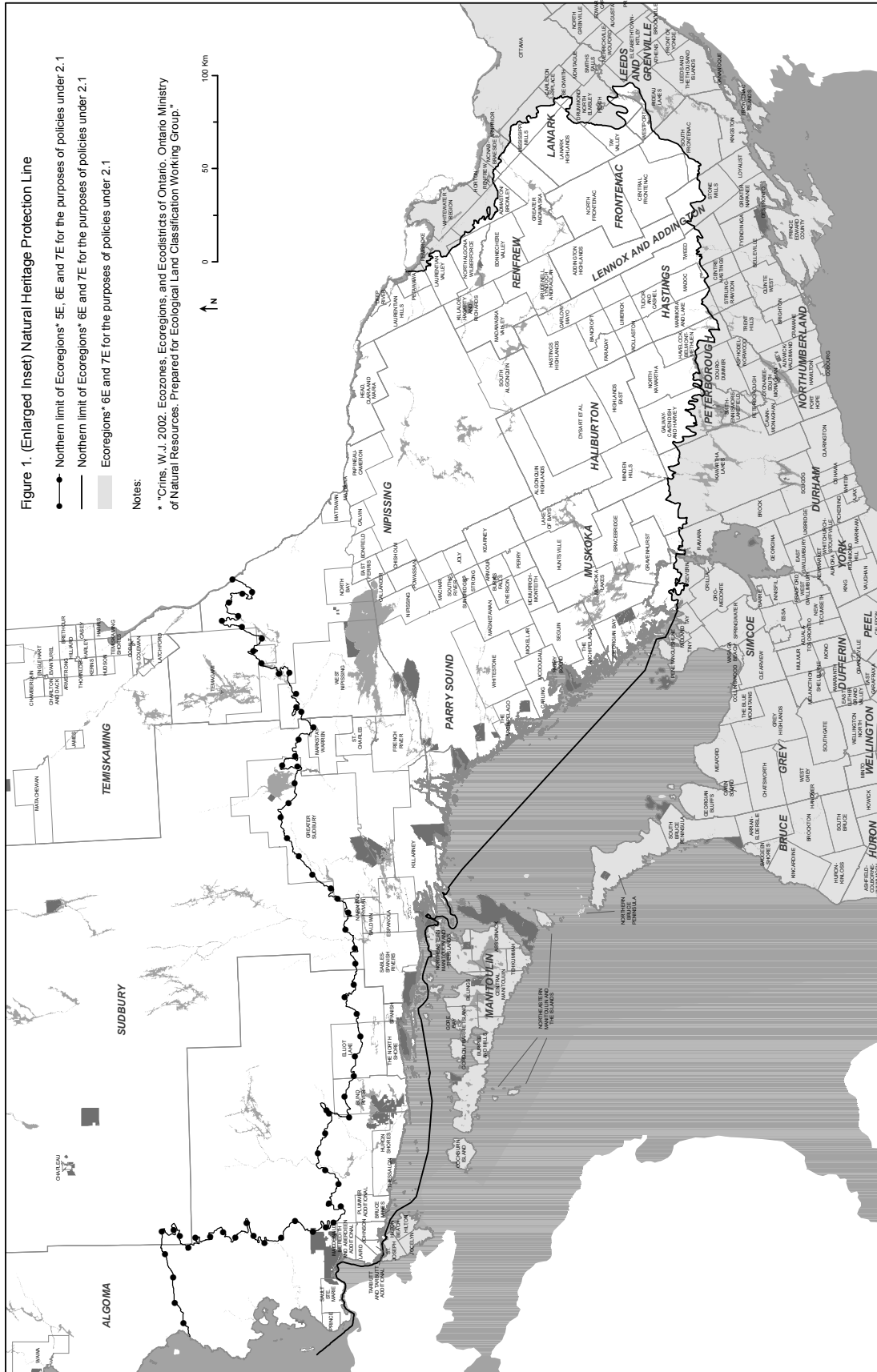
Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

- 4.8 The Province, in consultation with municipalities, Indigenous communities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

- 4.9 Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any reporting requirements, data standards and any other guidelines that may be issued by the Minister.

5.0 Figure 1 Natural Heritage Protection Line





6.0 Definitions

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

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

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

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;
- b) in the case of rental housing, the least expensive of:
 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where

applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and

- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural System: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, *services*, and *assets* important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

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

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

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

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be

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

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. *Built heritage resources* are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or international registers.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8, 1.1.3.9 and 1.3.2.4, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best

2. to accommodate the development while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
3. is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:
 1. addresses long-term population projections, *infrastructure* requirements and related matters;
 2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
 3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-

maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. *Cultural heritage landscapes* may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

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

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be

designated and available for the purposes of this definition.

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

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

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

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

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

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

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

Endangered species: means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

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

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

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

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

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

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

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

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

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

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

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood*

plain where *development* and *site alteration* would cause a danger to public health and safety or property damage.

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

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

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

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

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

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

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

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

Heritage attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the

property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a *protected heritage property*).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable* housing, housing for people with *special needs*, and housing related to employment, institutional or educational uses.

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

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

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

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

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

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

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

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

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

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are *freight-supportive* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

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

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the

minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

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

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

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

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

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

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

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality, including centralized and decentralized systems.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*, including centralized and decentralized systems.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*,

and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

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

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

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

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

One hundred year flood level: means

- for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- for large inland lakes, lake levels and wind setups that have a 1% chance of being

equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

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

Partial services: means

- municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

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

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

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

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

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

Protected heritage property: means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

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

Provincial and federal requirements: means

- a) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

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

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

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

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

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

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

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

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

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

River, stream and small inland lake systems: means all watercourses, rivers, streams, and

small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas, rural lands, prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

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

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

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

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

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

Significant: means

- a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

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

While some significant resources may already be identified and inventoried by official sources,

the significance of others can only be determined after evaluation.

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

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

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

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

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

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

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

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day,

frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

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

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

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

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

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

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well

as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

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

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest".

Ministry of Municipal Affairs and Housing

© Queen's Printer for Ontario, 2020

ISBN 978-1-4868-4229-2 (Print)

ISBN 978-1-4868-4230-8 (HTML)

ISBN 978-1-4868-4231-5 (PDF)

370/02/20

Disponible en français

2.3 **Culture Policy Direction**

The residents of Sault Ste. Marie have created a community with a rich and diverse cultural heritage. It is important that this diversity be recognized within the community and efforts be made to preserve our diverse traditions and experiences.

As stated in the Municipality's Cultural Policy the Plan does support:

CU.1 Promoting and encouraging the community's cultural identity and diversity.

CU.2 Encouraging the appreciation and enjoyment of culture.

2.4 **Heritage**

Each major theme in Canadian History is represented in the history of Sault Ste. Marie. Throughout the City, there are several locations and structures that serve as a link to this past. These sites are part of the City's cultural heritage and should be preserved for the benefit of local residents and visitors to the City. Two examples include the Ermatinger Old Stone House and the Sault Ste. Marie Lock.

Heritage resources include, but are not restricted to, archaeological sites, buildings, structures, monuments, cairns, plaques, structural remains of historical and architectural value, and groups of distinctive structures in a specific area, districts or landscapes of historic or scenic interest and significant vistas and ridge-lines.

The following policies may be implemented with the advice, assistance and recommendations of the Local Architectural Conservation Advisory Committee (LACAC), other recognized advisory bodies and the Ministry of Citizenship, Culture and Recreation.

HE.1 Identify, map and maintain an inventory of the following:

- Isolated structures, buildings, sites, areas, neighbourhoods of historical, archaeological, architectural, physical, aesthetic or cultural significance, and medium to high archaeological potential sites,
- Significant cultural or natural landscapes, units, corridors, significant vistas and ridge-lines,
- Nationally and Provincially significant Historic or Prehistoric sites.

HE.2 Pursuant to the Ontario Heritage Act Council may,

- Designate properties to be of historic or architectural value or interest or,
- Define and/or designate areas as heritage conservation districts or neighbourhoods.

- HE.3 It is not always possible to preserve all buildings or sites of historical, architectural or archaeological worth, but their significance shall be assessed and recorded prior to demolition or alteration.
- HE.4 Wherever possible, heritage resources shall be managed in a manner that perpetuates their functional use while maintaining their heritage value and benefit to the community.
- HE.5 Historical monuments, cairns and plaques shall be preserved.
- HE.6 The demolition and alteration of heritage resources shall be controlled.
- HE.7 All development applications shall be reviewed for their impact on existing heritage resources.
- HE.8 The preservation or rescue excavation of significant architectural resources shall be encouraged.
- HE.9 An archaeological impact assessment meeting the Ministry of Citizenship, Culture, and Recreation guidelines shall be required for development that impacts medium to high potential archaeological sites.

2.5 **Housing**

Housing policies integrate the social and economic aspects of creating and providing adequate and affordable dwellings throughout the municipality to satisfy our projected need.

New residential construction over the life of the Plan is expected to be limited. Based on recent projections, approximately 75 to 150 new residential units can be anticipated annually.

Policies related to the physical aspects of the delivery of housing are contained in Section 4 of Part 3 of the Plan, "Residential Land Use".

- HO.1 Opportunities for a full range of housing types shall be provided to meet the present and expected needs of the community.
- HO.2 Innovative and alternative residential development standards supporting affordable housing and compact urban form shall be encouraged. However, climate (i.e. snowfall) and other local circumstances should not be neglected.
- HO.4 Medium and high density – including affordable housing – will be encouraged to be built before or at the same time as low density units.

for removal of this “holding provision” are the same as those listed in Policy G1 in Section 4.1 of the Official Plan entitled Groundwater Recharge Area.

- A.4 Rehabilitation of all licensed or abandoned pits shall be encouraged.
- A.5 The exploration for or the extraction of any aggregate resources within the municipal area shall be in accordance with the Aggregate Resources Act. Operation of processing equipment requires Ministry of Environment and Energy approval.
- A.6 Other extensive land uses such as agriculture and forestry that do not preclude the future use of the aggregate resources are permitted.
- A.7 Land uses which are not compatible with aggregate extraction shall be discouraged from areas surrounding existing pits and quarries.
- A.8 Residential development is limited to existing lots. New lot creation shall not be permitted.
- A.9 Other non-Aggregate uses may be permitted by rezoning if
 - extraction is not feasible or
 - the use serves a greater long term interest of the public or
 - the use would not significantly preclude or hinder future extraction
- A.10 The review of new development proposals shall consider all other applicable requirements of this Plan, particularly those policies listed in Part V Section 4.1, entitled Groundwater Recharge Area.

3.2 **Natural Heritage Features**

Introduction

Natural heritage features and areas have been identified by the Ministry of Natural Resources and other agencies. They contain distinctive or unusual features performing a key ecological function and/or provide habitat for significant plant and/or animal species. Linkages between Natural Heritage features act as corridors to enhance and maintain the natural habitat of the municipality.

Schedule A identifies the location of key Natural Heritage Features. The Technical Background report contains descriptions and a Category 1 & 2 classification of the features.

Policies

- H.1 No development is permitted in Category 1 Natural Features or Areas. The municipality shall maintain an inventory of these features and areas.

- H.2 Development applications within Category 2 Natural Features or Areas, or adjacent to a natural heritage feature or area may require an *Environmental Impact Study (EIS)*. The municipality shall maintain an inventory of these features and areas.
- H.3 If an *Environmental Impact Study (EIS)* concludes that the overall impact upon the natural heritage feature or area, or ecological function is negative (i.e. detrimental), the development application shall not be approved.

3.3 **Forested Areas (Woodlands)**

Introduction

The forested areas of the City of Sault Ste. Marie cover approximately 40% of the City's land area. The policies below set out the means of preserving and protecting this valuable resource.

Policies

- FO.1 The municipality, the Ministry of Natural Resources and the Conservation Authority shall inventory important woodlands within the planning area, and shall develop policies for stewardship and protection of these areas. These agencies shall promote proper forest management practices on all forested lands and the municipality may enact by-laws under the Municipal Act.
- FO.2 Development that is inconsistent with good forestry practices should not be permitted in these areas. Development for residential purposes should not be allowed in areas of high fire risk.
- FO.3 The municipality and the Conservation Authority shall encourage the "Urban Forest" concept. Forested corridors and greenbelts shall be encouraged and maintained throughout the planning area. Tree planting shall be required on all new and encouraged in existing developments.

3.4 **Alluvial Soils**

Introduction

The areas of alluvial soils are environmentally sensitive to development because of the bearing capacity of these soils to support foundations.

Policies

- AL.1 No development applications or building permits shall be approved for development on alluvial soils without a review and a report prepared by a professional engineer approved by the municipality.

3.5 **Lacustrine Clay Soils**

Introduction

Lacustrine clay soils lack the ability to support the operation of domestic sewage systems.

Policies

CL.1 The development of a domestic sewage system shall not take place in areas of clay soils unless all of the guidelines of the Ministry of Environment and Energy and Algoma Health Unit are met and the approval of the Algoma Health Unit is obtained.

3.6 **Fish Habitat**

Introduction

Fish and fish habitat play an important role in the development of the community as a "tourism" destination. Quality fish habitats have significant economic and social benefits (e.g. St. Mary's River Rapids). It is therefore, important to provide protection to fish habitat, especially when considering the wide variety of fish species available in the area and their related habitat requirements (i.e. warmwater/coldwater fisheries). Fish habitat includes spawning grounds, nursery rearing, food supply and migration areas; all are necessary components of a fish habitat.

All lakes, streams and rivers and all their tributaries as shown on Schedule "A" are identified as fish habitat and classified as Type 1, 2 or 3. The Technical Background Report contains descriptions of the Type 1, 2 and 3 classifications.

Policies

FI.1 To protect all fish habitat from harmful disruption, alteration or destruction by not permitting development which could result in damage to these areas.

FI.2 To encourage the restoration, enhancement and creation of fish habitat.

FI.3 To ensure that public access to fishery resource areas is provided or maintained given that the area is suited to human activity.

FI.4 No development is permitted in Type 1 fish habitat. This currently includes:

1. St. Mary's River Rapids
2. Crystal Creek from Case Road to Minnehaha Falls

FI.5 All fish habitat, excluding areas identified as Type 1, is classified as Type 2 or 3. Applications for developments in or adjacent to these areas, or adjacent to Type 1 Areas, may be approved by Council, if accompanied by an *Environmental Impact Statement (EIS)*.

The *EIS* may determine:

1. that the habitat or a portion thereof is Type 1 and subject to policy F1.4 above, or
2. the conditions under which development may take place.

FI.6 A separate zoning provision shall be used in the Comprehensive Zoning By-law to identify a vegetative buffer adjacent to fish habitat.

FI.7 Minor adjustments to expand or reduce the limits of the zoning buffer boundaries may be agreed upon by Council or the Committee of Adjustment at the time of consideration of an adjacent development proposal. Such minor refinements do not require an amendment to this Plan.

3.7 Precambrian Uplands

Introduction

The Precambrian Uplands area contains many lakes, rivers and streams. The geology of the area is characterized by bedrock with no or a very thin overburden of topsoil which allows storm-water to quickly flow to the valleys. The area also has limited deposits of aggregate. The surface water in the rivers and streams flows in a southerly direction and is the main source of water flowing into the Groundwater Recharge Area located at the southerly edge of the Precambrian uplands.

Due to these characteristics, the area is very sensitive to development. Any spill of petroleum products, chemicals, or hazardous materials can pose a serious threat to the community's groundwater supply.

The Precambrian Uplands area is remote from the urban area and separated from the developable Rural Area by the Aggregate area. This isolation, the lack of services and public roads combined with the areas sensitivity to development requires any development proposal be subject to a comprehensive review on both environmental issues and the impact on municipal facilities.

Policies

PR.1 Land uses within the Precambrian Uplands area will be limited to those without the potential to pollute the groundwater.

PR.2 Uses that take advantage of this area for its recreational opportunities will be encouraged.

PR.3 The consideration of a land-use application under the provisions of the Planning Act, for a use beyond those listed in the implementing zoning by-law shall be

accompanied by an Environmental Impact Study and a Hydrogeologic Study prepared by experts in those fields.

PR.4 Due to the susceptibility of the area to contamination, as well as its sensitivity to development severances in the Precambrian Uplands area are prohibited. Therefore uses are limited to existing lots of record.

PR.5 In reviewing proposals requiring approval under the authority of the Planning Act the policies of Part V Section 3.3 entitled Forested Woodlands shall apply to the proposal.

4. **Natural Constraints**

Introduction

Schedule "B" outlines natural constraints to development. These constraints may mean prohibition of development; development subject to detailed *Environmental Impact Study (EIS)*; or development with minimum conditions after review.

4.1 **Groundwater Recharge Protection Area**

Introduction

The Groundwater Recharge Protection Area is the area of sand and gravel deposits south of the Shield Line, as shown on Schedule "B" of this Plan. These sand and gravel deposits allow the surface water flowing from the Precambrian Uplands to percolate downward, recharging the groundwater table that serves as the source of domestic water supply for 50 percent of the urban area and 100 percent of the Rural Area. The importance of protecting the City's groundwater resources is critical. For example, one litre of gasoline or similar petroleum solvent can pollute 1 million litres of drinking water.

The inter-relationship between ground water and surface streams, and the importance of the forested upper watersheds and wetlands as water storage and recharge areas into the ground water regime should be recognized. All of these features are necessary to provide high quality water.

Policies

G.1 The Groundwater or Aquifer Recharge Area has been identified in the Sault Ste. Marie and Area "Groundwater Management and Protection Study" (June, 2003). Based on this report, the following policies will apply to nonresidential uses that require on site storage or use of fuel, chemicals, or hazardous materials. These policies will form the basis for review and approval of applications made under the provisions of the Planning Act.

A) Fuel Storage and Handling

- i) In-ground fuel storage tanks are not permitted

- ii) The amount of fuel stored on site shall not exceed 2273 litres. The maximum amount of fuel tank fuel stored for aggregate operations shall not exceed 5,000 litres.
- iii) Fuel storage is limited to fuel for vehicles operating on site only.
- iv) The fuel storage tank must be of double walled construction with an audible alarm system that annunciates failure of the inner or outer wall integrity. Double walled construction is not a substitute for spill containment.
- v) The tank and associated fuelling equipment must be installed on an impervious surface with sufficient containment to hold 110% of the total tank volume. The fuelling area must be designed to collect all runoff, separate the fuel from the water, and allow for proper disposal of the contaminants before the runoff enters the ground or surface water systems.
- vi) The tank must be situated so as to minimize it's exposure to moving equipment and vehicles. It must also incorporate collision protection features.
- vii) On-site fueling equipment should be in a fixed location. Where the equipment to be fuelled is in a fixed location and cannot be moved the portable fuelling equipment shall provide a means to catch and contain any spillage that may occur during refueling. The method of containment will be reviewed and approved by the Conservation Authority and the PUC Services Inc..
- viii) The area where the any portable fuel tank is stored must have an impervious ground surface or be within a building whose floor drain does not discharge to surface or a sewage system. The floor drain must be directed to a holding tank or pond that is designed to capture a spill. The holding area will have the capacity of 110% of the portable fuel storage tank.

B) Chemical Storage and Handling

- i) The bulk storage of chemicals, petroleum products, and other hazardous materials is prohibited.
- ii) The storage and handling of chemicals on site for the routine operations of the use, must be closely monitored and controlled.
- iii) The storage and handling of chemicals needed for the day-to-day operations of the use are restricted to an indoor or covered area equipped with adequate spill and runoff containment structures, designed to prevent any loss of chemicals into the ground.
- iv) All persons handling chemicals must be trained to ensure the substances are properly stored and handled

C) Vehicle Maintenance, Repair and Storage

- i) Vehicular maintenance and repair will be limited to only those vehicles owned or leased, and used in conjunction with the main use permitted on site. A public garage for the repair and maintenance of vehicles is prohibited.

- ii) Maintenance and repair of vehicles and equipment shall be conducted entirely within an enclosed building.
- iii) The building must be equipped with suitable floor drainage, collection, and retention systems to ensure that any spillage and runoff is prevented from entering the ground.
- iv) The floor of the building must be structurally sound and constructed of materials capable of preventing any loss of liquids to the underlying ground.
- v) Any portion of the property used to store vehicles or motorized equipment will be equipped with an impermeable surface layer to prevent the migration of contaminated runoff into the ground.

D) Spill Response

- i) A "Spill Response Action Plan" must be established, and staff must be trained to carry out the plan. A copy of the plan shall be provided to Conservation Authority and PUC Services Inc. for their review and approval.
- ii) The spill response plan must be reviewed annually to ensure it is kept up-to-date.

E) Stormwater Management

- i) On-site stormwater must be collected, stored and treated, and properly disposed of, in order to remove contaminants before the stormwater is allowed to enter into the ground or exit the property.

G.2) Where applicable the above noted policies and criteria shall form an agreement between the land owner/operator, and the City in consultation with PUC Services Inc., prior to the finalizing of any zoning approvals by the City.

1. G.3) New residential and non-residential development can occur on full municipal services within the area designated Residential or Commercial on Schedule "C". New residential development within the Rural Area as shown on Schedule "C" can occur on individual wells and septic systems, provided the lands are suitable for the long term provision of such services. Development applications of 5 lots or more must be accompanied by a hydrogeological study that addresses the quality and availability of the water supply, as well as the suitability of the soils to support the proposed septic systems.

G.4 Existing uses that threaten the aquifer should be monitored to ensure that best practices for mitigation of the threat are followed. These existing uses should be relocated and shall not be permitted to expand.

G.5 The City, in partnership with the Conservation Authority shall develop and implement a plan for the containment of spills.

Appendix B

MECP Guidelines D1 and D4

GUIDELINE D-4
(formerly 07-07)

Land Use On or Near Landfills and Dumps

Legislative Authority:

Environmental Protection Act, RSO 1990, Part V, Sections 27 and 46

O. Reg. 347, General -- Waste Management

Planning Act, RSO 1990, Sections 2(a) (b) (c) (f) (g) (h), 17(9), 22(3), 41(4) and 51(3)

Condominium Act, RSO 1990, Section 50(3)

Environmental Assessment Act, RSO 1990, Section 5(3)

Responsible Director:

Director, Environmental Planning Branch

Last Revision Date:

April, 1994

Table of Contents

1.0 INTRODUCTION

2.0 DEFINITIONS

3.0 APPLICATION

3.1 General

3.2 Liquid Industrial and Hazardous Waste

4.0 ENVIRONMENTAL CONSIDERATIONS

4.1 Operating Sites

4.2 Non-Operating Sites

4.3 Assessment

4.4 Buffering Techniques

4.5 Hydrogeologic/Engineering Studies

4.5.1 Responsibility

4.5.2 Exceptions

4.6 Controls and Monitoring for Adverse Effects

4.7 Monitoring on Private Property

5.0 LAND USE CONSIDERATIONS

5.1 Sensitive Land Use

5.1.1 Sensitive Land Uses for Landfills
Currently in Operation

5.1.2 Compatible Land Uses for Landfills
Currently in Operation

5.2 Land Use Within 30 metres of a Fill Area

5.2.1 Operating Sites

5.2.2 Non-Operating Sites

5.3 Land Use Within 500 metres of a Fill Area

5.4 Land Use Beyond 500 metres of a Fill Area

5.5 Significant Impacts

5.6 Sequential Development

6.0 RESPONSIBILITIES

6.1 Operators and/or Owners of Landfills or Dumps

6.2 Proponents/Consultants

6.3 Municipalities

6.4 Ministry

6.4.1 Near Land Used or to be Used for Waste
Disposal Purposes

6.4.2 On Land Used for Waste Disposal Purposes

7.0 REFERENCE DOCUMENTS:

- a) Procedure D-4-1: "Assessing Methane Hazards from Landfill Sites"
- b) Ministry of Consumer and Commercial Relations Bulletin No. 91003: "Environmental Warnings/Restrictions"
- c) Ministry of Consumer and Commercial Relations Bulletin No. 80023: "Registration of Certificates & Provisional Certificates"
- d) Guideline D-7: "Requests for Land Use Approval under *EPA*, Section 46" (under development)
- e) Procedure D-1-1: "Land Use Compatibility: Procedure for Implementation"
- f) Procedure D-1-3: "Land Use Compatibility: Definitions"
- g) Guideline D-1: "Land Use Compatibility"

SYNOPSIS

This guideline specifies restrictions and controls on land use that the Ministry wishes to see implemented in the vicinity of landfills and dumps, in order to protect the health, safety, convenience and welfare of residents near such facilities. It complements existing ministry abatement programs for landfills and dumps, and is a direct application of Guideline D-1: "Land Use Compatibility."

Application of the guideline extends to all proposals for land use on, or near, operating and non-operating landfills, (as defined in O. Reg. 347) and dumps which contain municipal solid waste, industrial solid waste and/or sewage sludges. The guideline applies to all such facilities regardless of ownership. It does not apply to lands certified as organic soil conditioning sites under O. Reg. 347.

Ministry staff shall use the guideline when they are reviewing land use proposals, including official plans and amendments, and plans of subdivision/condominium:

- (a) at the request of the responsible Ministry or the delegated approving authority, under the *Planning Act* or the *Condominium Act*;
- (b) for land use requests subject to Section 46 of the *Environmental Protection Act*; and
- (c) for undertakings subject to the *Environmental Assessment Act*.

1.0 Introduction

This guideline protects the health, safety, convenience and welfare of residents from the potential adverse effects of landfills and dumps, by restricting or controlling land use in their vicinity. It complements the Ministry's existing abatement programs, and Ministry staff shall refer to it when they review land use proposals.

The principles of Guideline D-4 shall also be considered when looking for locations to establish a landfill in Ontario.

Procedure D-1-1: "Land Use Compatibility: Procedure for Implementation" discusses various implementation approaches and tools. Procedure D-1-3: "Land Use Compatibility: Definitions" provides definitions of terms, in addition to those included in Section 2.0 of this guideline.

2.0 Definitions

NOTE: Additional definitions are provided in Procedure D-1-3: "Land Use Compatibility: Definitions".

Fill Area:

The area of a waste disposal site set aside for landfilling or dumping (see **Conceptual Diagram No. 1.** below).

Land Use:

Any existing or proposed activity, structure, service, facility, or natural feature, either at, above, or below grade, which conforms to an approved municipal plan.

Land Used for Waste Disposal Purposes:

The land comprising the fill area, where landfilling or dumping has occurred, and the land which is being used or is to be used for the leachate buffer area and/or the gas buffer area; the land may be on- or off-site, (see **Conceptual Diagram No. 1** below).

Peripheral Area:

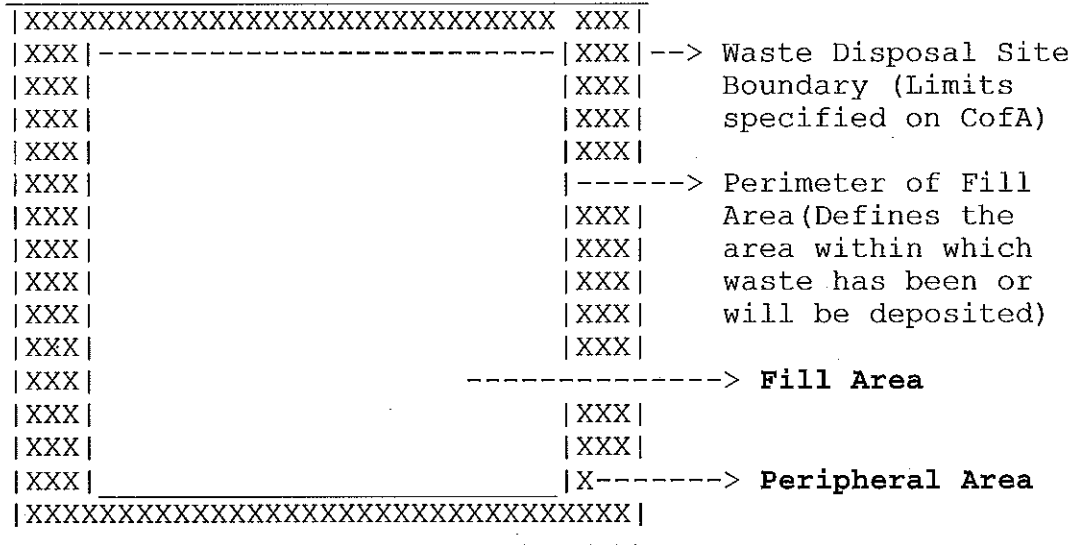
The area controlled by the site owner/operator between the boundary of the waste disposal site and the fill area; together, the peripheral area and the fill area make up the waste disposal site; the peripheral area will contain the buffer areas required to be on-site (see **Conceptual Diagram No. 1** below).

Vectors and Vermin:

Disease-carrying organisms, insects, rodents, birds (especially gulls) and other harmful creatures (e.g., bears).

CONCEPTUAL DIAGRAM NO. 1

(Plan View)



LANDFILL OR DUMP

3.0 Application

3.1 General

This guideline applies to all proposals for land use on or near any landfill or dump which contains municipal solid waste, industrial solid waste and/or sewage sludges. It does not apply to lands certified as organic soil conditioning sites under O. Reg. 347.

3.2 Liquid Industrial and Hazardous Waste

For proposals in the vicinity of landfills and dumps that have accepted liquid industrial, toxic or hazardous waste, the Ministry shall expect proponents to undertake further investigations and provide a report to the approving authority. Where there is evidence of off-site migration of contaminants, the Ministry shall require abatement measures beyond those discussed in this guideline.

4.0 Environmental Considerations

Environmental considerations shall be considered by all parties involved in the production, review and approval of a study/evaluation report.

4.1 Operating Sites

Factors to be considered when land use is proposed near an operating site include: landfill-generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, and vectors and vermin. Particular attention shall be given to the production and migration of methane gas.

4.2 Non-Operating Sites

Factors to be considered when land use is proposed on or near a non-operating site include: ground and surface water contamination by leachate, surface runoff, ground settlement, visual impact, soil contamination and hazardous waste, and landfill-generated gases. Particular attention shall be given to the production and migration of methane gas.

4.3 Assessment

The adverse effects of the factors listed in Sections 4.1 and 4.2 of this guideline may create:

- (a) a hazard or health/safety risk;
- (b) a nuisance to man; and/or
- (c) degradation of the natural environment.

The overall extent, number, degree and frequency of contaminant discharges and visual problems can vary with each site. Consideration must be given to the nature of proposed land use(s).

Reference should be made to Reference (a) (Section 7.0), if particular site conditions warrant obtaining further information with respect to methane gas.

4.4 Buffering Techniques

One or a combination of buffers, as defined in Guideline D-1: "Land Use Compatibility", may be employed in a given situation.

4.5 Hydrogeologic/Engineering Studies

4.5.1 Responsibility

Where the hydrogeologic and geologic setting of the proponent's property and the inter-relationship with gas and/or leachate from the fill area are unknown, Ministry staff shall recommend to the approving authority that the proponent engage a qualified hydrogeologist and/or engineer to determine the subsurface conditions and, where necessary, propose remedial measures.

4.5.2 Exceptions

The Ministry shall not normally recommend a formal site investigation, as recommended in Section 4.5.1, when its staff is satisfied that the evaluation of existing data indicates the absence of a problem.

4.6 Controls and Monitoring for Adverse Effects

Where appropriate, Ministry staff shall recommend, as a condition of approval, that a proponent include controls to deal with adverse effects or risks to health or safety and that the approving authority monitor contaminant migration and carry out inspections of control facilities.

In the event that the approving authorities lack the expertise or resources to perform such inspections, they shall employ qualified consultants to do so.

4.7 Monitoring on Private Property

Where the approving authority requires monitoring and inspections on private property, Ministry staff shall recommend that a contract be executed between the proponent and the municipality, in the form of, or as part of an agreement that may be registered on title and run with the land. Documents which are able to be registered on title are identified in References (b) and (c) (see Section 7.0).

5.0 Land Use Considerations

5.1 Sensitive Land Use

The Ministry will normally recommend against proposals for sensitive land use (see Section 5.1.1. for details) adjacent to operating landfills, and on land used for waste disposal purposes where there are completed or partially completed fill areas.

Where land uses are proposed for approval on non operating landfills and dumps under Section 46 of the *Environmental Protection Act*, the Ministry normally shall not permit residential or other sensitive land use. Further details are provided in Reference (d) of Section 7.0.

5.1.1 Sensitive Land Uses for Landfills Currently in Operation

Any existing or committed land use which includes:

- (a) a permanent structure used in animal husbandry; or
- (b) agricultural land used for pasturing livestock; or
- (c) a permanent structure where:
 - (i) a person sleeps, or
 - (ii) a person is present on a full time basis;

but not including food or motor vehicle service facilities adjacent to a highway, utility operations, scrap yards, heavy industrial uses, gravel pits, quarries, mining or forestry activities; or

- (d) cemeteries

5.1.2 Compatible Land Uses for Landfills Currently in Operation

Compatible land uses may include:

- (a) utilities and above grade transportation routes except major highways;
- (b) fences;
- (c) wood harvesting and other forestry activities;

- (d) certain farming activities;
- (e) industrial uses, including incinerators permitted to operate under O.Reg. 347;
- (f) gravel pits and quarries, and other mining activities (provided the landfill water table is not affected); or
- (g) such land uses which would not be threatened by any hazard to public health or safety and would not be impaired by nuisance effects.

5.2 Land Use Within 30 metres of a Fill Area

5.2.1 Operating Sites

No land use may take place within 30 metres of the perimeter of a fill area. This is a minimum distance.

Each operating landfill shall have an on-site operational/maintenance buffer area identified on the Certificate of Approval. This buffer shall be no less than 30 metres; it is normally 60-100 metres.

5.2.2 Non-Operating Sites

Where technical controls for leachate, or leachate and gas are required surrounding a fill area, no land use may take place within 30 metres of its perimeter. This distance may be reduced to 20 metres in cases where only gas controls are necessary.

5.3 Land Use Within 500 metres of a Fill Area

The Ministry considers the most significant contaminant discharges and visual problems to be normally within 500 metres of the perimeter of a fill area. Accordingly, the Ministry recommends this distance be used as a study area for land use proposals. Ministry staff shall ensure that the proponent has evaluated the presence and impact of any adverse effects or risks to health and safety and that necessary remedial measures are taken when land use proposals are within this distance. This assessment shall be based on the nature and knowledge of the disposal site, and the nature of land use(s) proposed.

Actual influence areas for the considerations listed in Section 4.1 and 4.2 of this guideline will vary with the individual landfill or dump. Where the actual influence area of a site has been determined to be less than the 500 metre study area set out in this section, the study area for land use proposals can be reduced to coincide with the actual influence area.

5.4 Land Use Beyond 500 metres of a Fill Area

Where significant impacts are encountered at or beyond 500

metres, the study area within which an assessment for any change in land use is recommended, shall be extended beyond the 500 metre area set out in Section 5.3. Historical evidence in Ontario has shown that the maximum distance within which adverse effects could be experienced while a landfill is operating is up to 3 kilometres.

In exceptional hydrogeologic situations, such as areas of fractured rock or sand, where it is anticipated that leachate or gas from a non-operating landfill or dump could migrate beyond 500 metres and pose a problem, Ministry staff shall recommend that proponents carry out hydrogeologic and/or engineering studies for land use proposals beyond 500 metres of a fill area (see Section 4.5 for more details).

5.5 Significant Impacts

The Ministry shall recommend against land use proposals where proponents have not incorporated feasible remedial measures to prevent or minimize adverse effects (as discussed in Section 4.3).

5.6 Sequential Development

In considering long-range planning, the Ministry may recommend that proponents delay or phase certain types of land use to coincide with closure of sections of a landfill, or the operation itself, as nuisance effects are reduced or eliminated. This approach shall only be permitted in cases where no risks to health or safety are present.

6.0 Responsibilities

6.1 Operators and/or Owners of Landfills or Dumps

The Ministry shall require operators and/or owners of operating landfills and non operating landfills and dumps to comply with the *Environmental Protection Act* and O. Reg. 347 (Waste Management) requirements for the control of adverse effects caused by these facilities.

6.2 Proponents/Consultants

Ministry staff shall recommend to the approving authority that the proponent provide a report on environmental considerations (see Section 4.0) and, where necessary, propose and implement appropriate control measures. These measures shall include design details and specifications for any control device or facility.

6.3 Municipalities

The local municipal authority is responsible for ensuring that proponents implement and monitor proper control measures associated with new, sensitive developments. It also shall ensure that periodic inspections of operating landfills and non-operating landfills and dumps for contaminant migration and potential hazards are carried out.

6.4 Ministry

With respect to its mandate for landfills and dumps, the Ministry shall exercise the following responsibilities:

6.4.1 Near Land Used or to be Used for Waste Disposal Purposes

Ministry staff will expect proponents and municipalities to fulfil their responsibility to protect public health and safety in areas of land use near a landfill or dump, and to prevent significant impacts from difficult-to-control nuisance effects which may extend beyond the lands under the Certificate of Approval for an operating landfill.

6.4.2 On Land Used for Waste Disposal Purposes

Where a proponent submits a land use proposal for approval under Section 46 of the *Environmental Protection Act*, the proponent must assure Ministry staff and the municipality that the proposal contains adequate measures for the protection of public health and safety, in order to facilitate the Minister making a decision on approval.

Where an approval under *EPA* Section 46 is not required from the Minister, Section 6.4.1 of this guideline applies.

7.0 Reference Documents:

- (a) Procedure D-4-1: "Assessing Methane Hazards from Landfill Sites"
- (b) Ministry of Consumer and Commercial Relations Bulletin No. 91003: "Environmental Warnings/Restrictions"
- (c) Ministry of Consumer and Commercial Relations Bulletin No. 80023: "Registration of Certificates & Provisional Certificates"
- (d) Guideline D-7: "Requests for Land Use Approval Under *EPA*, Section 46" (under development)
- (e) Procedure D-1-1: "Land Use Compatibility: Procedure for Implementation"

(f) Procedure D-1-3: "Land Use Compatibility: Definitions"

(g) Guideline D-1: "Land Use Compatibility"

GUIDELINE D-1
(formerly 07-03)

Land Use Compatibility

Legislative Authority:

Environmental Protection Act, RSO 1990, Section 14
Environmental Assessment Act, RSO 1990, Section
5(3)

The Planning Act, RSO 1990 Sections 2 (a) (b) (c)
(f) (g) (h), 17(9), 22(3), 41(4) and 51(3)

The Condominium Act, RSO 1990, Section 50(3)

The Niagara Escarpment Planning & Development Act,
RSO 1990, Section 9

Responsible Director:

Director, Environmental Planning Branch

Last Revision Date:

July 1995

Table of Contents

1.0 INTRODUCTION

- 1.1 Legislative Authority
- 1.2 Objective
- 1.3 Procedures

2.0 APPLICATION

- 2.1 Dual Nature Of Guideline
- 2.2 Planning Activities
 - 2.2.1 Policies, Guidelines & Programs
 - 2.2.2 General Land Use Plans
 - 2.2.3 Site-Specific Plans
- 2.3 Non-Applicable Situations
 - 2.3.1 Existing Incompatible Land Uses
 - 2.3.2 Compliance with Existing Zoning & Official Plan Designation
 - 2.3.3 Emergency Situations
 - 2.3.4 Federal Jurisdiction
- 2.4 Adverse Effects

3.0 GUIDELINE

- 3.1 Preferred Approach
- 3.2 Purpose Of Separation Distance
- 3.3 Use Of Land Within Separation Distance
- 3.4 Irreconcilable Incompatibilities

SYNOPSIS

This guideline identifies the direct interest of the Ministry in recommending separation distances and other control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses where a facility either exists or is proposed. This guideline sets the context for all existing and new guidelines relating to land use compatibility.

The guideline is intended to apply only when a change in land use is proposed, however, compatibility concerns should be recognized and addressed at the earliest possible stage of the land use planning process for which each particular agency has jurisdiction. The intent is to achieve protection from off-site adverse effects, supplementing legislated controls.

The guideline encourages informed decision-making for Ministry staff, land use planning and approval authorities, and consultants. All land use planning and resource management agencies within the Province shall have regard for the implications of their actions respecting the creation of new, or the aggravation of existing, land use compatibility problems. The Ministry shall not be held liable for municipal planning decisions that disregard Ministry policies and guidelines. When there is a contravention of Ministry legislation, Ministry staff shall enforce compliance.

Nothing in this guideline is intended to alter or modify the definition of 'adverse effect' in the *Environmental Protection Act*.

1.0 INTRODUCTION

1.1 Legislative Authority

The primary legislative basis for this Guideline is Section 14(1) of the *Environmental Protection Act*, RSO, 1990. This Section states: "Despite any other provision of this Act or the regulations, no person shall discharge a contaminant or cause or permit the discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect".

1.2 Objective

The objective of this guideline is to minimize or prevent, through the use of buffers, the exposure of any person, property, plant or animal life to adverse effects associated with the

operation of specified facilities (see definition for "facility" in Procedure D-1-3, "Land Use Compatibility: Definitions).

1.3 Procedures

Procedure D-1-1, "Land Use Compatibility: Procedure for Implementation" identifies areas of responsibility for Ministry staff or the Delegated Authority, Municipalities and Other Planning Authorities and Proponents, and discusses various implementation approaches and tools. Procedure D-1-2, "Land Use Compatibility: Specific Applications" list Ministry and other agencies' documents which are specific applications of this guideline. Procedure D-1-3, "Land Use Compatibility: Definitions" provides definitions of terms.

2.0 APPLICATION

2.1 Dual Nature of Guideline

The guideline is applicable when:

- (a) a new sensitive land use is proposed within the influence area or potential influence area of an existing facility; and/or
- (b) a new facility is proposed where an existing sensitive land use would be within the facility's influence area or potential influence area.

2.2 Planning Activities

This guideline applies when a change in land use places or is likely to place sensitive land use within the influence area or potential influence area of a facility, for the various situations listed below:

2.2.1 Policies, Guidelines and Programs

This guidelines applies for the formulation and review of land use policies, guidelines or programs.

2.2.2 General Land Use Plans

This guideline applies for the review of municipal and other levels of government general plans and proposals (e.g. municipal official plans and official plan amendments, municipal secondary plans, provincial resource management plans and other land use planning related matters).

2.2.3 Site-Specific Plans

This guideline applies for the review of site-specific development plans (e.g. plans of subdivision, plans of condominium, severances) including redevelopment and/or infill proposals.

2.3 Non-Applicable Situations

2.3.1 Existing Incompatible Land Uses

This guideline does not apply to situations where incompatible land uses already exist, and there is no new land use proposal for which approval is being sought.

However, where feasible, the Ministry encourages the implementation of mitigation measures by the appropriate authority, at the earliest opportunity, to minimize existing compatibility problems.

NOTE: When there is a compatibility problem where both land uses already exist, matters may be subject to Ministry abatement activities if there is non-compliance with a Ministry issued Certificate of Approval (C of A) for the facility, or there is no C of A in place.

2.3.2 Compliance with Existing Zoning and Official Plan Designation

This guideline does not normally affect a change in land use, an expansion, or new development, for either a facility or a sensitive land use which is in compliance with existing zoning, and the official plan designation, except for plans of subdivision and condominium and/or severances. In these exceptional situations, Ministry staff may require studies (see Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses, Sections 4.6, "Studies" and 4.7, "Mitigation"), and the identification of any necessary mitigative measures to prevent or minimize any potential 'adverse effects'.

There may be additional exceptional circumstances brought to staff's attention if a Certificate of Approval or other planning approval is required, where the Ministry would object if a sensitive land use would be subjected to adverse effects which could not be mitigated (e.g., land use change from single family residential to high rise, which would affect the point of impingement for air emissions, or when a

change of industry is proposed with a completely different influence area).

If a proposed use is permitted in the official plan, but rezoning is required, or if both redesignation and rezoning are required, then this guideline shall apply.

NOTE: Although the guideline does not specifically address such matters, it is not intended to preclude the implementation of mitigation measures to minimize existing compatibility problems.

2.3.3 Emergency Situations

This guideline does not deal with emergency situations, such as process upsets, the breakdown or malfunction of technical controls and/or spills. These are dealt with through other practices and legislation.

2.3.4 Federal Jurisdiction

This guideline does not normally apply to lands owned or purchased by undertakings under federal jurisdiction. However, federal bodies may choose to comply with provincial laws and policies, or may be required to do so by federal law or by their own regulatory bodies.

A court may rule that there is no reason for federal facilities not to comply with local requirements, as long as these additional controls do not attempt to prohibit the undertaking.

As well, this guideline may apply to private undertakings on federal lands on a case-by-case basis.

2.4 Adverse Effects

Depending upon the particular facility, adverse effects may be related to, but not limited to, one or more of the following:

- (a) noise and vibration;
- (b) visual impact (only for landfills under O. Regulation 347);
- (c) odours and other air emissions;
- (d) litter, dust and other particulates; and
- (e) other contaminants.

3.0 GUIDELINE

3.1 Preferred Approach

Incompatible land uses are to be protected from each other, in land use plans, proposals, policies and programs to achieve the Ministry's environmental objectives. Various buffers on either of the incompatible land uses or on intervening lands, as discussed in Section 4 of Procedure D-1-1, "Land Use Compatibility: Implementation", may be used to prevent or minimize 'adverse effects'. Distance is often the only effective buffer, however, and therefore adequate separation distance, based on a facility's influence area, is the preferred method of mitigating 'adverse effects'.

3.2 Purpose of Separation Distance

The separation distance should be sufficient to permit the functioning of the two incompatible land uses without an 'adverse effect' occurring. Separation of incompatible land uses should not result in freezing or denying usage of the intervening land. The distance shall be based on a facility's potential influence area or actual influence area if it is known. When development is proposed beyond a facility's potential influence area or actual influence area, the Ministry shall not normally object to development on the basis of land use compatibility. Exceptional situations may be identified in documents for specific facilities which are listed in Procedure D-1-2, "Land Use Compatibility: Specific Applications".

3.3 Use of Land Within Separation Distance

When the separation distance is the method of buffering, and the buffer area extends beyond a facility or sensitive land use site boundary, this Ministry encourages intervening land uses or activities that are compatible with both the facility and the sensitive land use(s).

Compatible land uses can vary on a case-by-case basis, and are identified for different facilities in documents listed in Procedure D-1-2, "Land Use Compatibility: Specific Applications".

Within the separation distance, municipal controls to increase zoning by-law setbacks for facilities or restrictions on location and use of outdoor storage could assist in achieving distance separation.

3.4 Irreconcilable Incompatibilities

When impacts from discharges and other compatibility problems cannot be reasonably mitigated or prevented to the level of a trivial impact (defined in Procedure D-1-3, "Land use Compatibility: Definitions") new development, whether it be a facility or a sensitive land use, shall not be permitted. More

details for specific facilities may be identified in other Ministry guidelines listed in Procedure D-1-2, "Land Use Compatibility: Specific Applications".

There may be situations and various means (see Procedure D-1-1, "Land Use Compatibility: Implementation", Section 7, "Methods") where development or redevelopment can be delayed or phased until such time that an 'adverse effect' would no longer exist (e.g. the facility ceases to operate or the problem is rectified by new technology).

Appendix C

Special Exceptions

11 (200) TENT AND TRAVEL TRAILER PARK – 5TH LINE AND GREAT NORTHERN ROAD

Notwithstanding the provisions of By-law 2005-150, in the area outlined and marked “subject property” on Sch. 205 hereto, which lands are more particularly described as part of the NE ¼, Sec.18, Tarentorus, land may be used and buildings erected and used thereon for purposes of a travel trailer park, subject to the following conditions:

1. Definitions

‘Travel Trailer’ means a trailer designed and equipped for travel, recreational and vacation uses and for seasonal or temporary occupancy only;

‘Travel Trailer Park’ means a trailer camp which has been planned and improved for the placement of tents, travel trailers and other recreational vehicles of transient use; and

‘Trailer Lot’ means a parcel of land intended to be used by one recreational vehicle or tent.

2. Trailer lots limited: Maximum number of trailer lots – 250

3. P.R. Zone special regulations

In the Parks and Recreation Zone, shown outlined and marked “P.R. Zone” on Sch. 205 hereto, all structures, placement or removal of fill of any kind, the use of the land for trailer lots or for the parking of any travel trailer or tent is prohibited.

4. Vehicular Access

Three points of vehicular access only shall be permitted, which points of access shall be located on the 5th Line Rd. in the approx. locations shown therefore on Sch. 205 hereto.

23 (397) SANITARY LANDFILL SITE

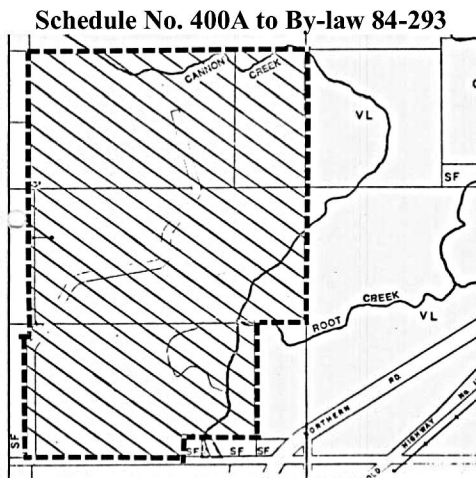
Notwithstanding the provisions of By-law 2005-150, the following lands which are all in the former Township of Tarentorus, now in the City of Sault Ste. Marie, which lands are shown outlined and marked “subject property” on Schedule 400A attached hereto and described as:

Firstly: the south half of the northeast quarter of Section 7, in the said township

Secondly: the north half of the southeast quarter of Section 7, in the said Township; and

Thirdly: part of the south half of the southeast quarter of Section 7, in the said Township, being more particularly described as Part 1 on Plan of Expropriation Registered as Instrument No. T-242176 may be used for a Sanitary landfill site.

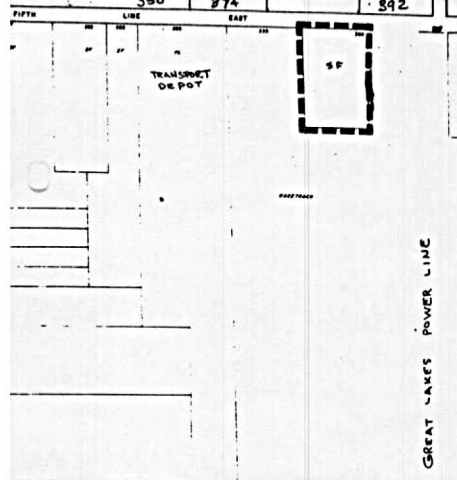
For the purpose of this by-law a “sanitary landfill site” shall mean a place where waste is deposited under controlled conditions including proper compaction and regular covering with an approved cover material. It also may include ancillary operations associated with the landfill site such as, but not limited to, leachate collection, site access, storage and maintenance of heavy equipment, the weigh scales and monitoring wells.



113 (919) SINGLE DETACHED HOME AND CONTRACTOR'S YARD - 369 FIFTH LINE EAST

Notwithstanding the provisions of By-law 2005-150, the lands described as all of Lot 8, Registrar's Compiled Plan No. H-741, Civic No. 369 Fifth Line East and are shown outlined and marked "subject property" on the map attached as Schedule No. 922 hereto, may be used to permit the existing contractor's yard, in addition to the single detached dwelling on the subject property, so long as the northerly 15.2m of the driveway entrance is asphalted.

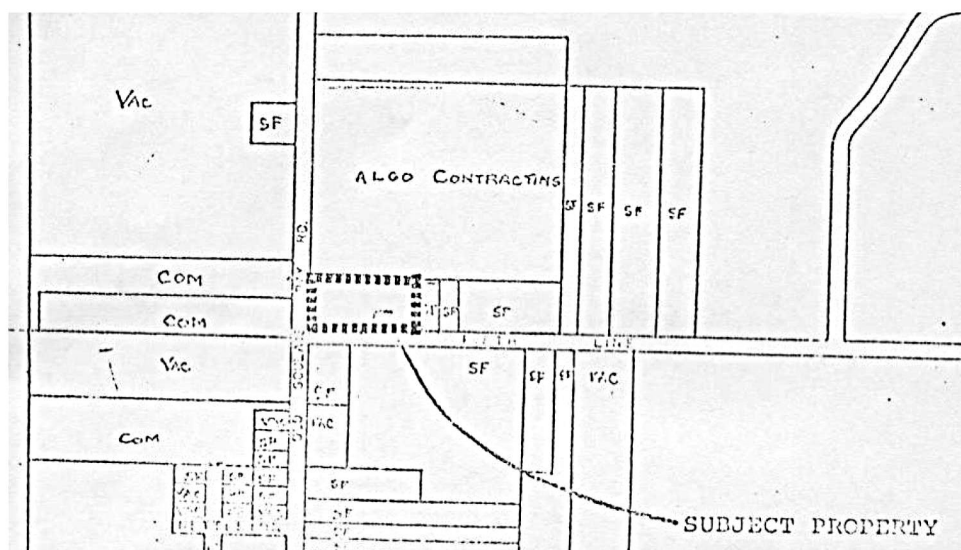
Schedule No. 922 to By-law 89-321



228 (229) CONCRETE PLANT – 224 – FIFTH LINE EAST

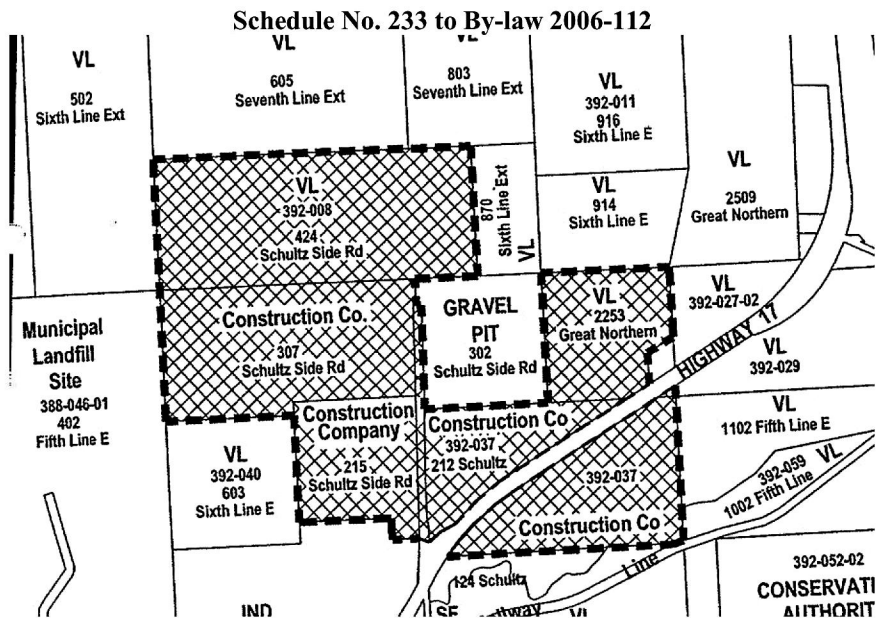
In addition to the uses permitted under the Rural Extraction Zone (REX) in By-law 2005 – 150, the land described as part of the Southwest Quarter of Section 7, former Township of Tarentorus, located at the northeast corner of Fifth Line East and Old Goulais Bay Road, described in Part 1 of Schedule 232 hereto and outlined and marked “subject property” in part 2 of Schedule 232 hereto, may be used to permit a concrete plant.

Schedule No. 232 to By-law 73-370



233 COMPOSTING YARD – 2125 GREAT NORTHERN ROAD

Despite the provisions of By-law 2005-150, the lands located on part of Sections 5 & 8 in the former Township of Tarentorus located on the north side of Great Northern Road at its intersection with Schultz Road and having Civic No. 2125 Great Northern Road and shown on Schedule NO. 233 hereto is changed from Rural Extraction Zone (REX) to Rural Extraction Zone with a special exception (REXS) to permit a composting yard for leaf and yard waste only, as an additional permitted use.

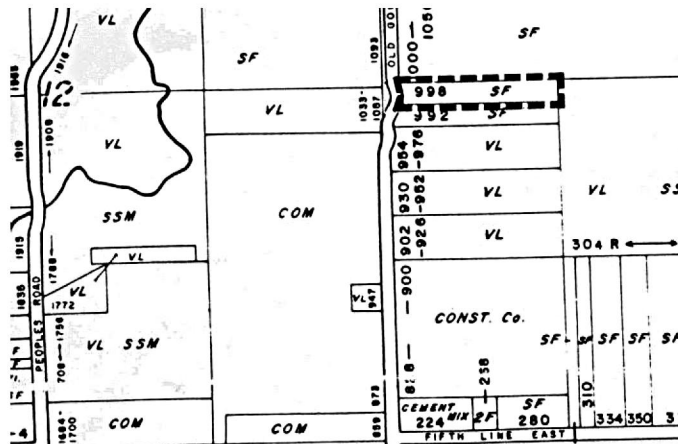


239 (896) HEAVY EQUIPMENT REPAIR AND MAINTENANCE – 998 OLD GOULAIS BAY ROAD

Notwithstanding the provisions of By-law 2005-150, the lands described as part of the northwest ½ of the northerly 10 acres of the north ½ of the west ½ of the southwest ¼ of Section 7 in the former Township of Tarentorus now in the City of Sault Ste. Marie, civic no. 998 Old Goulais Bay Road, to permit in addition to the existing single family residence, the repair of heavy equipment, subject to the following special provision:

- Vehicle body work and painting on the subject property is prohibited

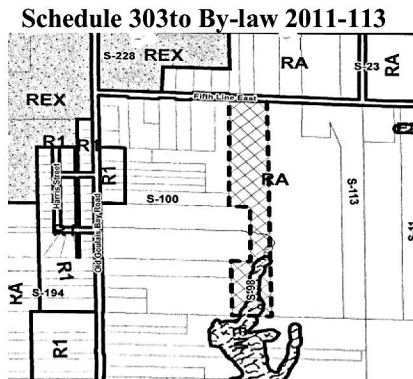
Schedule No. 898 to By-law 89-159



303 309 FIFTH LINE EAST

Despite the provisions of By-law 2005-150, the lands located at 309 Fifth Line East and marked “subject property” on the map attached may be utilized to permit, in addition to the uses permitted in a Rural Area zone, an electrical contractors yard subject to the following special provisions for the electrical contractors yard:

- a) The requirements of Section 4.9 of By-law 2005-150 (Buffer Requirements) are waived with respect to the east lot line;
- b) Bulk storage of fuel is prohibited on the subject property;
- c) Repair and maintenance to vehicles and equipment is prohibited on the subject property;
- d) Storage of wrecked or inoperable vehicles is prohibited on the subject property;
- e) The buffering requirements of section 4.9 of Zoning By-law 2005-150 are waived for that portion of the subject property lying between the southern limit of the compound area and the south limit of the subject property provided however that if the use of the electrical contractors yard expands into the area south of the compound area then the buffering requirements of Section 4.9 apply to any portion of the subject property south of the compound area used as an electrical contractors yard;
- f) The buffering provisions of Section 4.9 apply along the west lot line of the subject property from the southern limit of the existing vegetation along the west lot line to the south limit of any fenced compound area located on the subject property.



Appendix D

Photos of Properties in Expanded Area of Influence

Expanded Area of Influence

Properties 1, 2, 3 and 4



earth

400 ft

Expanded Area of Influence

Properties 5, 6, 7, 8 and 9



Old Goulals Bay Rd

Fifth Line E

earth

400 ft

Expanded Area of Influence

Properties 10, 11 and 12



earth

400 ft

Appendix E

Spills and Hazardous Materials Policy



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 1 of 6

TABLE OF CONTENTS

1.0	PURPOSE	1
2.0	SCOPE	1
3.0	IMMEDIATE RESPONSE	1
5.0	PHASES	2
6.0	PHASE 1 - DISCOVERY & NOTIFICATION	2
7.0	PHASE 2 - CONTAINMENT AND COUNTERMEASURES	3
8.0	PHASE 3 - CLEAN UP AND DISPOSAL	4
9.0	DISPOSAL METHODS	4
10.0	SUMMARY	4
11.0	DEFINITIONS	4

1.0 PURPOSE

The best method of avoiding spill incidents is by prevention. This plan provides a response mechanism for spills of oil and other hazardous materials on the premise of the Sackville Works Centre, Municipal Landfill Site, as well as off-site Public Works equipment related spills on municipal property or in municipal right of ways.

1.1 Spills on any other locations are to be handled as outlined in the City Emergency Response Plan.

2.0 SCOPE

All employees of the Department of Public Works and Engineering Services.

3.0 IMMEDIATE RESPONSE

This plan is applicable to incidents involving accidental spills and discharge of hazardous gaseous, liquid or solid substances. The severity of the spill, which in itself can be controlled by nature and quantity of pollutant in the locality, will determine the level of response required. It is imperative that all moderate and major spills and discharges of hazardous materials be immediately reported to Fire Services who will call the agencies listed below as required.

Fire Services	705-949-3333
Emergency	911
Ministry of Environment (Spills Action Reporting)	1-800-268-6060
Emergency Measures	



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 2 of 6

Minor spills are to be reported to the direct supervisor and a Public Works mechanic.

4.0 ASSESSMENT OF SPILL MAGNITUDE

Before any effective action can be taken to remedy the effects of any kind of spill, it is necessary to assess the type of containment and the magnitude of the spill.

- 4.1 When a spill is reported, Fire Services will be notified immediately and they will be responsible for notifying the appropriate officials. All reported spills will be investigated by responsible City and/or Ministry authorities as soon as it is practical to do so.

5.0 PHASES

There are three (3) phases to a spill response:

- Phase 1 Discovery and Notification
- Phase 2 Containment and Countermeasures
- Phase 3 Clean up and Disposal

6.0 PHASE 1 - DISCOVERY & NOTIFICATION

The notification of a spill could be received from many sources. The message will immediately be reported to Fire Services. The Fire Services staff member receiving the report will solicit all the information possible.

- 6.1 The Fire Services staff member receiving the report will at once have the incident investigated by Fire Services or appropriate authority depending on the circumstances.
- 6.2 The Sault Ste. Marie Fire Services is the local agency, which has equipment to respond to hazardous material spill, and every effort shall be made to contact them before taking any action.
- 6.3 The individual arriving at the scene and appraising the situation, will report to Fire Services, who in turn will report to the appropriate officials. This report should fall into one of the following categories:



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 3 of 6

6.4 Report

Action to be Taken

- | | |
|--|--|
| a) No evidence of a spill | Note in report and inform all concerned |
| b) Minor problem; no further action to be taken | Note in report and inform all concerned |
| c) Action to be taken to contain or clean up with the following results: | |
| 1. Satisfactory | Note in report and inform Fire Department |
| 2. Unsatisfactory | In conjunction with the Ministry of the Environment, Conservation & Parks and Fire Services, take the necessary action to ensure spill is cleaned up |
| 3. Spill with No Action Taken | Implement Spill Contingency Plan as outlined in the Emergency Measures Plan for the City to contain and control the spill if the magnitude so warrants |

- 6.5 The person calling in will give a verbal report. Fire Services, having been notified by the receiver on duty and having arrived on site, will institute action procedures as required.

7.0 PHASE 2 - CONTAINMENT AND COUNTERMEASURES

Action to be taken during this phase will depend entirely on the type and extent of the problems encountered. The spill might be minor enough to be contained and cleaned up by personnel on site. It might be of major proportion necessitating the implementation of the City of Sault Ste. Marie Contingency Plan for Spills and other Hazardous Materials, or moderate enough to require something less than a full response by the City.

- 7.1 Fire Services personnel on the scene must, after assessing the situation, decide on the necessary countermeasures to be taken and see that these countermeasures are put in effect.



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 4 of 6

7.2 UNDER NO CIRCUMSTANCES will Public Works and Engineering Services personnel employ chemical spill treating agents without the express authorization of the Ministry of the Environment, Conservation & Parks, the Fire Chief, Deputy Chief or senior Fire Officer present, who are the only authorized authority for the deployment of such agents.

8.0 PHASE 3 - CLEAN UP AND DISPOSAL

This will normally be the responsibility of Public Works and Engineering Services under the direction of the Ministry of the Environment. Fire Services may participate through direct arrangements with the Ministry of the Environment, Conservation & Parks. If deemed necessary by the Fire Chief or his designate, Fire Services will remain at the scene to provide whatever protection is required.

9.0 DISPOSAL METHODS

The method of disposal of contaminated absorbents such as earth, sandbags, bales of hay, etc., will be decided by the Ministry of the Environment in consultation with the Public Works and Engineering Services.

10.0 SUMMARY

The response to a spill of any kind of hazardous material will be a joint effort of the Public Works and Engineering Services, the Ministry of the Environment and the Fire Services. Fire Services personnel first on the scene will make an assessment of the situation and take all necessary steps to ensure containment and eventual disposal of containment and clean up products is properly handled. Speed in making decisions is vital. City and Ministry personnel will work together as a team, both at the site and in the Emergency Operations Centre, if required. Additional support will be called in as necessary and the City's Emergency Plan will be put into effect if conditions warrant it.

10.1 The Emergency Operations Centre will be located at a site to be determined by the Fire Department or as stipulated in the Emergency Measures Plan for the City.

11.0 DEFINITIONS

11.1 Minor Spills

A minor spill is a discharge of oil or other hazardous materials.



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 5 of 6

Of such magnitude in which the Public Works and Engineering Services can utilize their own resources or the resources available to take the necessary measures to control, contain and clean up the material spilled.

Of such magnitude as to have no significant effects on fish, wildlife, plant or other living things.

Not likely to significantly effect or interfere with any private, municipal, industrial, Institutional or other water supply.

Of such a nature as not to generate public concern.

11.2 Moderate Spill

A moderate spill is a discharge of oil or other hazardous material.

Of such magnitude that it requires the resources under the City contingency plan to effectively contain and clean up the material.

Of a volume or type likely to present a significant hazard to fish, wildlife, plants or other living things.

Of such a nature that is likely to result in adverse effects or interferes with any private, municipal, industrial, institutional or other water supply within the immediate vicinity of the spill site.

Of such a nature as to generate public concern in the vicinity of the spill site.

11.3 Major Spill

A major spill is a discharge of oil or other hazardous material.

Of a magnitude requiring resources in addition to those available under the City contingency plan, or a spill, which gets out of control when action is being taken under the City Contingency Plan.

Which adversely effects or interferes with, or will adversely interfere or affect private, municipal, industrial, institutional or other water supply systems beyond the spill site.

Of such a nature as to present a hazard to human health.



Subject: **SPILLS AND HAZARDOUS MATERIALS**

Division: All divisions

Page: 6 of 6

Of such a nature as to have or most likely to have a serious effect on fish, wildlife, plants or other living things.

Of such a nature as to generate considerable public concern.