

AGENDA FOR REGULAR COUNCIL MEETING
Tuesday, October 22nd 2024 – 6:00 pm



1. CALL TO ORDER

Land Acknowledgement

2. APPROVAL OF AGENDA

3. DECLARATIONS OF PECUNIARY INTEREST

4. DEPUTATIONS

None

5. MINUTES OF PREVIOUS MEETING(S)

5.1. Minutes – Regular Council Meeting – October 8th 2024

Recommendation:

BE IT RESOLVED that the Minutes of the Regular Council Meeting held on Oct 8th 2024 be approved

6. DISBURSEMENT LIST

6.1. Payroll Report

6.2. Payment Register

Recommendation:

BE IT RESOLVED that Council approve the disbursements represented by Check Numbers 7128 through 7147 totalling \$57,978.61 and electronic bank payments totalling \$2,142.66, for a grand total of \$60,121.27

7. REPORTS FROM MUNICIPAL OFFICERS

7.1. Clerk's Report

Topics include: Official Plan, co-op student, OTIF

7.2. Public Works Report

Topics include: maintenance, landfill

7.3. Fire Chief Report

7.4. Deputy Clerk-Treasurer Report

Topics include: administrative tasks; training completed or scheduled

7.5. Councillor Reports (verbal)

Topic: A summary of activities and meetings

7.6. Other Agencies' Reports

8. NEW BUSINESS

none

9. BY-LAWS

9.1 Draft 2024 Zoning By-Law

Action requested: review, comment

10. CORRESPONDENCE

10.1 Ministry of Municipal Affairs – Approval of Official Plan

10.1.1 Official Decision

10.1.2 Notice of Decision

10.1.3 Township of Conmee – 2024 Official Plan (as amended by MMAH)

10.2 AMCTO – Municipal Elections Act report

10.2.1 Draft resolution

Action requested: support

10.3 NOMA: critical shortage of paramedics in Northwestern Ontario

Action requested: support

10.4 NOMA: Ontario Immigrant Nominee Program

Action requested: support

10.5 NOMA: Ontario Northland Transportation Commission

Action requested: support

10.6 NOMA: Billy Bishop Airport

- 10.6.1 NOMA: resolution regarding Billy Bishop Airport
Action requested: support
- 10.7 Town of Tillsonburg: resolution regarding Continued Funding Support of Southwest Community Transit
Action requested: support
- 10.8 Intact Insurance – webinars
Action requested: determine attendance
- 10.9 Other correspondence

11 UPCOMING MEETING DATES

October 22 nd , 2024	Regular Council Meeting
November 12 th , 2024	Regular Council Meeting
November 26 th , 2024	Regular Council Meeting
December 17 th , 2024	Regular Council Meeting
January 14 th , 2025	Regular Council Meeting
January 28 th , 2025	Regular Council Meeting
February 11 th , 2025	Regular Council Meeting
February 25 th , 2025	Regular Council Meeting
March 11 th , 2025	Regular Council Meeting
March 25 th , 2025	Regular Council Meeting
April 8 th , 2025	Regular Council Meeting
April 22 nd , 2025	Regular Council Meeting
May 13 th , 2025	Regular Council Meeting
May 27 th , 2025	Regular Council Meeting
June 10 th , 2025	Regular Council Meeting
June 24 th , 2025	Regular Council Meeting

12 CLOSED SESSION

- 12.1 Closed Minutes – October 8th 2024

13 CONFIRMING BY-LAW

- 13.1 By-law 1470 – To Confirm the Proceedings of the Meeting

Recommendation:

BE IT RESOLVED THAT By-law 1470 be passed;

AND, FURTHER, THAT the Mayor and Clerk be authorized on behalf of the Township of Conmee to affix their signatures to By-law No. 1470, being a By-law to confirm the proceedings of this evening's meeting.

14 ADJOURNMENT

MINUTES - REGULAR COUNCIL MEETING
Tuesday, October 8th 2024 – 6:00 pm



PRESENT: Mayor Sheila Maxwell
Councillor David Maxwell (virtual)
Councillor Grant Arnold (virtual)
Councillor Chris Kresack
Councillor David Halvorsen

ALSO PRESENT: Shara Lavalley, CAO/Clerk
Tara Wupori, Deputy Clerk-Treasurer
Leanne Maxwell, Treasurer
Olabisi Akinsanya-Hutka, HR Assistant (virtual)
Len Arps, Public Works Manager

1. CALL TO ORDER

Mayor Maxwell called the meeting to order at 6:01 p.m.

Mayor Maxwell provided a statement of land acknowledgement.

2. APPROVAL OF AGENDA

RESOLUTION 2024-0196

Moved by Councillor Kresack

Seconded by Councillor Arnold

BE IT RESOLVED THAT the agenda for the regular council meeting of October 8th, 2024 be approved

CARRIED

3. DECLARATIONS OF PECUNIARY INTEREST

4. DEPUTATIONS

None

5. MINUTES OF PREVIOUS MEETING(S)

5.1. Minutes – Special Council Meeting – September 20th 2024

RESOLUTION 2024-0197

Moved by Councillor Kresack

Seconded by Councillor Maxwell

BE IT RESOLVED that the Minutes of the Special Council Meeting held on Sept 20th 2024 be approved

CARRIED

5.2. Minutes – Regular Council Meeting – September 24th 2024

RESOLUTION 2024-0198

Moved by Councillor Halvorsen

Seconded by Councillor Kresack

BE IT RESOLVED that the Minutes of the Regular Council Meeting held on Sept 24th 2024 be approved

CARRIED

6. DISBURSEMENT LIST

6.1. Payroll Report

6.2. Payment Register

RESOLUTION 2024-0199

Moved by Councillor Arnold

Seconded by Councillor Halvorsen

BE IT RESOLVED that Council approve the disbursements represented by Check Numbers 7117 through 7127 totalling \$33,081.69 and electronic bank payments totalling \$4,908.95, for a grand total of \$33,081.69

CARRIED

7. REPORTS FROM MUNICIPAL OFFICERS

7.1. Clerk's Report

Topics include: dog complaints, co-op student, fire auxiliary, grant opportunities

The MBLEO responded to a dog running at large complaint. As it was the second incident, the owner was ticketed. A full report was filed at the office. OCIF Allocation notice for 2025 was received. Amount is \$100,000 the same as years before. The FOTENN consultants had a quick meeting with MMAH who advised that the final decision should be made shortly regarding the Official Plan. The Ministry of Municipal Affairs and Housing, Northern Municipal Services Office has scheduled its annual Northwest Planning Workshop for October 23rd & October 24th. The Clerk and Deputy Clerk-Treasurer shall attend the workshop.

7.2. Public Works Report

Activities included grading and work at the landfill. Calcium was applied where needed. Thirteen loads of driveway mix was placed on Pokki Road. Blowdown from recent windstorm cleared up. Inventory of road signs to be conducted. Trespassing at landfill occurred; an investigation determined the trespassers who were issued a temporary suspension of privileges by the OPP.

7.3. Deputy Clerk-Treasurer Report

Administrative tasks included policy reviews, municipal elections preparation and health & safety.

7.4. Councillor Reports

Mayor Maxwell attended an EMPC meeting.

Councillor Arnold attended a LRCA directors meeting, an EMPC meeting, and the TBDSSAB CAO retirement party. He advised that Kenora and Wawa received money from local DSSABs to build seniors housings. He also advised that TBDHU has vaccines available for vulnerable populations.

Councillor Maxwell provided the monthly generator report. He also attended a TBDML meeting.

Councillor Halvorsen received general public inquiries.

7.5. Other Agencies' Reports

Received for information:

TBDML June 15th minutes

LRCA minutes for August 28th 2024

8 NEW BUSINESS

8.1 Municipal Alcohol Policy

More changes were requested. Staff shall bring back at a later date.

8.2 Asset Management Plan (2024 draft)

Council accepted the 2024 draft Asset Management Plan.

It agreed that discussions should be started to determine the plan for achieving compliance with July 2025 provincial regulations. Staff shall bring back a report at a later date.

RESOLUTION 2024-0200

Moved by Councillor Arnold

Seconded by Councillor Halvorsen

BE IT RESOLVED that Council approve the 2024 Asset Management Plan

CARRIED

8.3 Variance report

The Treasurer reviewed the variance with Council and responded to questions.

9 BY-LAWS

9.1 By-Law 1468 – appoint community representatives to Lakehead District OPP Detachment Board

RESOLUTION 2024-0201**Moved by Councillor Halvorsen****Seconded by Councillor Arnold**

BE IT RESOLVED THAT By-law 1468 be passed;

AND, FURTHER, THAT the Mayor and Clerk be authorized on behalf of the Township of Conmee to affix their signatures to By-law No. 1468, being a by-law to appoint a representative to the Lakehead District OPP Detachment Board (LDODB)

CARRIED**10 CORRESPONDENCE**

- 10.1 JML Engineering: 2024 Structural Inspection Three Bridges
Council reviewed the inspection and directed the Treasurer to include the report in the 2025 budget discussions.
- 10.2 OPP Annual Billing
10.2.1 Annual Billing Statement
Received for information. The 2025 costs will be \$103,215.
- 10.3 Red Rock – request for sponsorship of Beer Fest
Council agreed to donate one ¼ page ad in the Conmee newsletter for advertising.
- 10.4 MOBIA – upgrade networking on Ilkka and Pokki
Council reviewed the proposed upgrades and had no concerns.
- 10.5 ROMA: annual conference
Council approved the attendance of Mayor Maxwell, Councillor Maxwell and Treasurer Maxwell to the 2025 ROMA conference.
- 10.6 Brock – resolution regarding rideshare services

RESOLUTION 2024-0202**Moved by Councillor Halvorsen****Seconded by Councillor Arnold**

BE IT RESOLVED that the Council of the Township of Conmee supports the resolution by the Township of Brock requesting the migration of ride-share regulations and licensing from the municipal level to the provincial level

AND THAT copies of this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario; the Honourable Prabmeet Sarkaria, Minister of Transportation; the Honourable Paul Calandra, Minister of Municipal Affairs and Housing; the Honourable Kevin Holland, Member of Provincial Parliament for Thunder Bay - Atikokan; and the Association of Municipalities of Ontario (AMO)

CARRIED

- 10.7 Cobourg – resolution regarding support of involuntary care for individuals with severe mental health and addictions issues

Not supported.
- 10.8 East Ferris – resolution requesting combined OGRA/ROMA conference

RESOLUTION 2024-0203**Moved by Councillor Kresack****Seconded by Councillor Halvorsen**

BE IT RESOLVED that the Council of the Township of Conmee supports the resolution by the Municipality of East Ferris requesting both the ROMA & AMO Boards to establish a combined ROMA/AMO annual conference and that should the conferences be combined and held during the winter months, as has been past practice for the ROMA conference, that a hybrid participation option be considered as winter weather can be unpredictable and not all persons who wish to attend can do so in person;

AND THAT copies of this resolution be forwarded to ROMA, AMO, and MPP Kevin Holland (Thunder Bay – Atikokan)

CARRIED

- 10.9 Larder Lake – resolution requesting financial assistance to complete Asset Retirement Obligations

RESOLUTION 2024-0204

Moved by Councillor Arnold

Seconded by Councillor Halvorsen

BE IT RESOLVED that the Council of the Township of Conmee supports the resolution by the Township of Larder Lake requesting the province of Ontario to provide financial assistance to municipalities to complete the Asset Retirement Obligations (ARO)

AND THAT copies of this resolution be forwarded to Minister of Municipal Affairs and Housing, MPP Kevin Holland (Thunder Bay – Atikokan) and the Association of Municipal Clerks and Treasurers

CARRIED

- 10.10 St Charles – resolution regarding nicotine pouches

RESOLUTION 2024-0205

Moved by Councillor Arnold

Seconded by Councillor Kresack

BE IT RESOLVED that the Council of the Township of Conmee supports the resolution by the Municipality of St. Charles requesting Health Canada to amend regulations regarding the sale and use of nicotine pouches

AND THAT copies of this resolution be forwarded to the Premier of Ontario, Doug Ford; the Deputy Premier and Minister of Health, Sylvia Jones; MPP Kevin Holland (Thunder Bay – Atikokan); TBDHU, and the Association of Municipalities of Ontario (AMO)

CARRIED

- 10.11 Temiskaming – resolution regarding alcohol sales in convenience stores and locations that sell fuel to drivers

Not supported

- 10.12 Other correspondence
Received for information

11 UPCOMING MEETING DATES

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February 25 th , 2025	Regular Council Meeting
March 11 th , 2025	Regular Council Meeting
March 25 th , 2025	Regular Council Meeting
April 8 th , 2025	Regular Council Meeting
April 22 nd , 2025	Regular Council Meeting

12 CLOSED SESSION

RESOLUTION 2024-0206

Moved by Councillor Kresack

Seconded by Councillor Halvorsen

BE IT RESOLVED THAT, the time being 8:16 p.m., Council resolve into closed session, under the authority of paragraph 239(2)(a) and (b) of the Municipal Act, 2001 to discuss Item 12.3 regarding security of the property of the municipality and involving personal matters about identifiable individuals

AND under the authority of those paragraphs of the Municipal Act, 2001 for which they were authorized to be closed, to review the minutes of the closed sessions of the meetings of September 20th 2024 and September 24th 2024

CARRIED

- 12.1 Closed Minutes – September 20th 2024
- 12.2 Closed Minutes – September 24th 2024
- 12.3 Landfill – Trespassing Incident (verbal)

RESOLUTION 2024-0207

Moved by Councillor Kresack

Seconded by Councillor Halvorsen

BE IT RESOLVED THAT, the time being 8:43 p.m., Council rise from closed session and report in open session

AND THAT the Closed Minutes of the Special Council Meeting held on September 20th 2024 be approved

AND THAT the Closed Minutes of the Regular Council Meeting held on September 24th 2024 be approved

AND THAT Administration proceed as directed

CARRIED

13 CONFIRMING BY-LAW

- 13.1 By-law 1469 – To Confirm the Proceedings of the Meeting

RESOLUTION 2024-0208

Moved by Councillor Arnold

Seconded by Councillor Maxwell

BE IT RESOLVED THAT By-law 1469 be passed;

AND, FURTHER, THAT the Mayor and Clerk be authorized on behalf of the Township of Conmee to affix their signatures to By-law No. 1469, being a By-law to confirm the proceedings of this evening's meeting.

CARRIED

14 ADJOURNMENT

Meeting was adjourned at 8:44 p.m.

Mayor Sheila Maxwell

Clerk Shara Lavallee

Staff Payroll -Oct 11, 2024

	Administration	Public Works	Landfill	Complex	Fire	Council	Total
Wages	6,693.53	4,826.40	452.13	301.00			12,273.06
EI	158.35	112.16	10.69	7.28			288.48
CPP	370.31	271.15		10.62			652.08
RRSP	225.06	170.63					
mileage	308.70						308.70
total	7,755.95	5,380.34	462.82	318.90			13,918.01

Township of Conmee
Payment Register

Report Date

Batch: 2024-00110 to 2024-00114 2024-10-18 2:31 PM

Bank Code: GEN - TD Operating Account

Payment #	Vendor	Amount	
Computer Cheque			
7128	Bay City Contractors	5,363.34	
7129	BDO Canada LLP	7,345.00	audit
7130	Bay Lock & Security	1,615.90	security cameras
7132	CRC Communications	9,000.45	radios fire department
7133	Fort Garry Industries	112.89	
7134	GFL Environmental Inc	620.38	
7135	Lavallee, Shara	300.00	
7136	McKitricks	1,197.80	OPG flood easement
7137	MicroAge	150.65	
7138	Moffat Supply & Specialties	1,824.80	equipement parts
7139	NorthRock Engineering	3,121.63	landfill monitoring
7140	Pines Hardware Inc.	15.81	
7141	Pollard Distribution Inc	8,994.73	calcium
7142	Spectrum Telecom Group Ltd	531.10	
7143	Thunder Bay DSSAB	7,690.00	
7144	Ultramar	2,658.25	
7145	Xerox Canada Ltd	59.88	
7147	Minister of Finance	7,376.00	
		57,978.61	
Other			
123	Manulife	1,652.16	
353	TBayTel	395.50	
927	Bell Canada	95.00	
		2,142.66	
		60,121.27	

**The Corporation of the Township of Conmee
Administrative Report**

Date: October 22 2024

To: Mayor and Council

Subject: Administrative Activity Report

File Number: 01-C10-0000 Administrative Activity Reports

Submitted by: Shara Lavallée, Clerk

RECOMMENDATION:

none

BACKGROUND:

Administration reports to Council, at regular council meetings, on its activities.

DISCUSSION:

The Official Plan has been approved by the Ministry of Municipal Affairs and Housing. The draft new Zoning By-Law was included in the agenda for council's review. Once Council is satisfied with the Zoning By-Law, it will be brought forward for passing.

The co-op student has integrated well into the team. He has finished a comprehensive review of the land survey records. He also created a spreadsheet so that the surveys can be easily searched when responding to property line concerns.

The co-op student has been introduced to several treasury duties such as accounts payable and records management.

The co-op student is currently conducting a review of the Municipal By-Laws in order to determine which are defunct, which need review and which are in conflict with current laws. For example, a 1954 by-law mandates the vaccination of all female cows for brucellosis; however, Ontario provincial law prohibits the use of such vaccinations. And under a 1936 by-law, the Treasurer is the municipal bailiff (which may or may not be valid anymore).

OTIF

The Ministry of Transportation of Ontario (MTO) has launched a new funding program called the Ontario Transit Investment Fund (OTIF). This initiative aims to enhance transit services across the province, ensuring better connectivity and sustainable transportation solutions for all communities. A project must fill a transit service gap to be eligible for funding. The Ministry's funding contribution for this program will be limited to a maximum of five years. OTIF will

provide up to 50 per cent of total multi-year project costs. Fares must be charged for OTIF projects. However, to meet community need and deliver more equitable transit services, eligible projects may charge reduced or waived fares to support the affordability of the proposed service for users (e.g., seniors, low-income individuals). Project Teams should include all municipalities (upper and lower tier) and all First Nation communities in the proposed service area or provide strong rationale for why they are not included.

If Council is interested to such a project, it is recommended that partnerships be sought with adjoining municipalities to strengthen the success of the project and increase the size of the service area.

Office schedule:

Oct 23-24	Clerk/Deputy	MMAH Planning Workshop (Thunder Bay)
Oct 25	Clerk	Off
Oct 30 - Nov 1	Treasurer	Off
Nov 11	Remembrance Day	Office closed

**The Corporation of the Township of Conmee
Report**

Date: October 22nd 2024
To: Mayor and Council
Subject: Public Works Report
Submitted by: Len Arps, Public Works Manager

Activities

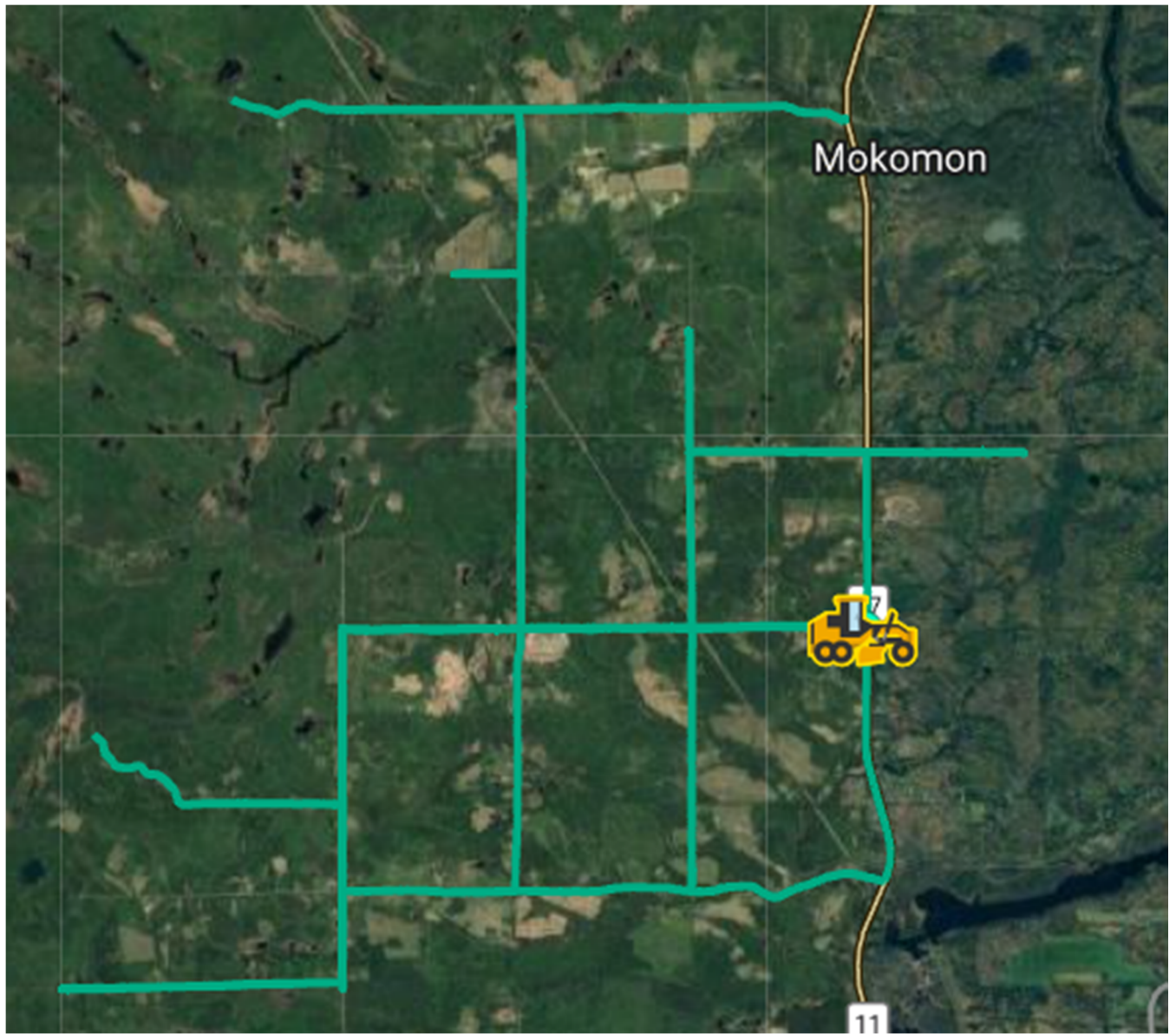
Roads

- Grading
- Take Community Centre garbage to landfill
- Work at landfill with 190
- Clean up blow down
- Put two entrance culverts in Enders Rd N and S

Equipment

- Take 9000 for safety

Grader Map



Fire Chief's Report

Oct 22, 2024 submitted Oct 18

This month we have resumed weekly training as usual, ensuring that while our pumper is overdue for replacement, it is currently capable of the performance expected of it. So far it has operated as expected.

Most of our staff have been fit tested and trained on SCBA, with only one member needing to be brought up to date.

Our firefighter Cody Dysievick has completed his FF1 training and is now trained and capable to respond to fire, EFR, and MVC calls. This is exciting news and we are hoping for more staff to attend courses next year.

As you know, at the previous meeting two of our members resigned. This was a loss for the team, but we are looking forward to training our newest member, Melissa Jobson. We also have a couple of community members expressing interest.

Sandra Parfeniuk and Melissa Jobson are enrolled for the EFR Certification course starting October 26th. Shiela Maxwell will be completing her EFR certification this month as well as a recertification for myself.

A maintenance ticket has been submitted for the repeater at our station. There have been ongoing issues with radio reception in our area, an inspection of the repeater will clarify if that is the issue.

Next week (this week) I will be reviewing our fireworks and open air burning bylaws as the deputy clerk has informed me that these are up for renewal. I was hoping to take a look at these sooner, however a busy schedule has kept me from giving them prior attention.

Conmee Emergency Services have responded to two medical calls and two C/O alarm calls this month.

I am optimistic and looking forward to what next month will bring.

Fire Chief- Robb Day

To: Mayor and Council

Subject: Deputy Clerk-Treasurer/Health and Safety Representative Activity Report

Submitted by: Tara Wupori, Deputy Clerk-Treasurer Intern/Health and Safety Representative

RECOMMENDATION:

- For Information

BACKGROUND:

The Deputy Clerk-Treasurer and Health and Safety Representative reports to Council, at regular council meetings, on her activities.

DISCUSSION:

A review of what has been worked on by Deputy Clerk Treasurer/Health and Safety Representative.

Tasks Worked On:

- Working on NOHFC Rural Enhancement Funding Stream 1 application
- Opened communication with LRCA to discuss potential ideas for Municipal Climate Resiliency Grant from Intact Insurance Company
- Attended Fall Amethyst Sector Meeting on October 10th 2024
- Attended MFOA Northern Finance Workshop on October 16th-18th 2024 – Working with Treasurer to look in to potential updates for Procurement By-law 1270
- Continued monthly inspections
- Continued creating monthly Safe Talks
- Assisted HR with administrative duties

- Begun updating By-law 690 “Open Air Burning” to include burning at the landfill
- Continued to receive training from Clerk in regard to administrative duties
- Enrolled in MSO Planning workshop-North for Ministry of Municipal Affairs and Housing on October 23rd & 24th
- Enrolled in WSPS Partners in Prevention 2024 Regional Health & Safety Conference (Forum North) & Trade Show November 5 & 6th 2024
- Enrolled in IMS-200 November 26 - 27, 2024 and enrolled in EM-200 December 9th-11th 2024

Other Agencies' Reports

The actual email is available if you would like it sent; most reports are also available online

1. TBDSSAB – Minutes September 2024
2. TBDHU – Minutes September 2024
3. TBDSSAB Update from the Board: September 2024



Township of Conmee

Zoning By-law
October 2024





Prepared for Township of Conmee

Prepared by Fotenn Planning + Design
396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7

October 2024

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1.0

Interpretation & Administration

1.1 Title

- 1) This By-Law shall be known as the Zoning By-Law of The Corporation of the Township of Conmee.

1.2 Application

- 1) The provisions of this By-Law shall apply to all of the lands within the boundaries of the Township of Conmee, as legally constituted now or hereafter.

1.3 Scope

- 1) No lands shall be used and no buildings or structures shall be erected, altered, enlarged, or used within the Township of Conmee, except in conformity with the provisions of this Zoning By-Law.
- 2) Despite provision (1), nothing in this By-Law prevents the use of any land, buildings or structures for any purpose prohibited by this By-Law if such land, buildings or structures were lawfully used for such purpose on the day this By-Law came into force.

1.4 Minimum Regulations

- 1) In interpreting and applying the provisions of this By-Law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Township of Conmee.

1.5 Meaning of Use

- 1) Unless the context otherwise requires, the expressions "use" or "to use" in this By-Law include anything done or permitted by the owner or occupant of any land or building, directly, indirectly, by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

1.6 Meaning of Shall

- 1) In this By-Law, the word "shall" is always to be construed as mandatory.

1.7 Numbers

- 1) In this By-Law, unless the contrary intention appears, words imparting the singular number shall include more persons, parties, or things of the same kind than one, and the converse.

1.8 Administration

- 1) This By-Law shall be administered by the Clerk and/or such other person or persons as the Council of the

Township of Conmee designates.

1.9 Licenses and Permits

- 1) No Township permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-Law, except where expressly permitted.

1.10 Application of Other By-Laws

- 1) Nothing in this By-Law shall serve to relieve any person from the obligation to comply with the requirements of any By-Law of the Township in force from time to time, or the obligation to obtain any licence, permit, authority or approval required under any By-Law of the Township.

1.11 Validity

- 1) Should any section, clause or provision of this By-Law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-Law shall not be affected.

1.12 Repeal of Existing By-Laws

- 1) By-Law No. 645 and all By-Laws amending By-Law No. 645 are hereby repealed.

1.13 Continuation of Prosecution Following Repeal

- 1) The passage of this By-Law does not affect the right of the Corporation of the Township of Conmee to prosecute any violation of the previous by-Law, if the violation occurred while the by-Law was in effect.

1.14 Application of Other Legislation/Regulations

- 1) Where the regulations or requirements of any federal or provincial government impose greater restrictions than the restrictions imposed by this By-Law, then such greater restrictions shall apply.

2.0 Definitions

For the purpose of this Zoning By-law, the definitions and interpretations given herein shall govern.

Abut

shall mean to share a common lot line, and abutting has a corresponding meaning.

Accessory

shall mean a use, a building or a structure that is normally incidental, subordinate and exclusively devoted to a main use, building or structure and that is located on the same lot as the principal use.

Accessory Building

shall mean a separate subordinate building, not used for human habitation, that is used or intended for the better or more convenient enjoyment of the main building to which it is accessory and located upon the same lot as the main building.

Accessory Use

shall mean a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a principal use of land or building and located on the same lot.

Active Transportation

shall mean 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.

Aggregate

shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed material under the appropriate statute.

Agricultural Use

shall mean 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-Tourism Use

shall mean those farm-related tourism uses, including limited accommodation, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related Use

shall mean 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.

Alter

When used in reference to a building or structure or part thereof, shall mean to change the use or the external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof.

When used in reference to a lot, the word "alter" shall mean to change the area frontage, or depth thereof, to change the width, depth, or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a road or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" or "alteration" shall have corresponding meanings.

Animal Hospital or Veterinary Clinic

shall mean a building wherein animals, birds, and other livestock are examined and/or surgically or medically treated or kept under the care of one or more license veterinarians and associated staff.

Approved

shall mean approved by the Council of the Corporation of the Township of Conmee.

Archaeological Resources

shall include 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

shall mean 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

shall mean 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)

shall mean 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.

Assembly Hall

shall mean a building or part thereof in which facilities are provided for such purposes as meetings for civic, educational,

political, recreational, religious or social purposes, and with limiting the generality of the foregoing may include such facilities as an auditorium, a banquet hall or private club.

Attached

shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

Auction Establishment

shall mean the offering for sale of new and used goods by means of request or invitation for bids, includes a livestock auction sales barn and vehicle or liquidation auction.

Automobile Body Shop

shall mean an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard as defined herein.

Automobile Dealership

shall mean a place where new or used passenger or family vehicles such as cars, vans, motorcycles and trucks, are leased, rented, sold or auctioned at retail. Accessory uses may include enclosed and/or exterior showroom and areas for display; car wash; automobile service; automotive parts sales/distribution; automobile body and structural work and painting; storage and parking areas for vehicles which are for lease, rent, sale or auction and for those being serviced by the dealership; office space; and restricted eating establishment.

Automotive Gas Bar

shall mean the use of land, or building, or structure where vehicle fuel (not including propane), or lubricants, are offered for sale but where no provision is made for the repair or maintenance of vehicles. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be allowed in conjunction therewith, provided the gross floor area devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.

Automobile Service Station

shall mean a building where gasoline, propane, diesel fuel or oil is kept for sale including alternative sources of fuel or electrical charging stations, where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a commercial garage are carried on.

Automotive Store

shall mean an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance and repair operations on motor vehicles. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

Basement

shall mean that portion of a building between two floor levels which is more than 50 percent below the ground level at the exterior walls.

Batching Plant, Asphalt or Concrete

shall mean an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the productions process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

Bed and Breakfast

shall mean a dwelling unit, situated in a single-detached, semi-detached or duplex dwelling, in which not more than three bedrooms, or one less than the total number of bedrooms in the dwelling unit, whichever is the lesser, are used to provide overnight accommodation, for profit or gain, with or without meals, to the travelling or vacationing public.

Boarding and Rooming House

shall mean any building or portion thereof in which the proprietor resides and supplies for hire or gain to more than two persons, exclusive of the lessee or owner thereof or members of their family, lodging, and/or meals, and excluding a hotel, motel, hospital, home for the young or the aged, institution, or restaurant accommodating the general public.

Brownfield Site

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

Building

shall mean any structure, consisting of walls and a roof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods and/or materials.

Building Area

shall mean the area of the lot within which permitted buildings or other structures may be erected, used and maintained and shall be calculated by deducting all appropriate yard areas and setbacks from the gross lot area.

Building, Main

means the building which contains the principal use of the lot on which such building is located. In any residential zone, a dwelling shall be deemed to be a main building on the lot on which it is located.

Built Heritage Resource

shall mean 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.

Bulk Sales Establishment

shall mean the use of land, structure or building for the purpose of storing, buying and selling coal, fuel, oil, propane, wood, lumber, building materials, ice, and allied commodities but does not include any manufacturing, assembling, or processing uses.

Campground

shall mean an area used for a range of overnight camping experiences, including but not limited to tents, yurts, and serviced trailer sites, and includes accessory facilities which support the use, such as administration offices, laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

Cannabis Production Facility

shall mean a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products.

Carport

shall mean a portion of a dwelling which is a roofed enclosure designed for the storage of a motor vehicle with at least 40 percent of the total perimeter open and unobstructed. For the purposes of this definition, perimeter includes the main wall of the dwelling to which such carport is attached.

Cemetery

shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

Commercial Use

shall mean the use of land, structure or building for the purposes of buying and/or selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

Commercial Entertainment and Recreation Establishment

means an entertainment facility such as a theatre, bowling alley, billiard room or similar facility where entertainment is provided for a fee.

Commercial Floor Space

shall mean the sum of the areas of all floors of a building or part thereof used for commercial purposes, measured between the internal faces of the exterior walls, excluding the furnace room, laundry room or washroom, stairwell or elevator shaft or any area designated or used permanently for storage space.

Community Centre

means a multi-purpose facility that offers a variety of programs of a recreational, cultural, day care, social, community service, informational or instructional nature, and may include, as a portion of it, a medical facility.

Community Garden

shall mean a garden, which may be rented by individuals or groups, for the growing of plants, including vegetables, fruits, grains, flowers or herbs, and which is intended to provide communal benefits to the caretakers of the garden.

Condominium

shall mean a building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.

Conservation

shall mean the identification, management, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered for individual or public use.

Conservation and Wildlife Sanctuary

shall mean land left in its natural state for the purpose of providing sanctuary, habitat and breeding grounds for wild birds, animals and plant life and includes a forest reserve.

Contractors' Yard

shall mean a yard of any general contractor or builder where equipment and materials are stored, or where a contractor performs shop or assembly work, but does not include any other yard or establishment otherwise defined or classified herein.

Convenience Store

shall mean a retail store where a range of day-to-day items such as newspapers, confections, food, and other such household items are sold in small quantities.

Cottage

shall have the meaning attributed to it in the definition Dwelling, Seasonal.

Council

shall mean the Council of the Corporation of the Township of Conmee.

Coverage

shall mean the combined area of all buildings or structures on the lot measured at the level of the lowest storey above grade, including all porches and verandahs open or covered, but not including an outdoor swimming pool, open or unenclosed terraces and patios at grade, steps, cornices, eaves, bay windows and similar projections and open parking areas.

Crisis Care Facility/Residence Centre

shall mean a residence that is licensed or funded by the government for the short term (averaging one month or less) accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well-being.

Day Care Centre

shall mean an agency or institution offering or supplying group care to children who have not the same parentage, for a portion or all of a day and on a regular schedule more often than once a week, and shall not include a licensed or unlicensed home child care service.

Development

shall mean the creation of a new lot, a change in land use, or the alteration and/or 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; or
- b) Works subject to the Drainage Act; or
- c) Underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential where advanced exploration has the same meaning as under the Mining Act.

Dormitory or Student Residence

shall mean a building occupied or designed to be occupied exclusively as a residence or sleeping place by one or more persons attending a school, educational or training centre, and recognized officially by that school, educational or training centre.

Dwelling

shall mean a building, occupied or designed to be occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, rooming houses, motels, institutions or mobile dwellings, unless otherwise specified.

Dwelling, Accessory

shall mean a secondary dwelling on a lot in addition to a primary dwelling, and may include an Accessory Apartment, Garden Suite, or a Secondary Suite.

Dwelling, Additional

shall mean an additional separate dwelling unit subsidiary to an associated principal dwelling unit. An Additional Dwelling unit may be located in the same building as the principal dwelling unit or ancillary to the principal dwelling unit.

Dwelling, Apartment

shall mean a building that contains four or more dwelling units, which have one or more common entrances from ground

level and are served by a common corridor, and the occupants of which units have the right to use in common the corridors, stairs, elevators, or yards.

Dwelling, Duplex

shall mean a residential use building containing two principal dwelling units that are divided horizontally.

Dwelling, Modular

shall mean a dwelling unit prefabricated in one location in accordance with CSA A277 and moved onto a lot to be used as a dwelling unit, and shall include dwellings constructed with shipping containers that are compliant with Ontario Building Code, but shall not include a mobile dwelling.

Dwelling, Mobile

shall mean a factory-built dwelling unit designed as one dwelling unit, transported or designed to be transported on its own chassis, notwithstanding that its running gear is, nor may be, removed, placed, or designed to be placed on a permanent foundation, and connected or designed to be connected to public or private services, constructed in accordance with CSA Z240 or Z241, but shall not include a modular dwelling or travel trailer.

Dwelling, Multi-Unit

shall mean a dwelling designed, intended or used for occupancy by two to three households, living independently of each other in individual dwelling units, but excludes any other dwelling as may be defined herein.

Dwelling, Seasonal

shall mean a single-detached dwelling used exclusively for recreation, rest or relaxation from time-to-time, throughout any season of the year, by any person or persons, but not used or intended to be used continuously in excess of five months or as a permanent residence.

Dwelling, Semi-Detached

shall mean a building that is divided vertically into two dwelling units, each of which has an independent entrance, whether direct or through a common vestibule, and which has no direct access between the units.

Dwelling, Single-Detached

shall mean one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a modular dwelling but shall not include a mobile dwelling.

Dwelling Unit

shall mean one or more habitable rooms occupied or designated to be occupied by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or individuals with a private entrance from outside the building or from a common hallway or stairway inside the building.

Easement

shall have the meaning attributed to it in the definition of Right-of-Way.

Environmental Protection Areas

shall include significant river valley corridors, shorelines, wildlife and fish habitat as classified by the Ministry of Northern Development, Mines, Natural Resources and Forestry. Such areas are sensitive natural areas which serve as important habitat and migration routes for fish and wildlife.

Erect

includes build, construct, reconstruct, place, alter, enlarge and relocate and without limiting the generality of the foregoing, is taken to include any associated physical operation such as excavating, grading, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Existing

shall mean existing as of the date of the final passing of this By-Law.

Family

shall mean an individual or group of persons, who occupy a dwelling unit and who live together as a single non-profit housekeeping unit and which may include not more than two persons who receive their lodging or board, or both, or other domestic services for compensation.

Farm Market

shall mean a building in which farm produce comprises the major portion of goods offered or kept for sale directly to the public at retail value.

Farmer's Market

shall mean an establishment or premises where the farm products of a local farming community, or other products, are sold at retail by small-scale vendors.

Fence

shall mean a wall (other than the wall of a building), gate or other barrier constructed of wood, masonry, metal or combination thereof, which may be continuous throughout its entire length, save and except where access areas and lines of sight are required for safety purposes.

Fill

shall mean sand, gravel, earth or other materials of any composition whatsoever placed or deposited by humans.

Floodproofing

shall mean a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.

Floor Area

means, with reference to a building, the total habitable area within a building measured between the interior faces of the exterior walls or from the interior faces of common or party walls, but excluding any garage, breezeway, porch, verandah, balcony, sun room, attic, cellar or basement, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.

Forestry Use

means the general raising, harvesting and storage of wood and wood products and without limiting the generality of the foregoing shall include the raising, harvesting and storage of fuelwood, pulpwood, lumber, Christmas trees and other forest products, but does not include the processing of forest products.

Garage, Private

shall mean a building or portion of a building designed for the storage of private passenger motor vehicles wherein no service for profit is rendered; and where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.

Garden Centre

Shall mean land, building, structure or part thereof or an outdoor area primarily used for the retail sale of gardening equipment, landscaping products and planting materials.

Garden Suite

shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Government Offices

shall mean a municipal office, court house, registry office, health and welfare centre, employment office, post office, or other office uses for the purpose of local or other government administration.

Grade

shall mean the average level of finished surface of the ground adjacent to the exterior walls of the building or structure.

Gravel Pit

shall mean an open land area where sand, gravel and rock fragments are mined or excavated for sale or off-tract use.

Greenhouse

shall mean a building used primarily to raise and store trees, shrubs, flowers, and other plants for sale or for transplanting.

Ground Floor Area

shall mean the total habitable area of the lowest storey of a building or structure, measured between the interior faces

of the exterior walls or from the interior faces of common or party walls, but excluding any garage, breezeway, porch, verandah, balcony, sun room, attic, cellar or basement, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.

Group Home

shall mean a dwelling licensed or funded under a federal or provincial statute for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social, legal, or physical condition, require a group living arrangement for their wellbeing.

Habitable

shall mean designed for living, sleeping, eating or food preparation.

Hazard Lands

shall mean lands within the Environmental Protection (EP) Zone which are or may be inappropriate for development by reason of having inherent or natural environmental hazards such as susceptibility to flood or erosion, poor drainage, organic soils, steep slopes, mine tailings, hazardous sites or any physical condition or limitation and which, if developed, may lead to the deterioration or degradation of the environment or cause property damage, social disruption or loss of life.

Height

shall mean, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and the highest point of the roof, exclusive of any roof construction used only as ornament or for the mechanical operation of the building, including a penthouse, chimney, tower, cupola or steeple.

Highway

shall have the same meaning as "road."

Highway Commercial Use

shall mean commercial uses which rely on automobile or truck traffic, and the tourist population.

Home Industry

shall mean an occupation which is carried on within an accessory building or private garage that results in a product or service, which is characterized by a light industrial use, and which is clearly secondary to the principal residential use of the lot on which the home industry is located.

Home Occupation

shall mean the accessory use of part of a dwelling or accessory building for an occupation, business, or professional activity that results in a product or service and which is clearly secondary to the main use of the dwelling unit, and includes a licensed or unlicensed home child care service, but does not include a home industry.

Hotel

shall mean lands, buildings or structures used or intended to be used for the purposes of supplying temporary living accommodation, or no less than 6 bedrooms, to the public, for a fee, and may include a restaurant, convention and banquet facilities and one accessory dwelling unit for the owner or operator of the hotel and includes all such establishments as defined by the *Hotel Registration of Guests Act*.

Industrial Use

shall mean the use of land, buildings or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing, or bulk storage of goods and related accessory uses, but excluding retail sale on the premises.

Industrial, Light

shall mean any industrial use that manufactures, processes, assembles, packages, or repairs products from previously prepared materials, finished parts or finished products.

Industrial, Heavy

shall mean an industrial use which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced, or stored is likely to cause by reason of gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.

Institutional Use

shall mean the use of land, buildings, or other structures for some public or social purposes and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar uses.

Kennel

shall mean a building(s) or structure(s) where more than four domestic animals, excluding livestock, are kept, bred or raised for profit or gain.

Landscaping

shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land and is an area which is not to be built upon.

Lane

shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

Livestock

shall mean horses, cattle, sheep, swine, goats, poultry, fox, mink, rabbits or other such animals raised or kept on a farm or ranch.

Loading Space

shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a road or lane.

Lot

shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the *Planning Act*, as amended or revised from time to time.

Lot Area

means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any flood plain or marsh located on such lot.

Lot, Corner

shall mean a lot situated at the intersection of, or abutting upon, two or more roads, provided that the angle of intersection of such roads is not more than 135 degrees and each of which is at least 10 metres wide.

Lot Coverage

means that percentage of the lot area covered by buildings and structures, including accessory building and structures as measured at the level of the grade.

Lot Depth

shall mean the horizontal distance between the midpoints of the front and rear lot lines. Where there is no rear lot line, lot depth means the horizontal distance between the midpoint of the front lot line and the apex of the triangle formed by the side lot lines.

Lot Frontage

shall mean the minimum straight line horizontal distance between the intersection of the side lot lines and the front lot line. Where the side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line 6 metres back from and parallel to the front lot line. Where the side lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection of the tangents to the road lines, drawn through the extremities of the front lot line and exterior side lot line.

Lot, Interior

shall mean a lot other than a corner lot which is situated between adjacent lots and has access to one road.

Lot Line, Front

shall mean the boundary lines of a lot defined as follows:

- a. In the case of an interior lot, the lot line dividing the lot from the road;
- b. in the case of a corner lot, the shorter lot line abutting a road, unless each lot line is of equal length, in which case the front lot line shall be the lot line where the principal access to the lot is provided;
- c. in the case of a through lot, the front lot line shall be the lot line where the principal access to the lot is provided;

Lot Line, Rear

shall mean the lot line farthest from and opposite to the front lot line.

Lot Line, Side

shall mean a lot line other than a front or rear lot line.

Lot, Through

shall mean a lot bounded on two opposite sides by roads each of which is at least 10 metres wide, provided, however, that if any lot qualifies as being both a corner lot and through lot, such lot shall be conclusively deemed to be a corner lot.

Lot Width

shall mean the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the mid-point of the rear lot line. When no rear lot line exists, "lot width" means the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the apex of the triangle formed by the side lot lines. Where the side lot lines are not parallel, the lot width shall be measured at that point from the front lot line which is equal to the required front yard depth of the zone in which the lot is situated.

Main Building

shall mean the building or structure in which is conducted the principal use for which the lot is used.

Major Facilities

shall mean 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

shall mean 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.

Medical Clinic

shall mean a building or structure or part thereof that is used or intended for use by physicians, dentists, chiropractors and/or drugless practitioners, or any one or more of them, as well as their staff and patients, for the purpose of consultation, diagnosis and office treatment.

Merchandise Repair Establishment

shall mean a building or part thereof, wherein articles or goods, other than vehicles or industrial toolage, are repaired or serviced, or where replacement parts for such articles or goods are offered for sale.

Mine Hazard

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

Mineral Aggregate Operation

shall mean:

- 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

See “Aggregate” definition.

Mineral Extraction

shall mean land including accessory buildings and structures used for the removal, refinement and/or processing of sand, gravel, stone or other aggregate resources and includes an asphalt plant, a borrow pit, a concrete plant, a gravel pit and a stone quarry.

Mineral Mining Operation

shall mean a mining operation and associated facilities, or, a formerly producing mine with remaining mineral development potential that has not been permanently rehabilitated to another use.

Natural Buffer Area

shall mean an area of land left in its natural state without the cutting of trees or vegetation, and without disturbances of

any kind.

Non-Complying

shall mean a permitted use, building or structure which is existing but does not meet, comply or agree with the regulations of this By-Law, in which such building, structure, or use is located.

Non-Conforming

shall mean a use, building or structure which is existing at the time this By-Law is passed by Council, but which is not permitted in the zone in which it is located.

Office

means a building or part thereof designed, intended, or used for the practice of a profession, the conduct of business or public administration or, where not conducted on the same lot therewith, administration or accounting in connection with an industry.

On-farm Diversified uses

shall mean 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, agritourism 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.

Open Space

shall mean a park or recreation area controlled or owned by a public authority and normally open for public use.

Open Storage

shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides.

Park

shall mean an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features and used for both passive and active forms of recreation designed to serve the resident of a neighbourhood or community, and may be owned or operated by a public entity.

Parking Lot, or Parking Area

shall mean an area for the temporary parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

Parking Space

shall mean an area of a size established through this By-law, enclosed in a building, or unenclosed, and set aside for the temporary storage of a vehicle, but shall not include driveways or aisles.

Person

shall mean any human being, any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Shop

shall mean a building or part thereof, wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair, a dry cleaning depot, a laundromat, a tailor's or dressmaking shop and photographic studio, but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in the *Municipal Act*, as amended from time to time.

Pit

shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation, and includes the processing thereof for commercial purposes, including screening, sorting, washing, crushing, and other similar operations, together with required buildings and structures.

Place of Worship

shall mean a building dedicated to religious worship and may include a church hall, church auditorium, Sunday School, parish hall and church day nursery, and may include one dwelling unit accessory to the principal use.

Portable Asphalt Plant

shall mean 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

shall mean 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.

Private Club

shall mean a building and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Public Authority

shall mean any Federal or Provincial agency, school board, public utility commission, transportation commission, public

library board, board or parks management, board of health, board of commissioners of police, planning board or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario or Canada with respect to any of the affairs or purposes of the Township or any portion thereof, and includes any committee or local authority established by By-Law of the Township.

Public Use or Facility

means a building, structure, or equipment owned and/or operated by the Township, any Ministry or Commission of Her Majesty in right of Ontario or Canada, any telecommunications company, or natural gas company or any railway company authorized under the Railway Act for any essential physical service within the community, and includes telephone, hydro, gas, water, sanitary sewer or storm sewers any and all equipment and appurtenances normally associated therewith, but shall not include offices, storage yards, maintenance facilities or warehouses.

Public Services

shall mean the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, sewage collection and treatment facilities and other services provided by a public authority.

Rail Facilities

shall mean rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.

Recreational Use

shall mean the use of land, building and/or structure for outdoor leisure and sporting purposes and for purposes of enjoyment of the natural environment and activities relating thereto, which may include uses such as boating, camping, canoeing, hunting, fishing, snowmobiling and swimming.

Recreational Facilities

shall mean land, structures and equipment for outdoor and indoor sports and games, but does not include a shooting gallery or rifle, pistol, skeet or trap club, an automobile race track or commercial amusement park or theatre.

Redevelopment

shall mean the removal of buildings or structures from land and the construction or erection of other buildings or structures therein.

Renovation

shall mean the repair, strengthening or restoration of a building to a safe condition, but does not include its replacement.

Residential Use

shall mean the use of a building or structure or parts thereof as a dwelling.

Residential Care Facility

shall mean an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counselling and social support services and which may include services such as medical, counselling, and personal services

Resort

shall mean a tourist establishment that provides accommodation throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes.

Resource Management Use

shall mean the preservation, protection, and improvement of the natural environment through comprehensive management and maintenance for both the individual and society's uses, both in the present and the future. Resource Management Use also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

Restaurant

shall mean a building or part thereof where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises.

Retail Store

shall mean a building or part of a building where goods, wares, merchandise, articles or things are offered or kept for sale at retail or rental and includes a bank or financial institution.

Right-of-Way, or Easement

shall mean any right, liberty or privilege in, over, along or under land which a person, the public or a corporation or another entity may have with respect to any land in the Township.

Road

shall mean public highway or public road under the jurisdiction of either the Township or the Province of Ontario, used for vehicular and pedestrian travel, including the entire area within the right-of-way, with or without provision made for curbs, sidewalks and paved gutters, but shall not include a lane or private right-of-way.

Salvage Yard

shall mean a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or material, including, but not limited to, rags, bottles, metals, clothing, furniture, paper, machinery, building materials, vehicles and parts thereof.

Sawmill Complex

shall mean buildings, kilns, studmills, planermills, and other manufacturing facilities, indoor and outdoor storage facilities or area for raw materials, logs, chips, and finished lumber or other manufactured products, outdoor storage facilities or areas of waste products such as bark, steam or other power plants, parking, repair and storage facilities for trucks and other necessary vehicles and equipment, and any structures appurtenant to the foregoing.

School

shall mean any school established and maintained by the local educational authority or any other authority recognized under Provincial legislation.

Seasonal Residential

shall mean the same as defined in “Dwelling, Seasonal” herein.

Sensitive Land Uses

shall mean 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 include: residences, day care centres, and educational and health facilities.

Service Shop

means any building or part thereof where appliances, equipment and machinery are sold, service or repaired and includes building trades establishments but excludes any manufacturing processing or wholesaling.

Setback

shall mean the horizontal distance between the nearest part of any main wall of any building or structure and the centre line of a street allowance measured at right angles to such centre line.

Shopping Centre

shall mean a building or group of buildings planned, designed, developed or managed as a unit, having off-road parking provided on the same lot, and which building or buildings contain one or more retail stores, services, and offices.

Sign

shall mean any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however that the following shall not be included in the application of the regulations herein:

- a) Signs not exceeding one square foot in area and bearing only property numbers, postbox numbers, names of occupants of premises, or other identification of premises not having commercial connotation;
- b) Flags and insignia of any government except when displayed in commercial promotion;
- c) Legal notices;
- d) Identification, informational, or directional signs erected or required by government bodies;

- e) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights; and
- f) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Stable or Riding Academy

shall mean a commercial or educational establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.

Storey

shall mean that portion of a building:

- a) which is situated between the surface of any floor and the surface of the floor next above it and if there is no floor above it, that portion between the surface of any floor and the ceiling above it, and,
- b) which is more than 50 percent above the average finished grade, and,
- c) which has a height of not less than 2 metres and includes an attic having not less than 2 metres headroom for at least 50 percent of the attic floor area.

Structure

shall mean anything that is erected, built or constructed of parts joined together and which is fixed to, or supported by, the soil but not a terrace, patio, sign, boundary wall, light standard, fence, deck or vehicle.

Top of Bank

shall mean the points closest to the natural boundary of a watercourse where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 for a minimum of 15 metres measured perpendicularly from the watercourse.

Tower

shall mean a structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

Township

means the Corporation of the Township of Conmee.

Toxic or Noxious Substance

shall mean any solid, liquid, or gaseous matter, including but not limited to gases, vapours, dusts, fumes, and mists containing properties which by chemical means are inherently harmful and likely to destroy life and impair health, or capable of causing injury to the well-being of persons or damage to property.

Trail System

shall mean an area used for hiking, horseback riding, cross-country skiing or other similar forms of non-motorized recreational travel.

Trailer

shall mean any vehicle so constructed that it is suitable for being attached to or carried on a motor vehicle for the purpose of being drawn or propelled by its own motive power, and capable of being used for living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or in a state not ready for travel. A trailer, by this definition is intended for recreational or seasonal use, not for permanent year-round residence and shall not include a mobile dwelling.

Transmission Tower

shall mean a structure, over 20 metres in height, designed and erected for the purpose of transporting or carrying hydro electric power in quantities equal to, or greater than, 100,000 volts.

Trucking or Transport Depot

shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

Use

when used as a noun, shall mean the purpose for which a lot or building or structure or any combination thereof is designed, arranged, occupied or maintained. When used as a verb, "use" shall mean to put to such purpose. For the purposes of this By-law, a use shall not include electricity transmission and distribution systems, pipelines, and other corridor infrastructure.

Utility

shall mean any public or private system, works, plant, building, equipment, or services that are provided to or for the use of the general public, including but not limited to telephone, electric power, public water supply or sewage services, and includes a Utility Building.

Vehicle

includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.

Waste Disposal Facility

means a facility providing for the long-term storage or destruction of Township solid waste.

Watercourse

shall mean any natural or manmade depression with well-defined banks and a bed below the surrounding land serving to give direction to a current of water either continuously or intermittently and having a drainage area of at least 2 square kilometres.

Watershed

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

Warehouse

shall mean a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard.

Wayside Pit or Quarry

shall mean 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

shall mean 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.

Yard

shall mean an open area of land on the same lot with a main building or structure, unoccupied and unobstructed except as otherwise provided or required by this By-Law and located between the main wall of the main building and one of the lot lines of the said lot.

- a) "Yard, Front" means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on such lot.
- b) "Yard, Rear" means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on such lot.
- c) "Yard, Exterior Side" means a yard extending from the front yard to the rear yard and from a side lot line abutting a road on a corner lot to the nearest point of any building or structure on the lot or the nearest open storage use on the line.
- d) "Yard, Interior Side" means a yard extending from the front yard to the rear yard and from a side lot line which does not abut a road to the nearest point of any building or structure on the lot or the nearest open storage use on the lot.
- e) "Yard, Required" shall mean the minimum yard required by the regulations of this By-Law, irrespective of the location of any main wall.

Zone

shall mean a portion of the Township within which certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited, or within which certain yards and other spaces are required or within which certain lot areas are established, or within which certain height limits are prescribed for buildings, or within which a combination of such aforesaid regulations shall apply, all as set forth and specified in this By-Law. Zone shall also mean a designated area of land use shown on a Schedule to this By-Law.

3.0 Zones and Zoning Map

3.1 Establishment of Zones

- 1) For the purposes of this By-Law, the maps hereto annexed as Schedules "A" and "B" shall be referred to as the "Zoning Maps of the Township of Conmee" and the said zoning maps shall be divided into the following zones:

Zone	Symbol
Rural Zone	RU
Commercial Zone	C
Mobile Home Park Zone	MH
Institutional Zone	I
General Industrial Zone	GI
Mineral Aggregate Zone	MA
Parks and Open Space Zone	OS
Environmental Protection	EP

3.2 Use of Zone Symbols

- 1) The symbols listed in Section 3.1 shall be used to refer to land, buildings, and structures and the uses thereof permitted by this By-Law in the said zones.
- 2) Wherever in this By-Law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the Township of Conmee delineated on the zoning maps and designated therein by the said symbol.
- 3) Where the zone symbol designating certain lands as shown on the zoning maps is followed by a dash and a number (RU-1 for example), the special provisions may be found in reference to that part of the By-Law which deals with the particular zone.
- 4) Lands zoned as such shall be subject to all regulations of the zone, except as otherwise provided by the special provisions.

3.3 Interpretation of Zone Boundaries

- 1) Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the zoning maps, the following shall apply:
 - a. Unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance, or lot lines and the projection thereof.
 - b. Where zone boundaries are indicated as approximately following lot lines shown on a registered plan of subdivision, such lot lines shall be deemed to be the said boundary.

- c. Where zone boundaries are indicated approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundaries shall be construed as being parallel to such road and the distance there from shall be determined by the use of the scale shown on the zoning maps.
- d. Unless otherwise indicated, a road, lane, right-of-way, or watercourse included on the zoning map is included within the zone of the adjoining property on either side thereof; and where such road, lane, right-of-way, or watercourse serves as a boundary between two or more different zones, a line midway in such road, lane, right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise.
- e. In the event a dedicated road, lane, or right-of-way shown on the map is closed, the property formerly in said road, lane, or right-of-way shall be included within the zone of the adjoining property on either side of the said closed road, lane, or right-of-way, and the zoning boundary shall be the former centre line of said closed road, lane, or right-of-way.
- f. Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined to the scale on the zoning maps in the office of the Clerk.
- g. Wherever it occurs, the municipal limit of the Township of Conmee is the boundary of the zone adjacent to it.

General Zoning Provisions

4.1 Application

- 1) The provisions of this section apply in all Zones, except as otherwise indicated.

4.2 Accessory Uses

- 1) Accessory uses, building or structures, are permitted in any yard, in any zone, subject to the provisions of this By-Law for the particular zone in which said building, structure, or use is located.
- 2) Accessory uses, buildings or structure shall:
 - a. Not be used for human habitation, except where a residential use is a permitted accessory use;
 - b. Not be considered as an accessory building or structure if attached to the main building in any way;
 - c. Not be considered an accessory building or structure if located completely underground;
 - d. Not exceed the following height limits:
 - i. For industrial or agricultural uses: height limit requirements for the main building
 - ii. For all other uses: 4.5 metres in height, or the height of the main building, whichever is the lesser
 - e. Not exceed the following setbacks from property lines:
 - i. For industrial or agricultural uses: setback requirements for the main building;
 - ii. For accessory uses, buildings, or structures 3 metres in height or less: 6 metres;
 - iii. For all other accessory uses, buildings or structures: 10 metres
 - f. Not exceed the following lot coverage limits, which shall be included in the maximum lot coverage in the zone:
 - i. In the case of lots with an area of 2.0 hectares or less: 10 percent.
 - ii. In the case of lots with an area of 2.0 hectares or greater: 15 percent.

4.3 Accessory / Additional Dwelling Units

- 1) One additional dwelling unit shall be permitted on a lot that permits a single-detached dwelling in the RU Zone, and shall comply with the following:
 - a. An additional dwelling shall not be erected on a lot that is occupied by a garden suite, bed and breakfast establishment, a group home, or a boarding house.
 - b. An additional dwelling unit must comply with the applicable provisions of the Ontario Building Code.
 - c. A maximum of one additional dwelling unit shall be permitted to be located within the primary single detached dwelling or ancillary to the primary dwelling.
- 2) Accessory dwelling units in commercial buildings shall be subject to the following provisions:
 - a. No commercial building wherein gasoline, petroleum products or any other highly flammable, toxic, or explosive products are handled in quantity shall have attached dwelling units.
 - b. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforementioned products, the said dwelling units shall cease to be occupied as dwelling units.

4.4 Automobile Service Stations

- 1) Notwithstanding any other provisions of this By-Law, where a lot is used for an automobile service station or gas bar, the following regulations shall apply:
 - a. The automobile service station or gas bar shall comply with the provisions established by this by-law.
 - b. No portion of any pump island shall be located closer than 6 metres from the road line of any road.
 - c. The minimum distance from the intersection of two road lines to the nearest driveway shall not be less than 9 metres;
 - d. The maximum width of a driveway at the road line shall not be more than 9 metres.
 - e. The minimum distance between driveways shall not be less than 9 metres.
- 2) Notwithstanding any other provisions of this By-Law, where a lot is used for a fuel supply station, the regulations of the Technical Standards and Safety Act shall apply.

4.5 Bed and Breakfasts

- 1) A bed and breakfast is permitted in a single-detached dwelling in any zone in which a single-detached dwelling is permitted as a primary use, in accordance with the following regulations:
 - a. The operation of a bed and breakfast shall be incidental and secondary to the main use as a dwelling unit;
 - b. The lot on which the bed and breakfast is proposed has frontage upon a road which is open and maintained by the Township, the Province of Ontario or another road authority;
 - c. The operation of a bed and breakfast shall not change the character or in any way alter the exterior appearance of the dwelling;
 - d. The bed and breakfast shall be operated only by a person or persons whose principal residence is the dwelling unit containing the bed and breakfast;
 - e. One parking space shall be provided for every two bedrooms used to provide accommodation to the travelling or vacationing public, in addition to the parking spaces required for the single-detached dwelling, in accordance with the following regulations:
 - i. Such parking space(s) shall have minimum rectangular dimensions of 2.4 metres by 6.0 metres;
 - ii. Such parking space(s) shall be located on the same lot as the bed and breakfast; and,
 - iii. Such parking space(s) may be located in tandem with the parking spaces required for the single-detached dwelling; and,
 - f. One non-illuminated identification sign with a maximum size of 1 square metre is permitted.

4.6 Buildings to be Moved

- 1) No building shall be moved to a lot within the Township without the owner first obtaining approval from the Township to relocate the building.

4.7 Commercial Accessory Uses

- 1) Notwithstanding any other provision of this By-Law, where a commercial use is permitted as an accessory use in an industrial zone, it shall be located within the main building or within 2.0 metres of the main building, shall not exceed 40 percent of the total floor area of the main building, and shall not exceed a maximum floor area of 278 square metres.

4.8 Dangerous Uses

- 1) No land, building or structure shall be used in the Township of Conmee for the industrial manufacture or distribution of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitro-glycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion, except as otherwise specifically provided for in this By-Law.

4.9 Dwelling Unit Provisions

- 1) Where a dwelling unit is provided accessory to a non-residential use, a minimum of 18.5 square metres of open space shall be provided for the exclusive use of the occupant of the dwelling unit.
- 2) An open space provided under provision (1) shall not form part of any required parking area or loading space.
- 3) The floor area of all dwelling units shall be compliant with the Ontario Building Code, as amended.

4.10 Existing Vacant Lots

- 1) An existing vacant lot having less than the minimum frontage, depth or area required by this By-Law may be developed for all uses in the appropriate zone, provided:
 - a. All other regulations of this By-Law are satisfied;
 - b. Such lots are serviced by private well and septic systems that meet the requirements of the authority having jurisdiction; and,
 - c. Such lots have a minimum frontage of 12.0 metres on a road.

4.11 Group Homes and Crisis Care Facility

- 1) Group homes shall be permitted in all zones permitting residential uses, provided that they are provincially licensed.
- 2) The minimum floor area of a group home shall be 23.0 square metres, plus an additional 7.0 square metres for each resident, exclusive of staff or receiving family.

4.12 Height

- 1) The height regulations shall not apply to any ornamental dome, chimney, hydro towers, communications tower, storage silo, barn, cupola, steeple, church spire, water storage tank, elevator enclosure, flag pole, television or radio antenna, ventilators, sky lights, windmills or solar collectors, and fire lookout towers.

4.13 Home Industries and Home Occupations

- 1) Where residential uses are permitted, a home occupation is permitted, and a home industry is permitted subject to a Zoning By-law Amendment, provided that:
 - a. The home occupation or home industry has at least one permanent resident of the dwelling unit engaged in the business;
 - b. In the case of a home occupation, a maximum of one staff person in addition to the permanent resident is employed therein;
 - c. In the case of a home industry, a maximum of three staff persons in addition to the permanent resident are employed therein;
 - d. Any signage shall have no impact on vehicular safety, including visibility or light pollution;
 - e. The home occupation or home industry shall not change the character of the dwelling as a private residence or create or become a nuisance due to such matters as noise, smell, hours of operation or traffic generation;
 - f. In the case of a home occupation, such operation shall not occupy more than 25 percent of the floor area of the dwelling unit;
 - g. In the case of a home industry, the business operation shall be conducted in whole or in part in an accessory building, except for the clerical and office functions of the home industry, which may be conducted in the dwelling unit; and,
 - h. Adequate off-road parking is provided with the provisions of this By-law.

4.14 Land Without Buildings

- 1) Where land is used for, or in connection with, any use but without any buildings or structures thereon, all yards required by the By-Law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply.
- 2) Notwithstanding provision (1), gardening or open space uses permitted by this By-Law are permitted in required yards.

4.15 Loading Spaces

- 1) No person shall erect or use any building or structure in any commercial or industrial zone which involves the movement of goods, merchandise, or materials unless loading spaces are provided and maintained on the site in accordance with the following provisions:
 - a. One loading space shall be provided for every 278.0 square metres or fraction thereof of the total floor area;
 - b. Loading spaces shall have dimensions not less than 3.0 metres wide by 7.5 metres long; and,
 - c. Loading spaces shall not have less than 4.5 metres of vertical clearance.

- 2) Where loading spaces are required or permitted in this By-law, the following standards shall apply:
 - a. The loading space shall be accessed by adequate driveway space to permit the safe manoeuvring, loading, and unloading of vehicles on the lot, such that they do not cause an obstruction or a hazardous condition on adjacent road or sidewalks;
 - b. The loading space features adequate drainage facilities, in accordance with requirements of the Township; and,
 - c. Loading spaces are illuminated by lighting arranged as to be diverted away from any adjacent residential, institutional, or open space zone.

4.16 Main Building on a Lot

- 1) No person shall erect more than one dwelling unit on a lot unless specifically allowed in that Zone.
- 2) No person shall erect more than one main building on a lot except for:
 - a. Commercial and industrial buildings located in commercial and industrial zones; or,
 - b. Farm related buildings located on an active farm.

4.17 Minimum Distance Separation

- 1) Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no residential, institutional, commercial, industrial, or recreational use located on a separate lot and otherwise permitted by this By-Law shall be established, and no building or structure for such use shall be erected or altered, unless it complies with the Minimum Distance Separation (MDS I) Formula established by the Province, as amended, and implemented under the guidelines established by the Province, as amended.
- 2) Notwithstanding any other yard or setback provision of this By-Law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) Formula established by the Province, as amended, and implemented under the guidelines established by the Province, as amended.
- 3) Application of the Minimum Distance Separation (MDS I and MDS II) Formulae shall not be required between a livestock facility and a:
 - a. Dwelling or accessory building on the same lot;
 - b. Public utility;
 - c. Sewage treatment facility;
 - d. Waste disposal facility; or,
 - e. Pit.

4.18 Mobile Dwelling

- 1) A mobile dwelling shall only be permitted where specifically listed as permitted within the Mobile Home Park Zone, provided:
 - a. The mobile dwelling conforms to CSA B Z240 or Z421, and the Ontario Building Code;
 - b. A building permit has been obtained for placement at the proposed location.
- 2) New mobile dwelling parks shall not be permitted.

4.19 Multiple Uses

- 1) In any zone, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is a conflict, the more restrictive zoning provisions shall apply.

4.20 Non-Complying Uses

- 1) Where an existing building is located on a lot having less than the minimum frontage or area required by this By-Law, or having less than the minimum setback, front yard, or rear yard required by this By-Law, the building may be enlarged, reconstructed, repaired or renovated, provided that the development or work does not further expand the degree of non-compliance.
- 2) Where any lot existing on the date of the passing of this By-Law is rendered non-complying due to expropriation or dedication for public use:
 - a. The lot shall be deemed to conform with this By-Law with respect to those provisions made non-complying by metric conversion, expropriation or dedication for public use.
 - b. The non-complying provisions shall not prevent the use of such lot, or the erection, alteration or use of a permanent building or structure thereupon, provided that:
 - i. The use of land remains the same, in accordance with all other provisions of this By-Law; and
 - ii. The degree of non-conformity is not increased.
- 3) No part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot, so as to create a situation of non-conformity or increase the degree of non-conformity with this By-Law.
- 4) Notwithstanding provision (3), where a lot is reduced in area or frontage through the conveyance or acquisition of part of the lot by the Public Authority, any building or structure located upon the lot shall be deemed to remain in conformity with this By-Law.

4.21 Non-Conforming Uses

- 1) The provisions of this By-Law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-Law if such lot, building or structure was lawfully used for such purpose on the date of final passing of this By-Law.
- 2) The provisions of this By-law shall not apply to prevent the erection or use for the purpose prohibited by this By-Law of any building or structure, the plans for which have, prior to the date of the passing of the By-Law, been approved by the Township, provided:
 - a. The building or structure, when erected, is used and continues to be used for the purpose for which it was erected; and
 - b. The permit has not been revoked under the Building Code Act.

4.22 Non-Complying / Non-Conforming Uses: Strengthening and Restoration

- 1) Nothing in this By-Law shall prevent the strengthening or restoration to a safe condition of any use, provided, in the case of a non-complying use:
 - a. In the case of a building that is non-complying with provisions of this By-law, the strengthening or restoration activities do not further reduce a setback or yard not in compliance with the By-Law; and,
 - b. In the case of a use that is non-conforming with the provisions of this By-law, the strengthening or restoration activities do not enlarge a use not permitted by this By-Law.

4.23 Noxious Uses

- 1) Nothing in this By-Law shall be construed to permit the use of land or the erection or use of a building or structure for any purpose:
 - a. That is or is likely to become a nuisance or offensive:
 - i. By the creation of noise or vibrations; or
 - ii. By reason of the emission of gas, fumes, dust or objectionable odour; or
 - iii. By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter or other such material.
 - b. Which, by its nature or by the materials used therein, is declared under the Public Health Act, as amended or revised, or any regulations thereunder, to be a noxious or offensive trade, business or manufacture.

4.24 Occupancy of Partially Completed Buildings

- 1) No building, except in the case of an apartment building, shall be occupied before an occupancy permit has been issued by the Township.
- 2) Where an occupancy permit has been issued for a multi-unit building, a unit may be occupied if construction of other units in the building have not yet been completed.

4.25 Parking Requirements

- 1) For every type of building listed below which is erected, altered, or enlarged in any zone after the passing of this By-Law, off-road parking shall be provided and maintained in that zone in accordance with the following provisions:

TYPE OF USE	MINIMUM PARKING REQUIRED
Residential Care Facility	0.5 spaces per unit.
All Other Dwellings	2 spaces per unit.
Boarding house, rooming house and tourist home	1 space for every room which may be offered for rent.
Auditoriums, theatres, arenas, community centres, or private clubs	Where there are fixed seats, 1 parking space for every 5 seats or for 3.0 metres of bench space; Where there are no fixed seats, 1 parking space for each 9.0 square metres of floor area devoted to public use.
Schools	1 parking space for each teaching staff member, plus 1 additional parking space for each 20.0 square metres of auditorium space.

TYPE OF USE	MINIMUM PARKING REQUIRED
Place of Worship	1 parking space for every 5 seats or 6.0 metres of bench space to its maximum seating capacity.
Hotels, Motels and Taverns	1 parking space per rental unit, plus 1 additional parking space for each 9.0 square metres of floor area devoted to public uses such as restaurants.
Medical Clinics and Offices	3 parking spaces each or 1 parking space for each 28.0 square metres of floor area, whichever is greater.
Industrial Uses	1 parking space for each 93.0 square metres of floor area, or for each 5 employees, whichever is greater.
Retail or Service Stores or Offices	1 parking space for each 28.0 square metres of floor area.
Home Industry, Home Occupation or Home Profession	1 off-road parking space for each 28.0 square metres of floor area devoted to said use in addition to that required for the dwelling.
Group Homes/Crises Residences	1.25 parking spaces per receiving family and 1 parking space for each staff person on duty at any time, plus 1 parking space for each 2 beds or each 37.0 square metres or part thereof, whichever is the greater.
All Other Uses Not Specified Above	1 parking space for each 28.0 square metres of floor area.

- 1) Each parking space and driveway connecting the parking area with a road shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- 2) A parking space shall be an area of land suitable for the parking of a vehicle being not less than 18.5 square metres in area and 3.0 metres in width and shall include adequate access to a public road.
- 3) Access to all required parking spaces shall be subject to the following provisions:
 - a. For institutional, commercial, mineral aggregate and industrial uses shall be provided by means of unobstructed driveways and aisles at least 7 metres in width.
 - b. Access to parking spaces for all other uses shall be provided by means of unobstructed driveways at least 3 metres in width.
- 4) When a building or structure, other than a single-detached dwelling, has insufficient parking spaces on the date of passing of this By-Law to comply with the requirement herein, no addition may be built and no change of use may occur, unless the parking requirements are met for the entire use.

4.26 Permitted Encroachments in Yards

- 1) Every part of any yard required by this By-Law shall be open and unobstructed by any structure, other than a fence, from the ground to the sky.
- 2) Despite provision (1), accessory buildings shall be permitted in accordance with subsection 4.2.
- 3) Despite provision (1), the structures listed in Table 4.26 shall be permitted to project into the yards indicated for the distances specified:

Table 4.26

STRUCTURE	YARD IN WHICH PROJECTION IS PERMITTED	MAX PROJECTION FROM MAIN WALL PERMITTED
Sills, belt courses, cornices, eaves, gutters chimneys or pilasters	Any yard	0.5 metres
Window bays	Any yard	1.0 metres
Balconies	Front and rear yards only for all types of dwellings except apartment buildings	2.0 metres
Open, roofed porches not exceeding one storey in height; covered terraces	Any yard	2.5 metres including eaves and cornices
Decks	Any yard	2.5 metres into the side yard and front yard, but must maintain a 1 metre setback from any lot line

4.27 Permitted Public Uses

- 1) Notwithstanding anything else in this By-Law, the provisions of this By-Law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Government of Canada, Province of Ontario, Corporation of the Municipality of Conmee, Hydro One, Ontario Power Generation Inc., Tbaytel, utility companies, or by any local Board thereof as defined by the Municipal Act, or as revised or amended from time to time.

4.28 Public Uses

- 1) Nothing in this By-law shall prevent land to be used as a public road or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipe line, electric power generating facility, overhead or underground hydro, telephone or other supply and/or communication line.

4.29 Prohibited Uses

- 1) It shall be prohibited to use any land or to erect and use any building or other structure in any zone for the purposes of salvage yards, a waste disposal facility, a pit or quarry, the collection of rags, junk, refuse, or scrap metal, unless such uses are specifically listed as permitted uses within a particular zone.

4.30 Reduction of Lot Area

- 1) No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof, or otherwise, so that any building or structure on such lot shall have a lot coverage or a ground floor area that exceeds, or a front yard, rear yard, side yard, frontage or lot area that is less than, that permitted by this By-Law for the zone in which such lot is located; and
- 2) If any such reduction in the area of a lot occurs, no structure located on the lot shall be used until the requirements of this By-Law applicable thereto are complied with.

4.31 Regulated Area (LRCA)

- 1) Despite the provisions of the underlying zone or other zoning provisions of the Zoning By-law, all development on lands that are subject to the Regulated Area (LRCA) overlay is prohibited unless a permit or other form of authorization from the Lakehead Region Conservation Authority is issued. Development that may require a permit includes:
 - a. The construction, reconstruction, erection or placing of a building or structure of any kind;
 - b. Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure;
 - c. Site grading;
 - d. The temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere; or
 - e. The straightening, changing, diverting or interfering of an existing channel of a river, creek, stream, or watercourse, or for changing or interfering in any way with a wetland.

4.32 Services Required

- 1) No person shall erect or use any dwelling or occupied building unless the requirements of the Thunder Bay District Health Unit and the Ministry of the Environment, Conservation and Parks are met for the supply of potable water and the collection and treatment of sanitary sewage and other wastes.

4.33 Setbacks on All Roads

- 1) Notwithstanding any other provisions of this By-Law, a building or structure in any zone on a public road allowance which is less than 20 metres wide, shall be set back 10 metres plus the required minimum front yard for that zone measured from the centre line of the road allowance.
- 2) In addition to Township requirements, all development adjacent to Provincial highways is also subject to the Ministry of Transportation of Ontario's requirements and permits.

4.34 Setbacks from Non-Navigable Watercourses, Hazard Lands, and Stormwater Management Infrastructure

- 1) Notwithstanding any other provisions of this By-Law, a building in any zone is required to be no closer than 7.5 metres from the top of the bank of any watercourse, or Township drainage ditch, permanent or intermittent, which is not navigable.
- 2) In the case of hazard lands, no part of any building shall be constructed closer than 7.5 metres to the nearest point of the area to which the hazardous condition is deemed to exist, as determined by the Township of Conmee in consultation with the Lakehead Region Conservation Authority.

4.35 Special Temporary Uses

- 1) Nothing in this By-Law shall prevent the use of land or the use or erection of a building or structure for:
 - a. A scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
 - b. A sign having an area of not more than 4.5 square metres incidental to construction in progress on premises for which a building permit has been granted, until such time as work has been finished or abandoned;
 - c. A carnival, circus or festival or other public gathering, each of which is held not more than twice per year, in the commercial, institutional or open space zones; or,
 - d. A farmer's market held not more than two days per week in any zone.

4.36 Road Frontage Required

- 1) No person shall erect any building or structure unless:
 - a. The lot upon which such building or structure is to be erected, except as otherwise specifically permitted in this By-Law.
 - b. The lot has frontage upon a road which is open and maintained by the Township, the Province of Ontario or some other road authority, in such a manner so as to permit its use by vehicular traffic
 - c. Notwithstanding provision (b), a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a subdivision agreement, if the roads within such plan of subdivision have not been assumed and are not being maintained by the Township.

4.37 Temporary Construction Uses

- 1) The temporary use of buildings and structures incidental and necessary for lawful construction work will be permitted in all zones, but only for so long as the same are necessary for construction work.

4.38 Truck, Bus and Coach Bodies, or Trailers or Tents Used for Human Habitation

- 1) The use of any trailer for the living, sleeping, or eating accommodations of persons shall be permitted for a maximum of eight consecutive months.
- 2) Except as expressly permitted by this By-Law, no truck, bus, railroad car, caboose, coach or streetcar body shall be used for human habitation whether the same is mounted on wheels or not.
- 3) Except as expressly permitted by this By-Law, the use of tents for human habitation is prohibited.

4.39 Watercourse Management and Conservation Area

- 1) Works related to watercourse management and conservation shall be permitted in any zone, subject to the Regulated Area (LRCA) provisions of this By-law.

4.40 Wayside Pits and Wayside Quarries

- 1) A wayside pit or a wayside quarry shall be permitted in any Zone, except the Regulated Area (LRCA).

Rural Zone (RU)

- 1) No person shall within any Rural Zone (RU) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section.

5.1 Permitted Uses, Buildings and Structures

- / agricultural use
- / agri-tourism use
- / bed and breakfast
- / campground
- / cemetery
- / community garden
- / conservation uses
- / day care centre
- / dwelling unit (and additional dwelling unit, including a garden suite)
- / farm market
- / forestry use
- / greenhouse
- / group home
- / home occupation or home industry
- / park
- / single-detached dwelling
- / seasonal dwelling
- / modular dwelling
- / recreational use
- / residential care facility
- / stable or riding academy
- / buildings, structures, or uses accessory to the above uses in accordance with Section 4.2

5.2 Zone Provisions

PROVISION	REQUIREMENT
MINIMUM LOT AREA	2.0 ha
MINIMUM LOT FRONTAGE	90 m
MINIMUM FRONT YARD	15.0 m
MINIMUM REAR YARD	15.0 m
MINIMUM SIDE YARD	15.0 m
MAXIMUM BUILDING HEIGHT	12.0 m
MAXIMUM LOT COVERAGE	25 percent (for the sum of all buildings)

5.3 Exceptions

- 1) Despite Section 5.2, the required rear yard setback on a portion of Lot 3, Concession 1, Parcel 3879 DFWF, shall be 10 feet (By-law 832).
- 2) Despite Section 5.1, in addition to all of the current listed permitted uses, a "photo-cross facility", used in accordance with the regulations provided in By-law 936, shall also be a permitted use on Lot A, Concession 2, Part 2 on 55R550, MR91, Township of Conmee (By-law 936).

5.4 Required Side Yard for Sheltering Animals

- 1) Notwithstanding Section 5.2 above, the required side yard for any building used to shelter animals shall be 30 metres, and the provisions of this By-law shall apply in all other respects.

5.5 Required Setbacks Abutting an Industrial Zone (I)

- 1) Where a Rural Zone abuts a Waste Disposal Facility within the Industrial (GI) Zone, notwithstanding Section 5.2 above, no dwelling shall be erected, altered or used within 300 metres of the lot line abutting the Industrial (GI) Zone.
- 2) Where a Rural Zone is separated from a Waste Disposal Facility within the General Industrial (GI) Zone by a public road, no dwelling shall be erected, altered or used within 100 metres of the lot line abutting the public road.

5.6 Required Yards Abutting a Mineral Aggregate Zone (MA)

- 1) Where a Rural Zone abuts a Mineral Aggregate (MA) Zone, notwithstanding Section 5.2 above, the required side and rear yards shall be 90 metres.

5.7 Required Setback for Forestry Uses

- 1) Processing of forest products are permitted in the Rural Zone provided that:
 - a) The maximum building size associated with the forestry use is 200 square metres;
 - b) No equipment or machinery is stored within 30 metres of a lot line, a road, or a road allowance;
 - c) No equipment or machinery is stored within 120 metres of a building on an adjacent lot used for residential, recreational, institutional or commercial uses.

Commercial Zone (C)

- 1) No person shall within any Commercial Zone (C) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section.

6.1 Permitted Uses

- / agricultural use
- / agri-tourism use
- / animal hospital or veterinary clinic
- / assembly hall
- / auction establishment
- / automobile body shop, dealership, gas bar, service station, and store
- / bed and breakfast
- / community centre
- / convenience store
- / farmers market
- / garden centre
- / greenhouse
- / hotel
- / kennel
- / medical clinic
- / office
- / park
- / personal service shop
- / recreational uses and facilities
- / restaurant
- / retail store
- / salvage yard
- / shopping centre
- / warehouse
- / buildings, structures and uses accessory to the above uses in accordance with Section 4.2

6.2 Zone Provisions


PROVISION	REQUIREMENT
MINIMUM LOT AREA	2.0 ha
MINIMUM LOT FRONTAGE	90 m
MINIMUM FRONT YARD	15.0 m

MINIMUM REAR YARD	15.0 m
MINIMUM SIDE YARD	20.0 m
MAXIMUM BUILDING HEIGHT	12.0 m
MAXIMUM LOT COVERAGE	25 percent (for the sum of all buildings)

6.3 Other Provisions

- 1) Where any C Zone abuts any other commercial or industrial zone along a side lot line, the required side yard shall be 30 metres on the abutting side.
- 2) Where any C Zone abuts a residential or recreational use, the required yard shall be a minimum of 30 metres on the abutting site.
- 3) Notwithstanding any other provisions of this By-law, a gasoline pump island accessory to a permitted use shall not be located within 20 metres of any lot line.
- 4) Notwithstanding any other provisions of this By-law, a gasoline pump island accessory to a permitted use shall not be located within 23 metres of a residential use on the abutting side.

6.4 Exceptions

- 1)  spite Section 6.1, a "Museum" is a permitted use on the North Part of Lot A, Concession 1, being parts 1 and 7 of RP FWR484 (By-law 1168).

6.5 Required Setbacks Abutting a General Industrial Zone (GI)

- 3) Where a Rural Zone abuts a Waste Disposal Facility within the General Industrial (GI) Zone, notwithstanding Section 6.2 above, no dwelling shall be erected, altered or used within 300 metres of the lot line abutting the General Industrial (GI) Zone.
- 4) Where a Rural Zone is separated from a Waste Disposal Facility within the General Industrial (GI) Zone by a public road, no dwelling shall be erected, altered or used within 100 metres of the lot line abutting the public road.

6.6 Required Yards Abutting a Mineral Aggregate Zone (MA)

- 2) Where a Rural Zone abuts a Mineral Aggregate (MA) Zone, notwithstanding Section 6.2 above, the required side and rear yards shall be 90 metres.

6.7 Forestry Uses

- 1) Processing of forest products are permitted in the C Zone provided that:
 - a. The maximum building size associated with the forestry use is 200 square metres;
 - b. No equipment or machinery is stored within 30 metres of a lot line, a road, or a road allowance;
 - c. No equipment or machinery is stored within 120 metres of a building on an adjacent lot used for residential, recreational, institutional or commercial uses.

Mobile Home Park Zone (MH)

- 1) No person shall within any Mobile Home Park Zone (MH) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section.

7.1 Permitted Uses, Buildings, and Structures

- / dwelling unit
- / modular dwelling
- / mobile home dwelling
- / buildings, structures and uses accessory to the above uses in accordance with Section 4.2

7.2 Zone Provisions

PROVISION	REQUIREMENT
MINIMUM LOT AREA	2.0 ha
MINIMUM LOT FRONTAGE	90 m
MINIMUM FRONT YARD	15.0 m
MINIMUM REAR YARD	15.0 m
MINIMUM SIDE YARD	15.0 m
MAXIMUM BUILDING HEIGHT	12.0 m
MAXIMUM LOT COVERAGE	25 percent (for the sum of all buildings)

7.3 Required Setbacks Abutting a General Industrial (GI) Zone

- 1) Where a Mobile Home Park Zone abuts a Waste Disposal Facility within the General Industrial (GI) Zone, notwithstanding Section 7.2 above, no dwelling shall be erected, altered or used within 300 metres of the lot line abutting the General Industrial (GI) Zone.
- 2) Where a Rural Zone is separated from a Waste Disposal Facility within the General Industrial (GI) Zone by a public road, no dwelling shall be erected, altered or used within 100 metres of the lot line abutting the public road.

7.4 Required Yards Abutting a Mineral Aggregate Zone (MA)

- 3) Where a Mobile Home Park Zone abuts a Mineral Aggregate Zone, notwithstanding Section 7.2 above, the required side and rear yards shall be 90 metres.

8.0

Institutional Zone (I)

No person shall within any Institutional (RI) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section:

8.1

Permitted Uses, Buildings and Structures

- / assembly hall
- / cemetery
- / community centre
- / community garden
- / government offices
- / institutional use
- / municipal garage
- / municipal office
- / recreational uses and facilities
- / buildings, structures and uses accessory to the above uses in accordance with Section 4.2

8.2

Zone Provisions

PROVISION	REQUIREMENT
MINIMUM LOT AREA	2.0 ha
MINIMUM LOT FRONTAGE	90 m
MINIMUM FRONT YARD	15.0 m
MINIMUM REAR YARD	15.0 m
MINIMUM SIDE YARD	20.0 m
MAXIMUM BUILDING HEIGHT	12.0 m
MINUM DISTANCE BETWEEN DETACHED BUILDINGS	6.0 metres

8.3

Other Provisions

- Where any Institutional Zone abuts any other commercial or industrial zone along a side lot line, the required side yard shall be 30 metres on the abutting side.
- Where any Institutional Zone abuts a residential or recreational use, the required yard shall be a minimum of 30 metres on the abutting site.

General Industrial Zone (GI)

No person shall within any General Industrial Zone (GI) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section:

9.1 Permitted Uses, Buildings and Structures

- / automobile service station
- / automobile body shop
- / automotive gas bar
- / batching plant, asphalt or concrete
- / cannabis production facility
- / light industrial use
- / heavy industrial use
- / portable asphalt plant
- / portable concrete plant
- / salvage yard
- / sawmill complex
- / service shop
- / waste disposal facility (subject to provisions in Section 9.4)
- / warehouse buildings, structures and uses accessory to the above uses in accordance with Section 4.2

9.2 Zone Provisions

PROVISION	REQUIREMENT
MINIMUM LOT AREA	4.0 ha
MINIMUM LOT FRONTAGE	120 m
MINIMUM FRONT YARD	15.0 m
MINIMUM REAR YARD	30.0 m
MINIMUM SIDE YARD	30.0 m
MINIMUM DISTANCE BETWEEN DETACHED BUILDINGS	6.0 metres

9.3 Abutting Commercial or Industrial Use

- 1) Where a General Industrial Zone (GI) abuts any other commercial or industrial use, the required side yard shall be 45 metres.
- 2) Where any General Industrial Zone (GI) abuts a residential or recreational use, the required yard shall be a minimum of 45 metres on the abutting site.

9.4 Waste Disposal Facility Provisions

- 1) No waste disposal facility shall be located within 500 metres of a building used for residential, recreational,

institutional, or commercial purposes.

- 2) No waste disposal facility shall be located within 60 metres of any road or road allowance, except a road serving the disposal site, or within 100 metres of an adjoining property.

10.0 Mineral Aggregate (MA) Zone

No person shall within any Mineral Aggregate (MA) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section:

10.1 Permitted Uses, Buildings and Structures

- / batching plant, asphalt or concrete
- / extractive industrial use
- / mineral aggregate operation
- / mineral mining operation
- / portable asphalt plant
- / portable concrete plant
- / resource management use
- / wayside pit or quarry

10.2 Zone Provisions

- 1) No excavation, building, equipment, or stockpile shall be located within 120 metres of a building used for residential, recreational, institutional or commercial purposes.
- 2) No excavation, building, equipment, or stockpile shall be allowed within 30 metres of any road or road allowance or adjoining property except a property currently zoned as Industrial (GI).

10.3 Exceptions

- 1) Despite Sections 10.1 and 10.2, for Lot 7, Concession 3, Parcel 1751, District of Thunder Bay, no excavation, building, equipment or stockpile shall be permitted
 - a. within 105 metres of any abutting property which could be developed for residential, recreational or institutional uses;
 - b. within 45 metres of any municipal road or road allowance; or,
 - c. within 15 metres of any body of water that is not a result of the excavation (By-law 921).

11.0

Parks and Open Space Zone (OS)

No person shall within any Parks and Open Space (OS) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section.

11.1 Permitted Uses, Buildings and Structures

- / campground
- / conservation and wildlife sanctuary
- / golf courses
- / park
- / recreational uses and facilities

11.2 Other Provisions

- 1) Buildings, structures and parking lots are prohibited within 30 metres of a lot line or public road.

12.0

Environmental Protection Zone (EP)

The Environmental Protection Zone is intended to reserve land in the Township for the protection of sensitive environmental features.

No person shall within any Environmental Protection Zone (EP) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section.

12.1 Permitted Uses, Building and Structures

- / conservation and wildlife sanctuary
- / passive recreational uses
- / conditional uses, buildings, and structures, as approved by Township Council and/or the Lakehead Regional Conservation Authority

12.2 Special Exceptions

- 2) Reserved for future use.

**Ministry of
Municipal Affairs
and Housing**

Municipal Services Office
North (Thunder Bay)

435 James Street South, Suite 223
Thunder Bay ON P7E 6S7
Telephone: 807 475-1651
Toll-Free: 1 800 465-5027

**Ministère des
Affaires municipales
et du Logement**

Bureau des services aux
municipalités du Nord (Thunder Bay)

435, rue James Sud, bureau 223
Thunder Bay ON P7E 6S7
Téléphone : 807 475-1651
Sans frais : 1 800 465-5027



October 10, 2024

via e-mail only

Township of Conmee
19 Holland Rd
Kakabeka Falls, ON P0T 1W0
conmee@conmee.com

Attention: Shara Lavallee, Clerk

**Subject: Decision – Approval of Official Plan
Township of Conmee
MMAH File N° 58-OP-210454**

This is to advise you of the approval, with modifications, of the Township of Conmee's Official Plan. Copies of the Decision and Notice of Decision are attached for your information and use.

Pursuant to subsections 17(36.5) and (38.1) of the Planning Act, this decision is final and not subject to appeal. Accordingly, the Official Plan, as approved with modifications by the Minister, came into effect on October 10th, 2024.

Should you have any questions or concerns, please contact Ropheka Adofo at 807-631-4954 or ropheka.adofo@ontario.ca.

Yours truly,

A handwritten signature in blue ink, appearing to read "Victoria Kosny", with a stylized flourish at the end.

Victoria Kosny
Manager, Community Planning and Development
Municipal Services Office – North (Thunder Bay)

c: Matt McElligott- FoTenn planning (mcelligott@fotenn.com)
encl: Notice of Decision
Decision

DECISION

With respect to the
Township of Conmee Official Plan

Subsection 17(34) of the *Planning Act*

I hereby approve the repeal of the Township of Conmee Official Plan and all subsequent amendments thereto, pursuant to By-law 1425, insofar as this official plan is in effect;

I hereby approve the Township of Conmee Official Plan adopted by By-law 1425, subject to the following modifications with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Page 4, Section 2.1.2 Creation of New Lots, is modified so it reads:

Given the limited municipal services in the Township, new development that requires the creation or extension of new roads and / or the construction of new public infrastructure is generally discouraged. Applications for development that will result in the creation of new infrastructure, such as public roads **and communal water and septic services**, shall require a Financial Implementation Plan, to be prepared at the proponent's expense, detailing the phasing and financial implications of such costs to the Township.

2. Page 7, Section 3.1.6 Agriculture, Agricultural-related Uses and On-farm Diversified Uses, is modified so it reads:

Agricultural uses allow for 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; and 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.**

Agriculture-related uses include **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.

3. Page 11 Section 3.5 Environmental Protection, is modified so it reads:

- / All significant wetlands ~~evaluated and identified by the Ministry of Natural Resources and Forestry~~ as found within the Land Information Ontario database;
- / All other wetlands that were designated ~~as such in the previous Official Plan~~ or which have been identified but not evaluated according to the Ontario Wetland Evaluation System (OWES) by the Ministry of Natural Resources and Forestry and endorsed by Council;
- / Significant wildlife habitats, including habitats of endangered and threatened species; and,
- / Areas of Natural and Scientific Interest
- / Fish Habitat
- / Any other area that has been determined to be environmentally significant as a result of a planning process.

4. Page 12 Section 3.5 Environmental Protection, Adjacent Lands 7 is modified so it reads:

- a. 120 metres of the boundary of a provincially significant wetlands;
- b. 50 metres from the boundary of a ~~Provincially or Regionally~~ Significant Area of Natural and Scientific Interest (ANSI) – earth science;
- c. 120 metres of the boundary of a Significant area of Natural and Scientific Interest (ANSI) – life science;
- d. ~~50 metres of a significant habitat of any endangered or threatened species and, where scientific data has determined a different setback, the greater of the two will be required; and, 120 metres of significant wildlife habitat;~~
- e. 120 metres of significant woodlands
- f. ~~30 metres from the boundary of a fish habitat area. 120 metres of fish habitat~~

5. Page 13 Section 3.5 Environmental Protection, Evaluated Wetlands 14, is modified so it reads:

If a wetland is identified and has characteristics or contains significant species or functions that are typical of a significant wetland on or adjacent to a proposed development, a wetland evaluation assessment will be undertaken by a qualified professional ~~and subsequently reviewed by the Ministry of Natural Resources and Forestry (MNRF)~~ to determine its significance.

6. Page 15, Section 4.0 General Development Policies, is modified by adding a new subsection that reads:

4.1 Affordable Housing

4.1.1 It is a policy of this Plan to facilitate access to a range and mix of affordable housing choices for existing and new residents. To be considered affordable, housing costs must meet the following:

In the case of ownership housing, the least expensive of:

- i) Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or
- ii) Housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.

In the case of rental housing, the least expensive of:

- i) A unit for which the rent does not exceed 30% of gross annual household income for low and moderate income households; or
- ii) A unit for which the rent is at or below the average market rent of a unit in the regional market area.

7. Page 15, Section 4.1.1 Additional Dwelling Units, 4, is modified so it reads:

- 4. Council shall be satisfied that the additional dwelling unit does not constitute a second independent principal dwelling on the lot. ~~Standards shall be established in the Zoning By-law to govern compatibility with the main dwelling and neighbourhood character.~~

8. Page 18, Section 4.7 Water and Sewer Servicing Strategy, 3rd paragraph is modified so it reads:

The Township does not maintain public water services or sewage services. ~~As such, all development is required to be serviced by individual on-site sewage services and individual on-site water services.~~ The following policies relate to both existing and planned infrastructure requirements of the Township.

9. Page 18 Section 4.7.2 Requirements for Septic Systems, is modified so it reads:

- 1. To accommodate an individual on-site sewage service, new lots must be of an appropriate size and configuration, a minimum size of 1 hectare, and front onto a public road, unless a smaller lot size can otherwise be supported by technical

information pertaining to the physical characteristics and hydrogeology of the site in accordance with guidelines of the Ministry of Environment, Conservation and Parks and prepared by qualified professionals.

2. ~~Communal sewage systems shall not be permitted in the Township of Conmee.~~ The policies of this Plan are intended to ensure that lot sizes and conditions are adequate to allow the safe and efficient operation of individual septic systems.
3. A development plan for any type of on-site sewage services, such as a septic tank system or leaching pit, shall be completed in accordance with Ontario Regulation 358 and approved by the Thunder Bay District Health Unit, ~~and the Ministry of Environment, Conservation and Parks.~~

10. Page 18, Section 4.7.4 Multi-unit Development, is modified to add a new subsection that reads:

2. The municipality may only consider communal services for proposed multi-unit development where the applicant has demonstrated that servicing options have been investigated and reported through a Serving Options Statement in accordance with Ministry of the Environment, Conservation and Parks' D-5 Guidelines. The municipality will also assess the financial implications of entering into an agreement for municipal ownership and responsibility for the communal systems to service proposed residential development.

11. Page 21 Section 4.9.1 Provincial Highways, Development Adjacent to Provincial Highways, is modified to add a new subsection that reads:

6. Development proposals in close proximity to Provincial Highways shall be reviewed for land use compatibility concerns. Proponents seeking planning approvals to allow residential or other sensitive land uses adjacent to Provincial Highways may be required to submit a noise study, to the satisfaction of Council, to identify appropriate noise mitigation measures. Where required, noise studies shall be prepared by qualified individuals according to MECP Noise Assessment Guidelines.

12. Page 24, Section 4.11.3, Alterations to Heritage Resources & Adjacent Lands, is modified so it reads:

Development, redevelopment, and site alteration to a ~~designated~~ significant cultural heritage resource or on lands adjacent to a ~~designated~~ protected heritage resource

property shall only be permitted where it has been evaluated and demonstrated by a heritage professional that the heritage attributes of the resource will be conserved. Mitigating measures and / or alternative development approaches may be required in order to conserve the heritage attributes of the affected resource.

13. Page 24, Section 4.11.4, Retention/Relocation of Cultural Heritage Resources, 2, is modified so it reads:

1. All options for on-site retention shall be considered before approval is given for relocation to another site. **Alternative options will be considered where they have been recommended by a conservation plan, archaeological assessment, and/or heritage impact assessment. These options include:**
 - a. ~~integration within new development areas;~~
 - b. ~~adaptive re-use of the building in its original location; and~~
 - c. ~~relocation of the building on the development site.~~

14. Page 24, Section 4.11.5, Demolition / Destruction, is modified so it reads:

1. The demolition or destruction of designated cultural heritage resources shall generally not be permitted. Prior to considering such a request, Council shall require the applicant to:
 - a. Submit accurate and complete information pertaining to the structural condition of the building or structure, with respect to the Ontario Building Code; and ,
 - b. Any other relevant information to determine the feasibility of restoring as opposed to demolishing the building or structure.
 - c. **Submit appropriate cultural heritage studies (e.g., archaeological assessments, cultural heritage evaluation reports, heritage impact assessments, conservation plans), prepared by a qualified professional.**
2. Council shall engage the services of a qualified professional to review any required documentation or reports ~~and conduct a heritage impact assessment prior to granting a demolition permit.~~

15. Page 30 Section 5.3.5, Endangered & Threatened Species, is modified by deleting bullet 3 in its entirety:

3. ~~Any person undertaking an activity within a habitat of an endangered or threatened species is responsible for contacting the Ministry of Natural Resources and Forestry (MNRF) to determine whether conditions under the ESA apply.~~

16. Page 31 Section 5.3.6, Fish Habitat, subsection 1 and 4 are modified so they read:

1. Fish habitat means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. ~~Fish Habitats are not specifically identified on the Schedules to this Official Plan; therefore applicants must consult with the appropriate authority (MNRF) when proposing any development on lands adjacent to water. As no detailed fish habitat mapping has been completed to date within the township, all water features including: permanent or intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural surface drains, lakes and ponds (except human-made off-stream ponds), should initially be considered fish habitat unless it can be demonstrated to the satisfaction of council that the feature does not constitute fish habitat as defined by the Fisheries Act~~".
4. Subject to the approval of Council, ~~the Ministry of Natural Resources and Forestry and the Federal Department of Fisheries and Oceans~~, new development may be approved in shoreline areas, adjacent to and within the required setback, subject to a satisfactory Environmental Impact Study being completed, which shows that development will not have a negative impact on Fish Habitat. The requirement of an Environmental Impact Study will be at the discretion of Council.

17. Page 31 Section 5.3.7, Wetlands, paragraph 2 subsections 1 and 3 are modified so they read:

The following policies apply to wetlands:

1. Wetlands within the Township are shown on Schedule A. These wetlands have ~~either~~ not been evaluated ~~or do not meet the criteria to be considered~~ determine if Provincially significant.
3. ~~The Township does not contain any Provincially Significant Wetlands, however wetlands may be evaluated by the Ministry of Natural Resources and Forestry and be classified as Provincially Significant Wetlands. No wetlands in the township have been evaluated and identified as significant at this time. Wetlands may be evaluated by an OWES Qualified Wetland Evaluator and be classified as Provincially Significant Wetlands in the future.~~ Any Provincially Significant Wetlands identified in the future will be indicated on Schedule A. Such wetlands will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

18. Page 32 Section 5.3.8, Significant Wildlife Habitat, is modified so it reads:

1. ~~No significant wildlife habitat areas are identified by this Plan. However, should new information become available, and / or other wildlife habitat areas may become known, these areas will be added to Schedule A. This new information will be considered at the time a development application is submitted and/or when the Official Plan is reviewed. Currently, there are no confirmed significant wildlife habitat (SWH) areas within the Township. Candidate SWH areas do exist which require further study. Should new information lead to the confirmation of SWH areas, these areas will be added to Schedule A.~~
2. Development and site alteration shall not be permitted in or adjacent to (within 120 metres) significant wildlife habitat ~~except in accordance with provincial and federal requirements and unless~~ it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. An Environmental Impact Study (EIS) will be required where development may impact significant wildlife habitat or lands adjacent (120 metres) to significant wildlife habitat.

19. Page 32 Section 5.4.1, Purpose of an EIS, is modified so it reads:

1. The purpose of an EIS is to:
 - a. collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);
 - b. ~~make an informed decision as to whether or not~~ demonstrate that a proposal/ application a proposed use will have a no negative impact on ~~the critical~~ natural heritage features and ecological functions ~~of the Township their adjacent lands~~; and,
 - c. evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.

20. Page 36, Section 5.7.3, Wildland Fire Hazards, is modified so it reads:

Hazardous forest types for wildland fire are forest types assessed as being associated with the risk of high to extreme wildland fire, generally being forested areas which are composed of a certain type and condition of forest fuel (i.e. vegetation). There is an inherent risk to the public when changes to the landscape occur, such as the encroachment of development into forested areas associated with high to extreme risk. The Township may require wildland fire assessments to evaluate wildland fire risk factors of an area or site ~~through continued collaboration with the MNRF.~~

21. Page 36, Section 5.7.6, Human-Made Hazards, is modified to add a new subsection 3 that reads:

3. Applicants of proposed developments within 1000 metres of an Abandoned Mine Hazard Site must consult with the Ministry of Mines first and undertake any required remediation measures. Where a rehabilitated mine hazard is identified within 1000 metres of a proposed development, written consent of the Minister of Mines is required prior to the disturbance of any rehabilitated mine hazard features.

22. Page 44, Section 6.13.2, Complete Applications, is modified by deleting subsection 4:

~~4. The Township has the authority to request additional information that will be required as part of a complete application, after further review of the application proposal.~~

Dated at Toronto this 9th day of OCTOBER, 2024.



Sean Fraser, Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

File Number: 58-OP-210454
Municipality: Township of Conmee
Subject Lands: All lands within the Township of Conmee

Date of Decision: October 9th, 2024
Date of Notice: October 10th, 2024

NOTICE OF DECISION

With respect to the Township of Conmee Official Plan Subsection 17(34) of the *Planning Act*

A decision was made on the date noted above to approve the Official Plan for the Township of Conmee by By-law No. 1425, subject to twenty-two (22) modifications.

Purpose and Effect of the Official Plan Amendment

The Official Plan for the Township of Conmee contains goals, objectives, and policies to guide land use decisions within the planning area. The Official Plan, approved as modified, will be consistent with the Provincial Policy Statement, 2020 and continue to provide guidance for growth over a 25-year planning horizon. A copy of the decision is attached.

Decision Final

Pursuant to subsections 17 (36.5) and (38.1) of the *Planning Act*, this decision is final and not subject to appeal. Accordingly, the Official Plan, as approved with modifications by the Minister, came into effect on October 10th, 2024.

Other Related Applications:

N/A

Getting Additional Information

Additional information is available during regular office hours at the Ministry of Municipal Affairs and Housing at the address noted below or from the Township of Conmee.

Ministry of Municipal Affairs and Housing
Municipal Services Office – North
435 James Street South, Thunder Bay
ON, P7E 6S7

Inquiries can be directed to the attention of Ropheka Adofo, A/Planner

Tel.: (807) 631-4954
Email: ropheka.adofo@ontario.ca



Township of Conmee
Official Plan

Council Approved - December 19, 2023

(Approved with Ministerial Modifications, October 9, 2024)



Prepared for Township of Conmee

FOTENN

Prepared by Fotenn Planning + Design
396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7

October 2024

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1.0

Introduction

The preparation of this Official Plan (the “Plan”) began in 2020 and has involved many dedicated and committed people with an interest in the future of the Township of Conmee. The consultation and engagement process has resulted in a Vision for the future of the Township that is expressed in this Plan. This Vision is based on a series of planning principles that are intended to:

1. protect the natural environment;
2. encourage economic development;
3. conserve the Township’s natural resources;
4. direct new development to appropriate locations; and,
5. protect the character of the Township’s rural areas.

The purpose, goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests for the next 25 years.

1.1 Structure of this Plan

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

- / **PART 1 (Vision, Goals and Strategic Objectives)** contains the Vision for the Township. This Vision is based on an understanding of past and future trends, as well as the aspirations of the Township's residents. The goals and strategic objectives that form the basis of the Plan flow from the Vision. These goals and strategic objectives establish the framework for the remaining policies in the Plan. This section of the Plan also describes how the Vision is implemented through a series of land use designations.
- / **PART 2 (Growth Management)** contains policies for how the Township is intended to grow over the next 25 years.
- / **PART 3 (Land Use Designations)** contains the land use policies that apply to lands within the Township.
- / **PART 4 (General Development Policies)** contains policies that address land use planning matters such as water and sewer servicing, transportation, cultural heritage resources and the subdivision of land. These policies apply to the whole of the Township.
- / **PART 5 (General Environmental Policies)** contains policies addressing development in relation to natural features, in floodplains, and on hazardous slopes throughout the Township. In addition, this section contains policies specifying submission requirements for development applications, including water resource and stormwater management reports and environmental impact studies.
- / **PART 6 (Plan Implementation and Administration)** describes how the policies of the Official Plan will be implemented and administered.

1.2 The Community Vision

The primary purpose of the Official Plan is to provide a basis for managing growth that will protect the Township of Conmee’s character, diversity, civic identity and significant natural heritage features. This Official Plan is a land use management policy document that is intended to assist local decision-makers in administering long-term growth and development of the Township.

The residents of Conmee enjoy a high quality of life, created in large part by the clean air, the people, the rural area, the open scenic countryside, and distinctive natural features throughout the Township. These are the qualities that, taken together, create a highly-valued identity for residents.

The Township is characterized as a rural area and this Official Plan establishes long-term roles and functions for the entire planning area. It is the intent of the Plan to permit development on rural lands that is compatible with the character, role and function of the area. It is also the intent of this Plan to permit the continued functioning of natural systems, maintain the rural pattern of large land holdings and a landscape dominated by open fields, forests and rolling hills.

It is estimated that the population of the Township will remain relatively stable over the next 25 years. It is the goal of the Township to maintain the rural character of the community and to continue to develop the Township for existing and future residents, and as a tourist destination. This Plan anticipates that the existing pattern of development will not change substantially in the future, however, the Plan does anticipate the development of additional residential dwellings and typologies to accommodate the needs of an aging population and contribute to the Township's economy.

The Official Plan assumes that the high quality of life currently enjoyed by the Township's residents and visitors can be maintained and enhanced if the Township's distinct rural character is protected. However, change is inevitable, and it must be managed in an efficient and orderly manner to maximize the benefits of new development. It is therefore the intent of this Plan to provide the Township Council with the tools to consider and mitigate the impacts of change on the qualities that make Conmee a desirable place to live, work, and visit.

1.3 Objectives of this Plan

The Township is committed to encouraging new development that maintains and improves the quality of life of residents. In addition to responding to matters of provincial interest, the objectives of this Official Plan are as follows:

1. To maintain the distinctive rural and natural character of the Township, which provides serenity, privacy, and spaciousness;
2. To create an environment which enhances the social, physical, and economic well-being of the residents of the Township;
3. To create an environment which, together with neighbouring municipalities, provides a variety of choices in housing and economic activity;
4. To use the natural resources and the natural amenities of the Township to the benefit of existing and future residents;
5. To manage change and promote efficient cost-effective development and land use patterns which are orderly and efficient, while stimulating economic growth and protecting the environment and public health;
6. To develop a roads system which is convenient, safe and economical;
7. To provide levels of services appropriate to the needs of rural life;
8. To maintain a healthy financial position for the Township; and,
9. To encourage a moderate rate of population growth to accommodate new residents without disrupting the character of the Township or burdening municipal services or facilities.

1.4 Purpose and Effect of this Plan

The Planning Act mandates that all planning authorities prepare and adopt an Official Plan. In addition to fulfilling this statutory requirement, the Official Plan of the Township of Conmee is designed to achieve several purposes, namely to:

1. Establish, in general terms, the type, form, intensity, character and desired pattern of land use and the approach to ensuring the wise management of the resource base;
2. Establish a clear Township-wide growth management strategy;
3. Provide a consistent basis for actions and decisions on all matters relating to the use of land, development, redevelopment and change within the Township;

4. Inform the general public, private interests, and business of the intended nature and direction of the use of land, development, redevelopment and physical improvements in the Township; and,
5. Provide a framework for the implementation of the Township's powers and authority under the Planning Act, and other relevant statutes.

2.0

Growth Management

Growth management is the method by which the Township plans for new development to ensure that land is used efficiently and that development does not outpace the Township's ability to provide the services and infrastructure needed to meet the demands of its population. Growth management also provides a level of protection for the natural environment, natural resources, and agricultural lands in the Township, mitigating unregulated growth. This section outlines the growth management strategy of the Township.

The following goals and objectives shall guide the growth management strategy for the Township:

1. Direct the majority of future growth to areas served by the existing and planned road network to limit the costs to the Township and avoid overdevelopment of the countryside;
2. Conserve and protect natural heritage features, mineral aggregate areas, and agricultural lands;
3. Identify and protect lands with forestry and mining potential; and,
4. Make efficient use of land and the capital investment in infrastructure made by the Township and other levels of government.

2.1 Growth Management Strategy

Census data from 2021 calculates the population of the Township to be 798. Although slightly decreasing by 2.6% from a 2016 population of 819, the population of Conmee has seen a 4.5% overall increase since 2011, from a population of 764. The Township's population is expected to remain stable, with the possibility of limited growth due to interest in rural properties. It is the policy of this Plan that future population growth shall be accommodated in areas served by an existing road network.

2.1.1 New Settlement Areas

The Township is entirely rural and does not contain any designated Settlement Areas, such as a hamlet, village, or town. As such, it is the intention of this Plan to conserve the rural character of the Township and no new Settlement Areas shall be permitted.

2.1.2 Creation of New Lots

Given the limited municipal services in the Township, new development that requires the creation or extension of new roads and / or the construction of new public infrastructure is generally discouraged. Applications for development that will result in the creation of new infrastructure, such as public roads and communal water and septic services, shall require a Financial Implementation Plan, to be prepared at the proponent's expense, detailing the phasing and financial implications of such costs to the Township.

It is anticipated that the majority of new lots will continue to be created through the Consent process, as detailed in Section 4.12 (Subdivision of Land) of this Plan. In the rare instances where the creation of more than two (2) parcels is proposed, or where new Township infrastructure is required, a Plan of Subdivision application will be required, as detailed in Section 4.12 (Subdivision of Land) of this Plan.

Depending on the nature of the lot creation and infrastructure being proposed, additional studies, reports or plans and approvals may be required, as established in this Plan and / or relevant provincial legislation, policy, and guidelines.

The Province of Ontario has delegated authority for the approval of land division in the Township of Conmee to the Lakehead Rural Planning Board.

3.0

Land Use Designations

3.1 Rural

The Rural Area land use designation constitutes the primary land base of the Township and is composed of residential areas, commercial and industrial uses, institutional uses and agricultural operations and agriculture-related uses. The location of the lands designated Rural Area is illustrated on Schedule A.

Goals & Objectives

The following goals and objectives shall guide the use of land and maintain the character of the Rural Area to:

- / Preserve and protect the rural character and the scenic quality of the rural landscape; and
- / Permit new uses compatible with rural character and rural servicing levels.

Permitted Uses

- a) The primary use of land in the Rural Area shall be for residential, commercial, institutional, agricultural, and agriculture-related uses.
- b) Secondary uses in the Rural Area may be permitted provided they will not negatively impact the rural character or planned servicing levels in the Rural Area and shall include: home occupations; home industries (including animal kennels); bed and breakfast establishments; on-farm diversified uses; group homes; additional dwelling units; and garden suites.

3.1.1 Rural Residential

Policies

1. Rural residential uses shall be limited to a single-detached dwelling on a lot.
2. New rural residential lots shall be permitted to accommodate single-detached residential dwellings, new seasonal dwellings, and rural estate lots, provided that the lot is sized to the minimum area necessary for the residence and the installation of a private water supply and sanitary sewage disposal system.
3. Rural residential lots must be of an appropriate size and configuration to accommodate private services (well and septic) and front onto a public road.
4. As established in Section 4.7 (Water and Sewer Servicing Strategy) of this Plan, submission of a hydrogeological study may be required prior to the creation of new rural residential lots.

3.1.2 Pines on Hume

It is the intention for the Township of Conmee and the Conmee Non-Profit Housing Corporation (CNPHC) to develop the lands known as Part Broken Lot B, Concession 1, Township of Conmee, District of Thunder Bay, Except Parts 3 & 4 on Reference Plan 55R-11418 (PIN: 62302-0327) to accommodate assisted living housing units and affordable housing units for seniors, with other associated uses.

Policies

1. The Pines on Hume lands, known legally as: Part Broken Lot B, Concession 1, Township of Conmee, District of Thunder Bay, Except Parts 3 & 4 on Reference Plan 55R-11418 (PIN: 62302-0327), may be developed to contain semi-detached, townhouse, apartment, and other multi-unit housing types. The lands may also develop to accommodate associated and complimentary land uses, as required, including small-scale nursing home facilities, service facilities, small scale commercial uses, recreation areas, and other associated uses.

2. Any development shall be designed and maintained in such a manner as to provide adequate parking, buffering and landscaping. Communal water and sewage facilities must be provided and operated to the satisfaction of the Ministry of Environment, Conservation and Parks. When assessing the proposed development, Council shall consider:
 - a. whether the use is compatible with the rural character of the Township;
 - b. the location is appropriate for the proposed use;
 - c. the site has been designed to provide for safe access and egress;
 - d. adequate off-street parking will meet the demands of the particular use; and,
 - e. adequate water and sanitary services are provided.
3. New development may be subject to Site Plan Control under the provisions of the Planning Act.

3.1.3 Mobile Home Park

A Mobile Home Park allows owners of mobile homes a place to lease space while also often providing basic utilities such as water, sanitary services, electricity, and other amenities. The overall density and servicing requirements of Mobile Home Parks are not compatible with the desired rural character of the Township and are therefore discouraged as a means to accommodate growth and new housing.

Policies

1. The Township of Conmee permits the existing mobile home park and associated units in the Spruce Grove Mobile Home Park, as shown on Schedule A of the Zoning By-law.
2. New mobile home parks shall not be permitted in any land use designation in Conmee.
3. Notwithstanding the above, the Spruce Grove Mobile Home Park shall be a permitted use with a maximum of 30 mobile home units. The Mobile Home Park shall be recognized by the zoning by-law in a separate mobile home park zone in which:
 - a. permitted uses include a mobile home located on a mobile home site within an existing mobile home park, a home occupation, and accessory uses;
 - b. the minimum distance between building and structure in the mobile home park overlay and public roads and lots in other zones shall be 10 metres;
 - c. a minimum of 5% of the mobile home park shall be dedicated as common parkland; and,
 - d. each mobile home shall be allocated a site not less than 1,000 square metres in area.
4. The existing mobile home park shall be designed and maintained in such a manner as to provide adequate parking, buffering and landscaping. Communal water and sewage facilities must be operated to the satisfaction of the Ministry of Environment, Conservation and Parks.

3.1.4 Institutional

The Township of Conmee contains Institutional land uses within the Rural Area, including the Township office, the municipal cemetery, churches, public infrastructure, and other similar uses.

Policies

1. All Institutional land uses shall be placed in an Institutional zone in the implementing Zoning By-law.
2. Proposals for new institutional land uses will be evaluated on a case-by-case basis and may be subject to Site Plan Control under the provisions of the Planning Act.
3. When assessing new institutional land uses Council shall consider:
 - a. whether the use is compatible with the rural character of the Township;

- b. the location is appropriate for the proposed use;
 - c. the site has been designed to provide for safe access and egress;
 - d. adequate off-street parking will meet the demands of the particular use; and
 - e. adequate water and sanitary services are provided.
4. In accordance with the Provincial Policy Statement (2020) and the Cemeteries Act, cemeteries are permitted in the Institutional zone. New cemeteries or expansions to existing cemeteries shall be subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that:
- a. the size of the cemetery and the accessory uses are appropriate for the area; and,
 - b. the use can be accessed by roads which are designed to accommodate high volumes of traffic in short periods of time.

3.1.5 Commercial

The Township of Conmee includes commercial uses that are intended to provide commercial services to residents and visitors in appropriate locations, particularly near the existing and future Highway 17 corridors. The policies in this section are intended to recognize these existing land uses and to ensure that new rural commercial development occurs in an orderly manner.

Policies

1. All Commercial land uses shall be placed in a Commercial zone in the implementing Zoning By-law.
2. Permitted uses within the Commercial zone may include auto service and sales, convenience stores, restaurants, wholesale establishments, storage and/or warehousing establishments, retail uses, retail food stores, garden centres, and other similar uses.
3. It is the intent of this Plan that all commercial developments which serve the needs of the rural community or the traveling public be planned to ensure that water and sanitary services and access/egress are adequately addressed.
4. Development proposals for new Commercial uses may be subject to an amendment to the implementing Zoning By-law and will be subject to Site Plan Control. Prior to considering an application, Council shall be satisfied that:
 - a. Adequate parking and loading facilities are provided on the site, in accordance with the applicable Zoning By-law provisions;
 - b. Adequate landscaping will be provided to enhance the aesthetics of the site and surrounding area, delineate parking areas, improve drainage, and provide visual screening, where necessary;
 - c. Outdoor storage areas are substantially screened from view from neighbouring properties and the public roadway;
 - d. The proposed use can be adequately serviced with an appropriate water supply and means of sewage disposal;
 - e. Where a proposed use abuts, or is in close proximity to, an existing residential use, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate screening between the uses; and,

3.1.6 Agriculture, Agricultural-related Uses and On-farm Diversified Uses

The Township of Conmee Rural Area land use designation contains some areas of agricultural concentration. The Rural land use designation shall permit Agricultural uses, Agricultural-related uses and On-farm Diversified uses, as defined by the Provincial Policy Statement (2020) and as described below:

Agricultural uses allow for 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; and 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.

Agriculture-related uses include 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.

On-farm diversified uses 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, agritourism uses, and uses that produce value added agricultural products.

Policies

1. All agriculture and agricultural-related land uses shall be placed in a Rural Zone in the implementing zoning by-law.
2. On-farm industrial uses such as feed mills, grain drying facilities, fertilizer blending stations, and abattoirs, shall be permitted in association with an agricultural operation in accordance with the policies of this plan, the requirements of the Ministry of Agriculture, Food and Rural Affairs and subject to a Zoning By-law Amendment.
3. On-farm commercial uses such as stables, greenhouses, fruit and vegetable stands, market gardens, and nurseries may be permitted as-of-right in association with an agricultural operation, provided all parking associated with the on-farm commercial use is provided on site.
4. Agri-tourism uses that promote the enjoyment, education or activities related to the farm operation are also permitted in the Rural zone.
5. Where ground-mounted solar facilities are proposed on a property that accommodates an agricultural use, the solar facilities shall be accessory to the agricultural use and meet the criteria for on-farm diversified uses in this Plan. Agriculture-related uses and On-farm diversified uses that are compatible with and do not hinder surrounding or nearby agricultural operations are permitted subject to limitations on size, scale and location on the property as determined in the Zoning By-law. On-farm diversified uses...
6. The Township of Conmee may require new agricultural farm operations be regulated and approved through Site Plan Control.
7. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) minimum distance separation (MDS) formulae and guidelines, as amended.
8. The Township may seek to redesignate agricultural areas to a new Agricultural land use designation. Prior to identifying potential prime agricultural areas to protect, the Township, landowner or proponent shall undertake an Agricultural Land Evaluation System (ALES) and/or Land Evaluation and Area Review (LEAR) study to evaluate whether lands may appropriately be designated Agriculture.
9. The principle of normal farm practice, as defined by the Farming & Food Production Protection Act, shall be upheld when addressing complaints with respect to noise, odour, dust and similar nuisances brought against farmers in the Township.
10. Forestry uses shall be permitted in the Rural designation, including the production of wood and wood products, subject to provision of proper environmental conditions for wildlife, protection against floods and erosion, and protection and production of water supplies. The processing of forest products is considered an Industrial Use and shall be subject to a Zoning By-law Amendment to ensure compatibility with adjacent land uses.

11. Forestry activities on Crown lands within the Township are subject to policies and regulations under the Crown Forest Sustainability Act, governed by the Ministry of Natural Resources and Forestry.
12. The Township may apply a Forestry Overlay to protect areas for future forestry use on Schedule A of the Official Plan. Where an Overlay is applied, any proposed development under the Overlay shall be evaluated to ensure future potential for forestry harvesting is not compromised.

3.2 Industrial

The Industrial land use designation is intended to permit a range of industrial uses which, by their nature, generate noise, fumes, odours or other noxious impacts, while also providing development standards to ensure compatibility with adjacent non-industrial land uses.

Policies

1. All industrial land uses shall be placed in an Industrial zone in the implementing Zoning By-law.
2. Industrial operations that provide services and goods in support of mineral mining and mineral aggregate extraction, processing of forest products, and other similar uses shall be permitted in the Industrial designation.
3. The Township contains two waste disposal sites, one active and one inactive. These sites are to be identified and designated Industrial on Schedule A of the Official Plan and zoned Industrial in the implementing Zoning By-law in accordance with Section 5.8.
4. Proposals to establish a new Industrial uses shall only be permitted through an Official Plan Amendment and Zoning By-law Amendment and subject to the following criteria:
 - i. The proposal satisfies the policies of this Plan, including Land Use Compatibility policies;
 - ii. Appropriate buffering shall be provided where the use is located adjacent to a sensitive land use;
 - iii. There is no adverse impact on the amenity and character of the rural area;
 - iv. Private services, where required, are provided in a manner which supports protection of the natural environment and minimize potential risks to human health and safety;
 - v. Outdoor storage areas are substantially screened from the view from the abutting roadway; and
 - vi. Adequate on-site parking is provided.
5. Appropriate buffering for new Industrial uses shall be determined in accordance with Ministry of the Environment, Conservation and Parks D-Series Guidelines D-1 and D-6. Section 4.6 (Industrial Uses) of this Plan provides detailed policies regarding appropriate buffering.
6. The Zoning By-law shall provide specific regulations for Industrial uses which detail permitted uses, scale, intensity, buffering, and parking.

3.3 Mineral Aggregate Resources

The Mineral Aggregate Resources land use designation is intended to protect lands characterized as having deposits of gravel, sand, clay, earth, shale, stone, limestone granite, rock and other material prescribed under the Aggregate Resources Act. Existing Mineral Aggregate operations and areas with Mineral Aggregate potential are shown on Schedule A of this Plan.

Policies

1. All Mineral Aggregate Resources land uses shall be placed in a Mineral Aggregate Zone in the implementing Zoning By-law.

2. New aggregate operations (pits and quarries) require authorization under the Aggregate Resources Act, as administered by the Ministry of Natural Resources and Forestry and shall require an Official Plan and Zoning By-law Amendment.
3. Appropriate separation distances for proposed and existing aggregate operations will be determined on a site-specific basis. The potential influence area can be 1,000 metres and the minimum separation distance is 300 metres (for Class III Industrial uses) between the extraction / excavation area and any zone permitting residential or other sensitive land uses. Where technical studies confirm a smaller actual influence area, the required separation distance may be equal to or greater than the actual influence area.
4. In considering any application to permit a new mineral aggregate extraction operation, Council shall require:
 - i. Consideration of the effects of the operation on the natural environment, including fish habitat;
 - ii. A land use compatibility study which considers surrounding land uses and potential adverse effects from noise, dust, and vibration. In the absence of studies, pits and quarries should be treated as Class III industrial facilities and new sensitive land use developments are required to meet the separation requirements for Class III facilities in Ministry of Environment, Conservation and Parks Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses. Blasting operations shall be in compliance with Ministry of the Environment, Conservation and Parks Guidelines NPC-119 for Blasting;
 - iii. The completion of ground and surface water studies to assess the impact of the extraction (both during and post extraction), any water taking, and the return of aggregate wash water upon the area's water resources;
 - iv. Where deemed to be applicable, an archaeological assessment completed by a qualified professional to address potential cultural heritage resources;
 - v. A traffic study which considers main haulage routes and proposed truck traffic to and from the site; and
 - vi. A site plan which includes the following information:
 - a. The legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
 - b. The existing use of land and the location and use of all buildings and structures located within 300 metres of the property that is the site of the extractive operation;
 - c. Existing and anticipated grades of extraction, extent of extraction area, setbacks from the limits of extraction to the property line, and screening and buffering;
 - d. The location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property;
 - e. All vehicular entrances and exits;
 - f. Limits of development, road plan, water drainage, storage and management, and location of stockpiles;
 - g. Progressive and ultimate rehabilitation plan including topography, contours, grading, stabilization of banks, fill, drainage, and re-vegetation.
5. Mineral and Aggregate processing is considered an accessory use to an operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site-specific basis in consultation with the Township and with the Ministry of the Natural Resources and Forestry through the issuance of an Environmental Compliance Approval (ECA).

3.4 Parks and Open Space

The Parks and Open Space land use designation is meant to: encourage active and passive recreational uses which are compatible with the character of the Township and promote recreation and tourism-based development; ensure that

new uses are properly planned and located and serviced with appropriate supply of water, sewage, and stormwater management services; and, to ensure that new recreational uses will not have a negative impact on the environmental and hydrogeological features, conservation areas, and other protected areas and natural resources.

Policies

1. All Parks and Open Space land uses shall be placed in a Parks and Open Space Zone in the implementing Zoning By-law.
2. Parks and Open Space uses may include provincial parks, conservation areas, conservation reserve, research stations, campgrounds, hunting and game preserves, golf courses, and various other passive recreational uses. Secondary uses such as a club house and other uses functionally associated with an open space use shall also be permitted. These uses may be regulated by a Site Plan Control By-law. The Zoning By-law shall contain an appropriate Parks and Open Space zone that shall provide specific regulations detailing permitted uses, buffering, and parking requirements.
3. Permitted land uses in the Parks and Open Space designation shall relate to recreational activities including those uses which existed or had received approval prior to the date this Plan was approved. The Parks and Open Space land use designation should be characterized by uses, buildings and structures which are compatible with, integrated into, and do not dominate, the natural setting.
4. Previous uses approved or legally existing on or before the approval date of this Plan for land within the Parks and Open Space designation will not be negatively impacted by the policies of this section.
5. Proposals to develop new recreational and Parks and Open Space uses shall require an Amendment to the Official Plan and Zoning By-law and shall be subject to Site Plan Control.
6. Expansions to existing uses on lands that are already within the Parks and Open Space designation shall require an amendment to the implementing Zoning By-law and will be subject to Site Plan Control.
7. Proposals to expand existing Parks and Open Space uses onto lands which are not designated Parks and Open Space shall require both an Amendment to the Official Plan and Zoning By-law and shall also be subject to Site Plan Control.
8. The Township shall encourage the adaptive reuse of undeveloped or underdeveloped sites to accommodate new recreation and open space uses. Adaptive reuse of brownfield sites may be considered subject to the findings of Environmental studies, including an Environmental Site Assessment among others, in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The studies will determine the existence, nature, and extent of the contamination and the identification of a remedial plan, if required.
9. Before considering an amendment to the Official Plan and Zoning By-law, Council shall be satisfied that:
 - a. the proposed use or expansion is compatible with the rural character of the area and adheres to the land use compatibility criteria of this Plan;
 - b. the development can be designed and sited to blend in with surrounding land uses;
 - c. the proposed use or expansion is located where it will not impact existing agricultural operations on adjacent lands as per the land use compatibility criteria of this Plan;
 - d. the proposed use can be serviced with an appropriate water supply and means of sewage disposal, if required;
 - e. if an expansion is proposed, the entire use is serviced by an appropriate water supply and means of sewage disposal, if required;
 - f. appropriate guarantees are in place to ensure that the impacts of the effluent from a private communal sewage treatment system on the lands (if required) on down-gradient water supplies is monitored frequently;

- g. sufficient financial securities are available to ensure that downstream water supplies can be replaced in the event of a problem that is directly attributable to the operation of the private communal sewage treatment system (if there is one) on the lands;
- h. off-site impacts resulting from the use of fertilizers, herbicides and fungicides have been reviewed and it has been demonstrated that impacts will be minimal or can be mitigated;
- i. the proposed use is to be accessed by municipal roads that can accommodate the increased traffic generated by the proposed use;
- j. the proposed use can be appropriately buffered from adjacent residential uses; and,
- k. an appropriate monitoring program is developed, which serves to monitor the impact of the use on the quality and quantity of the groundwater, surface waters and the environment in general.

3.5 Environmental Protection

The Environmental Protection land use designation is intended to protect, maintain, and enhance the ecological integrity of the natural heritage system and natural heritage features for the long-term; eliminate the potential for the loss or fragmentation of both unevaluated wetlands and provincially significant wetlands, wildlife features, and areas of natural and scientific interest, and the habitats and ecological functions they provide; and to provide the tools to properly assess development applications located in close proximity to environmentally sensitive features and areas. Lands designated Environmental Protection are shown on Schedule A to this Plan.

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

- / All significant wetlands as found within the Land Information Ontario database;
- / All other wetlands that were designated or which have been identified but not evaluated according to the Ontario Wetland Evaluation System (OWES);
- / Significant wildlife habitats, including habitats of endangered and threatened species;
- / Areas of Natural and Scientific Interest;
- / Fish Habitat; and,
- / Any other area that has been determined to be environmentally significant as a result of a planning process.

Policies

1. Permitted uses on lands designated Environmental Protection shall be limited to conservation and passive recreational uses that do not require development or site alteration. For the purposes of this policy, works and infrastructure that by their nature must be located within the floodway, such as flood and erosion control works are permitted. For the purposes of this section, a golf course or similar land use is not a passive recreational use.
2. Despite Policy 1 above, development and site alteration may be permitted in the Environmental Protection designation, where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions as well as there are no risks to the health and safety of residents.
3. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
4. Proposals for development and site alteration shall be accompanied by a supporting Environmental Impact Study or other environmental study which demonstrates that the proposed development will not cause negative impacts on the natural features or their ecological functions.
5. Nothing in this Section is intended to limit the ability of existing agricultural uses to continue on lands that are designated Environmental Protection. Similarly, existing forestry and existing woodlot management activities are not intended to be prohibited, but are encouraged to comply with good forest management practices as

recommended or endorsed by the Ministry of Natural Resources and Forestry and the Ontario Forestry Association.

Use of Lands in Private Ownership

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

Adjacent Lands

7. Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:
 - a. 120 metres of the boundary of a provincially significant wetland;
 - b. 50 metres from the boundary of a Significant Area of Natural and Scientific Interest (ANSI) – earth science;
 - c. 120 metres of the boundary of a Significant area of Natural and Scientific Interest (ANSI) – life science;
 - d. 120m of significant wildlife habitat;
 - e. e. 120m of significant woodlands; and, 120 metres of a fish habitat.
8. No development or site alteration shall be permitted on these adjacent lands 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.
9. Development or site alteration is not permitted without Council approval of a Zoning By-law Amendment, Site Plan, or other appropriate approval authority, including the LRCA. Council may require an Environmental Impact Study (EIS) and/or a sub-watershed study and/or a geotechnical study be completed, subject to the comments of the appropriate agencies.
10. The scale and the contents of the required studies shall be determined at the time the development is proposed. The scope of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed.

Description of Components of the Environmental Protection Designation

11. The Natural Heritage System represents a network of natural areas that continue to exist following settlement and the lands and waters that support the ecological functions critical to the survival of these areas. Policies 12 to 16, inclusive, contain descriptions and policies for those components of the natural heritage system that are within or have potential to occur within the Environmental Protection designation.

Provincially Significant Wetlands

12. Where development and / or site alteration is proposed within 120 metres of the boundary of a Provincially Significant Wetland (PSW), the proponent may be required to provide Council with an EIS, prepared by a qualified professional, which demonstrates that there will be no negative impacts on the wetland or its ecological function. PSWs will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

Evaluated Wetlands

13. The Township currently does not contain any evaluated wetlands. Any evaluated wetlands identified in the future will be indicated on Schedule A. Such wetlands will be subject to the regulations administered by the Lakehead Region Conservation Authority (LRCA), and a permit from the Authority may be required to allow regulated activities.

14. If a wetland is identified and has characteristics or contains significant species or functions that are typical of a significant wetland on or adjacent to a proposed development, a wetland evaluation assessment will be undertaken by a qualified professional to determine its significance.

Unevaluated Wetlands

15. All wetlands in the Township are currently unevaluated, with no Ontario Wetland Evaluation System (OWES) analysis completed to date. Wetland boundaries are delineated on Schedule A of this Plan, however boundaries and buffers may not be precise.
16. Development within unevaluated wetlands may be permitted where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions as well as there are no risks to the health and safety of residents.

Significant Habitat of Endangered, Threatened Species

17. An endangered species is a species listed in the Regulations under the Endangered Species Act that is at risk of extinction throughout all or a portion of its Ontario range, if limiting factors are not reversed. A threatened species is a native species that is at risk of becoming endangered through all or a portion of its Ontario range. Threatened or endangered species are listed on the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and Committee on the Status of Species at Risk in Ontario (COSSARO) lists. The 'significant habitat' is the area of land that is necessary for the maintenance, survival and/or recovery of naturally occurring or re-introduced populations of endangered or threatened species.
18. The significant habitat of all species that are considered to be endangered or threatened is intended to be contained within the Environmental Protection designation. Additional studies and/or consultation may locate such habitats and, in such instances, it is the intent of this Plan that these areas be subject to the policies of this section. Schedule A will be amended if necessary to reflect the additional habitat(s) located through further study.

New Development in the Environmental Protection Designation

19. There may be circumstances where development may be permitted in the Environmental Protection designation, if such development:
 - a. is not located within the habitat of endangered or threatened species;
 - b. cannot be located on another portion of the lot that is not within the Environmental Protection designation and zone;
 - c. is essential in the location proposed and all other alternatives have been reviewed and are determined to not be viable;
 - d. as it relates to Provincially Significant Wetlands and significant habitat of endangered or threatened species, does not result in an expansion or intensification of an existing use;
 - e. is set back a minimum of 30 metres from the normal high water mark, or 15 metres from the top of bank, whichever is greater;
 - f. is supported by an Environmental Impact Study, where required at the discretion of Council, that is prepared in accordance with the policies of this Plan, subject to the comments of the appropriate agencies; and,
 - g. any other studies, reports and/or plans as required at the discretion of Council.
20. The requirement for an Environmental Impact Study may be waived by Council if the intent is to replace an existing building, as long as the development, and any new site alteration, is located in the same existing disturbed area/site alteration envelope as that which it is replacing and will not result in a negative impact on the adjacent natural features or their ecological functions.

21. Where new development is proposed within the Environmental Protection designation and the proposal conforms with the above criteria, a Zoning By-law Amendment may or may not be required at the discretion of Council, provided that the health and safety of residents is protected and maintained. The creation of a new lot for conservation purposes, forestry or woodlot management practices is not permitted.

Zoning By-law Implementation

22. The boundaries of the Environmental Protection designation are delineated in a conceptual manner on Schedule A. The extent and exact location of the boundaries are intended to be delineated in the implementing Zoning By-law in accordance with detailed mapping provided by the Provincial agencies such as the Lakehead Regional Conservation Authority and/or the Ministry of Natural Resources and Forestry, and will not require an Amendment to this Plan. Such lands will be placed in appropriate environmental zones in the implementing Zoning By-law.
23. The implementing Zoning By-law shall also incorporate general setback requirements from lot lines for buildings, structures, parking areas and other similar facilities from lands within the Environmental Protection designation in relation to the extent and severity of the natural environmental features and ecological functions of the area. However, local municipalities may evaluate this general setback for specific development applications to provide appropriate setbacks.
24. The implementing Zoning By-law shall also specify that all buildings and structures be set back an appropriate distance from the boundary of an Environmental Protection Zone. A reduction in the setbacks will require either an Amendment to the implementing Zoning By-law or a minor variance, subject to the comments of the appropriate agencies. Matters to be considered in reviewing an application to reduce the setback include:
 - a. the nature and stability of the soils;
 - b. the nature and stability of the vegetation and cover;
 - c. the slope of the land;
 - d. the nature of existing and proposed drainage patterns;
 - e. the nature of the fish and wildlife that may be present; and,
 - f. the scale of the proposed development.
25. Council shall be satisfied that the proposed development can be accommodated in a safe manner without causing any negative impact on the features and functions of the Natural Heritage system.

4.0

General Development Policies

4.1 Affordable Housing

4.1.1 Affordable Housing Policies

1. It is a policy of this Plan to facilitate access to a range and mix of affordable housing choices for existing and new residents. To be considered affordable, housing costs must meet the following:

In the case of ownership housing, the least expensive of:

- a. Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or,
- b. Housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.

2. In the case of rental housing, the least expensive of:

- a. A unit for which the rent does not exceed 30% of gross annual household income for low and moderate income households; or,
- b. A unit for which the rent is at or below the average market rent of a unit in the regional market area.

4.2 Additional Dwelling Units

Additional units, which may take the form of apartments within a dwelling or in an ancillary building on a residential property, are an affordable and market-based housing type that can enhance housing options for current and future residents of the Township.

4.2.1 Additional Dwelling Units

1. Additional dwelling units provide complementary residential living space, either as a distinct dwelling unit incorporated by interior renovation within an existing detached house or within a permitted ancillary structure. An additional dwelling unit is permitted on lots developed with a single-detached dwelling provided that:
 - a. The principal dwelling unit is located in a land use designation that permits the residential use;
 - b. The additional dwelling unit may be located within the main building or permitted ancillary structure (e.g. detached garage);
 - c. There is adequate private water and sewer capacity to accommodate the additional dwelling;
 - d. The additional dwelling unit would not otherwise qualify as a garden suite; and
 - e. Only one additional dwelling unit is permitted on a lot.
2. Additional dwelling units shall share water and wastewater services with the principal dwelling, and must meet health and safety standards, the Ontario Building Code, Fire Code, and other applicable legislation.
3. Notwithstanding the policies of this section, an additional dwelling unit will not be permitted on a lot that contains a garden suite.
4. Council shall be satisfied that the additional dwelling unit does not constitute a second independent principal dwelling on the lot.

4.2.2 Garden Suites

1. Garden suites consist of a one-unit, self-contained and detached residential structure that is ancillary to and on the same lot as a residential dwelling and is designed to be portable. A garden suite may be permitted subject to:
 - a. The provisions of Section 39.1 of Planning Act;
 - b. The lot being sufficiently large enough to accommodate the garden suite and its required water and wastewater servicing, and must meet health and safety standards, the Ontario Building Code, Fire Code and other applicable legislation;
 - c. The garden suite may not be severed from the lot accommodating the primary dwelling; and,
 - d. A Temporary Use By-law being passed by Council, in accordance with the Planning Act, along with an agreement with the Township that addresses occupancy of the garden suite, its removal at the end of the temporary period, and the posting of security to ensure due performance.
2. The Zoning By-law shall implement the policies of this section and may establish criteria to govern compatibility of these units with the main dwelling and surrounding uses.

4.3 Home Occupations and Home Industries

4.3.1 Home Occupations

Home occupations are typically professional work and service activities that are carried out within a residential dwelling or accessory building that typically do not involve the retail sale of goods.

1. Home occupations shall be permitted provided they are clearly secondary to the main residential use of the lot.
2. Activities in a home occupation are to be conducted entirely within the dwelling by those residing in the dwelling, plus not more than one person who is not a resident thereof.
3. Home occupations shall not adversely impact on the enjoyment of surrounding properties, the provision of municipal services, and the quality of the environment.

4.3.2 Home Industries

Home industries are small-scale industrial and commercial uses that are accessory to a residential dwelling and may also support the agricultural industry in the area. Generally, home industries shall be small in scale, conducted primarily within an accessory building to the main dwelling by those residing in the dwelling. Home industries may include, but are not limited to, woodworking shops, small engine repair, animal kennels, auto body repair, welding, carpentry or machine shops, or agriculture-related uses that involve the processing or transportation of regionally-produced agricultural crops or other products.

1. A home industry shall not detract from the primary use of the property for agricultural or residential purposes.
2. The accessory retail sales of products produced in the home industry is permitted.
3. Home industries will be permitted as-of-right in the implementing Zoning By-law, provided:
 - a. the building accommodating the home industry is located within the existing farm-building cluster, if located on an active farm property;
 - b. the home industry is located on a lot which is in accordance with the MECP D-Series Guidelines;
 - c. the home industry is not a Class III industry as defined by the MECP D-Series Guidelines;
 - d. any open storage associated with the home industry is limited and screened from view;
 - e. the home industry has a limited number of employees, as specified in the Zoning By-law; and,
 - f. the retail component is clearly accessory to the use and does not detract from the primary use of the property.
4. The development of a new home industry may be subject to a Site Plan Control application.

5. Home industries which can no longer be considered secondary to the residential use of the property shall either be deemed to be non-conforming or established through a site-specific Zoning By-law Amendment containing provisions that ensures compatibility of the use.

4.4 Bed and Breakfast Establishments

1. Bed and Breakfast establishments may be permitted in any designation in which a residential use is permitted, provided that the Bed and Breakfast establishment:
 - a. is located within the principal residence of the owner/operator;
 - b. is located on a road maintained year-round by the Township or the Ministry of Transportation;
 - c. has sufficient site area to accommodate any proposed on-site recreation amenities and adequate on-site parking;
 - d. conserves the character of the dwelling as a primarily residential use; and,
 - e. is licensed annually in accordance with a municipal lodging and/or bed and breakfast licensing by-law as amended, where applicable.
2. The implementing Zoning By-law shall define a Bed and Breakfast establishment and may further detail provisions under which a Bed and Breakfast establishments may be permitted.

4.5 Residential Care Facilities

Residential care facilities are defined as residential facilities which accommodate residents who live in a supervised setting and receive both room and board and assistance with daily living. There are a variety and range of residential care facilities which are generally categorized as group homes, second level boarding/lodging homes, transitional care facilities, or treatment centres, depending upon their program, funding, size, operator, or Provincial licensing as it may apply. The following policies apply to residential care facilities:

1. The Zoning By-law shall provide specific definitions for these residential care facilities as well as performance standards. New programs may emerge over time, depending upon Provincial funding and licensing, and further amendments to the Zoning By-law may be required, as warranted.
2. This Plan supports the provision of an adequate regional supply of residential care facilities subject to appropriate funding from senior government agencies, the provision of adequate community services for clients and proper siting of such facilities in accordance with the policies of this Plan.

4.6 Age-Friendly Planning

The Township is supportive of age-friendly planning practices and their relationship to land use and are guided by the below policies.

1. This Plan supports the phasing and development of a senior's housing complex and transitional facility to accommodate the region's aging population on Township-owned lands known as "Pines on Hume".
2. Council shall encourage the provision of age-friendly social and physical environments, including services and programs, to enhance the independence and quality of life for all people.
3. Land use decisions shall promote the creation of accessible, inclusive, and age-friendly communities.
4. Council shall identify gaps and opportunities to better support people of all ages and abilities in the Township.
5. Planning decisions shall consider the health, wellness and security for all residents so that they can remain in their communities as long as possible.
6. Development proponents are encouraged to employ universal design principles and best practices to create healthier and safer communities.

7. Long-term care homes and seniors-appropriate housing, including residential care facilities and transitional care facilities, are important elements of the housing spectrum, and the Township shall encourage the development of these housing typologies as a contribution to a range of dwelling types in the community.
8. Council may consider initiatives such as food markets, urban agriculture, and other partnerships which increase the distribution of, and access to, fresh, healthy, and affordable food for people of all ages and all incomes.

4.7 Public Uses

Public uses may include land, buildings or structures intended for the provision of programs or services, provided or subsidized by a government or other body, including public service facilities, electric power generating and distribution facilities, or infrastructure.

1. Public uses shall be permitted in all land use designations.
2. Notwithstanding Policy 1, public uses are encouraged to avoid development in the Environmental Protection designation.

4.8 Water and Sewer Servicing Strategy

Infrastructure is the basic physical and organizational arrangement required for the Township to function. Some community infrastructure is provided and maintained directly by the Township, such as roads and culverts, while water and septic servicing infrastructure is the responsibility of property owners.

The following goals and objectives shall guide the planning, development, redevelopment and improvement of servicing and infrastructure to:

1. Ensure that servicing and infrastructure are planned and designed to ensure long-term fiscal and environmental sustainability through advanced design standards, asset management programs, and provisions for efficient, cost-effective operations;
2. Protect the health, safety and wellbeing of the citizens and property within the Township;
3. Ensure that development does not impede the Township's ability to provide infrastructure and servicing;
4. Promote green infrastructure, energy efficiency, and conservation, where feasible;
5. Prepare for the impacts of climate change; and,
6. Ensure that development is strategically located to support the effective and efficient delivery of emergency management services.

The Township does not maintain public water services or sewage services. The following policies relate to both existing and planned infrastructure requirements of the Township.

4.8.1 Private Services

1. Private services consist of one individual, autonomous water supply and wastewater disposal system, normally a well and septic system, owned and maintained by the property owner(s). All proposals for development will require individual on-site sewage services and individual on-site water services that are approved by the Thunder Bay District Health Unit, the Township Council, and / or the Province, as applicable.

4.8.2 Requirements for Septic Systems

1. To accommodate an individual on-site sewage service, new lots must be of an appropriate size and configuration, a minimum size of 1 hectare, and front onto a public road, unless a smaller lot size can otherwise be supported by technical information pertaining to the physical characteristics and hydrogeology of the site in accordance with guidelines of the Ministry of Environment, Conservation and Parks and prepared by qualified professionals.

2. The policies of this Plan are intended to ensure that lot sizes and conditions are adequate to allow the safe and efficient operation of individual septic systems.
3. A development plan for any type of on-site sewage services, such as a septic tank system or leaching pit, shall be completed in accordance with Ontario Regulation 358 and approved by the Thunder Bay District Health Unit.
4. Large sewage disposal systems with design flows greater than 10,000 Litres per day shall have a hydrogeological assessment completed in accordance with the Ministry of Environment, Conservation and Parks Sewage Guidelines and shall be submitted to the Ministry for review and approval.

4.8.3 Requirements for Drinking Water

1. An adequate supply of water for new lots shall be demonstrated. New lots should be of an adequate size and frontage, as regulated in the Zoning By-law. The potability of the water shall be demonstrated in the form of a written report from a recognized testing laboratory, indicating that the water source is potable.
2. Drinking water supply wells shall be installed in accordance with Ontario Regulation 903.

4.8.4 Multi-unit Development

1. Where multi-unit development is proposed for five (5) or more units or lots, a hydrogeological assessment is required by Ministry of Environment, Conservation and Parks D-5 Guideline to confirm that an acceptable quality and adequate quantity of drinking water is available. The assessment must be prepared by a qualified professional and should provide technical guidance on private wells.
2. The municipality may only consider communal services for proposed multi-unit development where the applicant has demonstrated that servicing options have been investigated and reported through a Serving Options Statement in accordance with Ministry of the Environment, Conservation and Parks' D-5 Guidelines. The municipality will also assess the financial implications of entering into an agreement for municipal ownership and responsibility for the communal systems to service proposed residential development.

4.8.5 Permit to Take Water

1. Any taking of water shall follow the requirements outlined in the Ontario Water Resources Act, Ontario Regulation 387/04 and the Water Management Policies Guidelines and Provincial Water Quality Objectives.

4.8.6 Green Infrastructure

Green infrastructure refers to natural and human-made elements that provide ecological and hydrological functions and processes. Examples of green infrastructure include natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

1. In reviewing Planning Act applications, including Plans of Subdivision and Site Plan Control applications, the Township shall encourage development proponents to incorporate green infrastructure elements, where possible and appropriate.

4.9 Stormwater Management

Stormwater management is the planning, design and implementation of systems that mitigate and control the impacts of human-made changes to the run-off and other components of the hydrologic cycle. The following policies apply to ensure safe and effective stormwater management in the Township:

1. Stormwater management shall be planned in a manner which:
 - a. is integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long-term;
 - b. minimizes, or, where possible, prevents increases in contaminant loads;
 - c. minimizes erosion and changes in water balance, and prepares for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;

- d. mitigates risks to human health, safety, property and the environment;
 - e. maximizes the extent and function of vegetative and pervious surfaces; and,
 - f. promotes stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low-impact development.
2. The Township shall promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development may be required to be supported by a stormwater quality / quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Ministry of Environment, Conservation and Parks.
 3. In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on watercourses and other waterbodies for their existence, all commercial, industrial, institutional and residential development proposals of four (4) new lots or more shall be supported by a Stormwater Management (SWM) report. SWM reports may also be required on a site-specific basis, depending on the nature of the development.
 4. Stormwater management will be undertaken in accordance with Ministry of Environment, Conservation and Parks Guidelines, as updated. The content and depth of the SWM report shall be determined when the development is proposed.
 5. A SWM report shall be prepared by a qualified professional to the satisfaction of Council and the appropriate agencies, and shall be prepared in accordance with provincial guidelines. Additionally, a SWM report shall:
 - a. provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including a 1:100-year storm event;
 - b. document the possible impacts of development on watershed flow regimes, including their interconnection with groundwater resources;
 - c. provide recommendations on how to maintain pre-development water quality and improve run-off, where appropriate;
 - d. document the means by which stormwater volume control will be provided; and,
 - e. determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.
 6. All stormwater management facilities in a Plan of Subdivision shall be zoned “Environmental Protection” in the implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized.
 7. Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the local Council may be required as a condition of approval, to provide for their continued maintenance.

4.10 Transportation

It is the intent of this Plan to:

1. facilitate the safe movement of both people and goods to and from the various communities around the Township;
2. ensure that major goods movement facilities and corridors are protected for the long-term;
3. ensure that new development is compatible with, and supportive of, the long-term purposes of transportation corridors and designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities;
4. ensure that new development does not create any traffic hazards;

5. ensure that appropriate right-of-way widths for all existing and proposed roads are protected for infrastructure, including transportation, transit and electricity generation facilities and transmission systems;
6. limit development on non-winter maintained roads, private roads and individual rights-of-way unless an agreement on services is registered on title;
7. promote alternative modes of transportation, including active transportation infrastructure such as cycling lanes and walking paths which are safe, foster social interaction and community connectivity, reduce greenhouse gas emissions, and mitigate impacts related to climate change; and,
8. ensure that trails and active transportation infrastructure are designed to be safe and accessible to people of all ages and abilities.

4.10.1 Provincial Highways

Provincial highways include highways under the jurisdiction of the Ministry of Transportation, and includes Highway 17, as identified on Schedule A. This Plan recognizes and protects lands for the planned Highway 17 realignment between Kakabeka Falls and Shabaqua Corners as identified on Schedule A of this Plan. The Schedule identifies both the current and proposed future alignment of Highway 17.

Primary Purpose

1. The primary purpose of provincial highways is to move people and goods between destinations within and beyond the Township. Access to provincial highways is restricted to allow the highways to fulfill their primary purpose.
2. This Plan protects current and planned highway infrastructure for transportation to be freight supportive and facilitate the movement of major goods.

Entrances & Access Points

1. Direct access onto a provincial highway will be restricted. A new Ministry of Transportation entrance permit is required prior to the installation, change of use, or change of construction, of an access to a provincial highway. A new entrance permit is also required when there is a change of property ownership.
2. In accordance with Ministry of Transportation policy, one entrance for each lot-of-record fronting onto a highway will be permitted, provided it meets the requirements of Ministry of Transportation access management practices and principles.
3. Entrances to provincial highways serving home occupations, industry or businesses require the approval of the Ministry of Transportation. The property owner will be required to obtain an entrance permit and acknowledge the permitted use of the entrance while also acknowledging that it cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. Severance applications intended to enable a separate entrance for a home-based business or industry shall be prohibited.
4. Back lot development is not permitted to use another entrance for access to a provincial highway.
5. The Highway 17 conceptual alignment identifies new interchanges at the intersections of Holland Road East and Teitto Road in the north, which are to be protected.

Development Adjacent to Provincial Highways

1. Development and site alteration adjacent to provincial highways shall be subject to Ministry of Transportation approval and Building & Land Use Permit requirements, including installation or alteration of above-or below-ground structures, grading, drainage alteration, fences, or installation of side road entrances. Transportation Impact Studies and/or Stormwater Management Reports may be required.
2. Council will work with the Ministry of Transportation when considering new rural highway commercial development along the proposed Highway 17 alignment. New rural highway commercial development may require an Official Plan Amendment and Zoning By-law Amendment, and be subject to Council approval.

3. For developments in the vicinity of a highway, the Ministry of Transportation may require submission of a transportation impact study that addresses the impacts to the highway or adjacent properties as well as identifying any associated highway improvements required to mitigate those impacts. Any required highway improvements are the responsibility of the developer. The report must be acceptable to the Ministry prior to development proceeding.
4. For development in the vicinity of a highway, the Ministry of Transportation may require submission of a drainage / stormwater management report that addresses impacts to the highway or downstream properties and the mitigation measures required to alleviate those impacts. Mitigation measures are the responsibility of the developer. The report must be acceptable to the Ministry prior to the development proceeding.
5. Schedule A of this Plan identifies lands adjacent to the intersections of Holland Road and Teitto Road on the Highway 17 conceptual alignment to be protected for future development of commercial and / or industrial use.
6. Development proposals in close proximity to Provincial Highways shall be reviewed for land use compatibility concerns. Proponents seeking planning approvals to allow residential or other sensitive land uses adjacent to Provincial Highways may be required to submit a noise study, to the satisfaction of Council, to identify appropriate noise mitigation measures. Where required, noise studies shall be prepared by qualified individuals according to MECP Noise Assessment Guidelines.

Snowmobile & Hiking Trails

1. Snowmobile and Recreational trails along or crossing provincial highways may be considered subject to meeting Ministry of Transportation policy. The Ministry requires any proposed new trail to demonstrate that there is no feasible alternative route and that there will be no negative impact to the highway infrastructure, operations, maintenance, and safety.

Adjacent Outdoor Storage

1. Outdoor storage and loading areas on lands adjacent to a provincial highway should be visually screened or appropriately located so as not to be visible to the travelling public.

4.10.2 Township Roads

The Township intends on maintaining a safe and efficient road system for the movement of people and goods to, from, and throughout the Township. The road system should be adequate to safely serve the Township but should not be over-extended or developed to a standard that would result in a financial burden.

Primary Purpose

1. The primary purpose of Township roads is to facilitate local traffic and provide access to developed areas. Direct access to Township roads from abutting lots is permitted, provided that all other Official Plan policies are met.

Road Width

1. Township roads are intended to be used year-round and carry a low to moderate volume of traffic. As such, they shall have a designed minimum right-of-way width of 20 metres.
2. The Township may pursue land acquisitions for road widening purposes through planning approvals where the existing road allowance is less than 20 metres. Applications in which widenings may be taken include Plan of Subdivision, Site Plan Control, and Consent applications.
3. Where a road widening is taken, the amount of land to be taken shall generally be taken in equal amounts from both sides of the subject road measured from the centreline of the road, except where circumstances may warrant an alternative approach.

Entrances & Access Points

1. Entrances and access points onto roads shall require approval from the Township. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to a traffic intersection or other hazard, or the traffic flow characteristic of the road.

New Roads

1. It is not the intention of the Township to approve, construct, accept, or maintain new roads, except in circumstances where a new configuration of lots or the future realignment of Highway 17 warrants a public road.
2. Council may consider extensions to existing roads to service development, provided that they meet Ministry of Transportation standards. The costs of design and construction of new roads or extensions to existing roads shall be the responsibility of the proponent.

4.10.3 Rail Facilities

Rail facilities include rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses. This Plan recognizes an existing CN rail corridor which runs through the eastern portion of the Township, as identified on Schedule A. The area of influence for sensitive land uses includes lands within 300 metres of a rail corridor and one (1) kilometre from a rail yard.

The following policies shall apply to development within proximity to rail facilities:

1. Sensitive land uses shall not be encouraged adjacent to, or in proximity to rail facilities.
2. All developments in proximity to rail facilities shall have regard for the FCM/RAC Guidelines.
3. All proposed residential developments or other sensitive uses located within 300 metres of a railway right-of-way may be required to undertake a noise study, to the satisfaction of the Township, in consultation with the appropriate railway operator, and may be required to undertake to implement the appropriate measures to mitigate any adverse effects from noise that were identified in the report.
4. All proposed residential developments or other sensitive uses located within 75 metres of a railway right-of-way may be required to undertake a vibration study, to the satisfaction of the Township in consultation with the appropriate railway operator, and may be required to implement the appropriate measures to mitigate any adverse effects from vibration that were identified in the report, and as may be required by CN.
5. All proposed building setbacks shall have regard for the FCM/RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional studies and alternative safety measures, to the satisfaction of the Township, in consultation with the appropriate railway operator.
6. All proposed residential developments or other sensitive uses located adjacent to railways may be required to implement appropriate mitigation measures, including but not limited to, safety setbacks, berms, crash barriers and security fencing, in accordance with the FCM/RAC Guidelines.
7. All proposed residential developments or other sensitive uses located adjacent to railways may be required to implement, secure, and maintain any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title, such as development agreements, warning clauses and/or environmental easements, through appropriate legal mechanisms, to the satisfaction of the Township and the appropriate railway operator.
8. All proposed residential developments or other sensitive uses located in proximity to rail facilities may be required to evaluate, prioritize, and secure grade separation of railways and major roads, in co-operation with Transport Canada and the appropriate railway operator.

4.11 Other Infrastructure

This section includes policies for other forms of infrastructure in the Township.

4.11.1 Energy Generation & Telecommunication Systems

The location of energy generation and telecommunication systems is often dictated by factors outside of the Township's, and a development proponent's, control, such as access to infrastructure, environmental requirements, and the legislation and policies of higher-order governments.

In these instances, the following shall be considered when selecting a site:

1. Minimizing adverse impacts on surrounding industrial or agricultural land uses;
2. Maximizing the distance from residences and residential land uses;
3. Avoiding natural features and areas, including hazard lands;
4. Avoiding areas of topographical prominence, to minimize any negative visual impacts; and,
5. Ensuring that access requirements are sensitively integrated.

4.11.2 Temporary Construction Facilities for Roads

1. Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted to construct temporary road facilities, without the need for an amendment to this Plan or the implementing Zoning By-law, except in areas of existing development or particular environmental sensitivity which has been determined to be incompatible with the proposed activities.
2. Upon completion of the road project, the facility and / or excavation shall be removed and/or rehabilitated and the site restored to its original condition. Public authorities are encouraged to consult with Council in advance of constructing these road facilities.

4.12 Cultural Heritage and Archaeological Resources

Cultural Heritage and Archaeological Resources are tangible resources which provide the context of the social and physical make-up of the Township and its residents. They foster civic pride among citizens, and provide connections to the Township's past. Although the Township has not designated any heritage resources under the Ontario Heritage Act to date, nor identified any archaeological resources, the following policies are established to provide a framework for future cultural heritage planning, as applicable.

Goals & Objectives

The following goals and objectives shall guide planning, development, redevelopment and improvement of cultural heritage to:

1. Protect, conserve, and enhance the Township's significant cultural heritage resources, significant cultural heritage landscapes, and archaeological resources;
2. recognize that the maintenance of the Township's cultural heritage and archeological resources will contribute to the conservation of the Township's character;
3. ensure that the nature and location of cultural heritage and archaeological resources are known and considered before land use planning decisions are made;
4. increase public awareness of the importance of cultural heritage resources to the community;
5. mitigate development impacts by preventing the demolition, destruction, and inappropriate site alteration or use of significant cultural heritage resources;

6. encourage development adjacent to significant cultural heritage resources to be of an appropriate scale and character; and,
7. engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

Built Cultural Heritage Resources & Cultural Heritage Landscapes

Built Cultural Heritage Resources include buildings, structures, and monuments, while Cultural Heritage Landscapes are a defined geographical area of heritage significance that has been modified by human activities, valued by a community and is of significance to the understanding of the history of a people or place. Built Cultural Heritage Resources and Cultural Heritage Landscapes are subject to the following policies:

4.12.1 Protection

1. Council shall use its authority under the Ontario Heritage Act and the Planning Act, including zoning for archaeology, holding zones, conditions of approval, and site plan agreements, to protect, conserve and enhance its cultural heritage resources. Council shall encourage development and redevelopment which is sensitive to cultural heritage resources, uses these resources, and is respectful of these resources.

4.12.2 Inventory & Designation

1. Council may designate individual properties under Part IV of the Ontario Heritage Act (OHA), and Heritage Conservations Districts under Part V of the OHA, and is required to maintain a register of all property it designates under the OHA. In addition, the Township will maintain an inventory of all properties that are not designated but have been identified as being of cultural heritage value or interest.
2. Council may identify and prepare an inventory of Cultural Heritage Landscapes. Cultural Heritage Landscapes may include existing rural and agricultural areas, heritage conservation districts, historic hamlets, and heritage roads. Once prepared, the Township will consider designating Cultural Heritage Landscapes through an Official Plan Amendment(s).

4.12.3 Alterations to Heritage Resources & Adjacent Lands

1. Development, redevelopment, and site alteration to a significant cultural heritage resource or on lands adjacent to a protected heritage property shall only be permitted where it has been evaluated and demonstrated by a heritage professional that the heritage attributes of the resource will be conserved. Mitigating measures and / or alternative development approaches may be required in order to conserve the heritage attributes of the affected resource.

4.12.4 Retention/Relocation of Cultural Heritage Resources

1. Council shall encourage the retention of buildings, structures, or monuments of architectural and/or historical significance in their original locations, whenever possible.
2. All options for on-site retention shall be considered before approval is given for relocation to another site. Alternative options will be considered where they have been recommended by a conservation plan, archaeological assessment, and/or heritage impact assessment.

4.12.5 Demolition / Destruction

1. The demolition or destruction of designated cultural heritage resources shall generally not be permitted. Prior to considering such a request, Council shall require the applicant to:
 - a. Submit accurate and complete information pertaining to the structural condition of the building or structure, with respect to the Ontario Building Code;
 - b. Any other relevant information to determine the feasibility of restoring as opposed to demolishing the building or structure; and,

- c. Submit appropriate cultural heritage studies (e.g., archaeological assessments, cultural heritage evaluation reports, heritage impact assessments, conservation plans), prepared by a qualified professional.
2. Council shall engage the services of a qualified professional to review any required documentation or reports.

4.12.6 Township-Owned Heritage Resources

1. Where warranted, the Township shall protect, restore, and maintain cultural heritage resources under its ownership to express its commitment to the protection and preservation of these resources, to enhance the identity and character of the Township and to provide an example of the merits of quality restoration and maintenance.

4.12.7 Assistance

1. The Township may itself utilize and encourage the utilization of available government funding assistance programs to assist in the implementation of cultural heritage conservation policies. Council, where appropriate, shall cooperate with other levels of government, as well as with private agencies and individuals, in the conservation of local cultural heritage resources.

4.12.8 Awareness

1. The Township shall take measures to increase public awareness of significant cultural heritage resources, which can be encouraged through a variety of means including the:
 - a. Identification and designation of potential cultural heritage resources;
 - b. Maintenance of historic records and archives;
 - c. Appointment of a municipal heritage committee to advise and assist Council on Parts IV and V of the OHA.

Archaeological Resources

Archaeological resources include artifacts, archaeological sites, and marine archaeological sites identified and evaluated by archaeological fieldwork. Archaeological Resources are subject to the following policies.

4.12.9 Protection of Archaeological Resources

1. Development, redevelopment and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by preservation on-site.
2. The Township will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Heritage, Sport, Tourism, Culture Industries for the purpose of heritage conservation planning.
3. Where archaeological resources must be preserved on-site, only development, redevelopment and site alteration which maintain the heritage integrity of the site may be permitted.

4.12.10 Archaeological Assessments

Archaeological resource areas are determined through the use of provincial screening criteria, or potential mapping developed based on the known archaeological record or features within the Township and is usually developed with a licensed archaeologist. Areas of archaeological potential can be found in areas close to water, current or ancient shorelines, rolling topography, unusual landforms or areas of known historic settlement.

1. Development applications that meet one or more provincial criteria shall be required to undertake an archaeological assessment to the satisfaction of the Province prior to the development approval. Archaeological

assessment by a licensed consultant archaeologist is required when a known or suspected cemetery or burial site is affected by development or public works.

2. Council shall require Archaeological Impact Assessments and the preservation or excavation of significant archaeological resources in accordance with Provincial regulations established by the Ministry of Heritage, Sport, Tourism and Culture Industries, as well as licensing regulations referenced under the Ontario Heritage Act. The need for impact assessments will be determined in conjunction with development applications through the use of provincial screening criteria and qualified mapping of the inventories. Archeological Impact Assessments completed in conjunction with a development application will be referred to the Ministry of Heritage, Sport, Tourism and Culture Industries for review and approval.
3. Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport and the Ministry of Public and Business Service Delivery when an identified historic human cemetery, or marked or unmarked human burial is affected by land use development. In these cases, the provisions of the Heritage Act and Cemeteries Act shall apply.

4.13 Subdivision of Land

This section contains policies that apply to every application to subdivide land in the Township. Regard shall also be had to the specific policies addressing lot creation in the applicable land use designation. The Lakehead Rural Planning Board is the approval authority for all forms of land division in the Township.

4.13.1 Preferred Means of Land Division

Under the Planning Act, land division by Plan of Subdivision is the preferred means of land division. A Plan of Subdivision application is necessary if:

1. the creation or extension of infrastructure, including roads, is required to facilitate the subdivision; or,
2. the area that is proposed to be developed is not considered to be infilling; or,
3. a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,
4. more than three new lots are being created.

4.13.2 Plans of Subdivision / Condominium

When development involves the creation of new lots from a larger parcel(s), it is required to go through a Plan of Subdivision process. Plans of Subdivision are anticipated to be rare in the Township.

1. A Plan of Subdivision application is mandatory if the application satisfies any of the criteria listed in Section 4.12.1.
2. All land division in the Township, including Plans of Subdivision, shall reflect the rural character of the Township.
3. All lot sizes in a Plan of Subdivision shall be appropriate for the land use(s) and servicing needs proposed. All lots shall be a minimum of 2 hectares in area, unless otherwise permitted in this Plan, and shall be serviced with private well and septic systems.
4. A Plan of Subdivision application shall not be construed as an application to establish a settlement area, nor shall an application seek permission to establish development densities, built form, or a development pattern that is inconsistent with the prevailing rural character of the Township.
5. A condominium system of ownership tenure involves the legal delineation of areas under private ownership and common areas administered by a Condominium Corporation. Plans of Condominium are permitted in the Township and are governed by the Ontario Condominium Act. No implementing by-law for this Plan, including the Zoning By-law, shall apply different standards to a development on the basis of condominium tenure.

4.13.3 General Criteria

1. Consideration of a Plan of Subdivision or Condominium by Council shall be subject to the requirements of the Planning Act and the following criteria:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. Conformity with any applicable Zoning provisions, servicing standards, secondary plans, and design guidelines / standards of the Township;
 - d. The input received from circulated public bodies and agencies and neighbouring property owners and residents;
 - e. The submission and approval of all required information, studies, reports and plans;
 - f. The entering into of a Subdivision Agreement with the Township;
 - g. The posting of sufficient financial security to ensure due performance and the protection of the Township, where applicable; and,
 - h. In cases where the proposed subdivision is adjacent to, or in the vicinity of, a provincial highway, the future corridor width requirements and implications for the design of the subdivision have been considered.
2. Council may require additional studies, such as a hydrogeological study, for a complete Plan of Subdivision application.

4.13.4 Energy Efficiency and Air Quality

1. The Township encourages subdivision design that supports energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate change through a land use and development pattern which:
 - a. maximizes energy efficiency and conservation,
 - b. considers the mitigating effects of vegetation and green infrastructure, and
 - c. maximizes vegetation and opportunities for new vegetation within the subdivision area.

4.13.5 Part Lot Control

1. Where land lies within a registered Plan of Subdivision, Council may consider the enacting a by-law to Lift Part Lot Control to create new lots or reconfigure existing lots, in accordance with the Planning Act, where it is satisfied that any conditions appropriate to the creation and development of such lots are capable of being addressed.

4.13.6 Deeming

1. Council may deem Plans of Subdivision (or parts thereof) more than eight years of age not to be Plans of Subdivision within the meaning of the Planning Act where development of such plans would not be in conformity with this Plan or the Zoning By-law and where development would be detrimental to the Township or neighbouring uses.

4.13.7 Consents

In some instances, a Plan of Subdivision application is not necessary, and Council may consider the creation of new lots through a Consent process. Section 53 of the Planning Act allows subdivision of land through a Consent application where a Plan of Subdivision is not necessary for the proper and orderly development of the Township. It is anticipated that the majority of lot creation will continue to be through the Consent process. The Lakehead Rural Planning Board is the legally delegated approval authority for Consent applications. The following policies apply to Consent applications:

1. Where subdivision by Consent is proposed, a parcel held under unity of ownership as of February 13, 1990 may be subdivided into a maximum of two lots, exclusive of the retained lot, except for the purpose of boundary adjustment, partial discharge of mortgage, easements and rights-of-way.
2. When new development involves the creation of fewer than three new lots from a larger parcel, the lot creation may be permitted through the Consent process. Otherwise, a Plan of Subdivision may be required.
3. In addition to certain types of land division, Consents are also required for certain easements and rights-of-way.

4.13.8 When Appropriate

1. As established in the Planning Act, lot creation through the Consent process is only appropriate when it has been deemed that a Plan of Subdivision is not necessary. Council shall evaluate the need for a Plan of Subdivision in accordance with the policies of the Growth Management section of this Plan.

4.13.9 General Criteria

1. The creation of lots by Consent shall be considered in accordance with the requirements of the Planning Act and the following:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. Conformity with the Zoning By-law, Servicing Standards, secondary plans, and design guidelines / standards of the Township;
 - d. The input received from circulated public bodies and agencies and neighbouring property owners and residents;
 - e. The submission and approval of all required information / studies, reports and plans;
 - f. The satisfying of conditions imposed to the granting of the Consent, which may include the entering into of an agreement and / or the posting of financial security; and,
 - g. The requirements under the provincial Minimum Distance Separation (MDS) criteria between sensitive uses and agricultural operations.

4.13.10 Adjusting & Correcting Lot Boundaries

1. The granting of a severance for purposes of adjusting or correcting lot boundaries or to convey a relatively modest amount of land to an abutting lot shall be permitted provided:
 - a. The conveyance does not lead to the creation of an undersized or irregularly shaped lot(s), or a lot that is contrary to the provisions of the Zoning By-law unless the by-law is amended or a variance granted;
 - b. The lands being conveyed are registered in the same name and title as the lands to which they are being added;
 - c. It is stipulated in the granting of the Consent that any subsequent conveyance or transaction shall require a future severance; and,
 - d. The lot boundary correction is consistent with the requirements under the provincial Minimum Distance Separation (MDS) criteria between sensitive uses and agricultural operations.

4.13.11 Consents for Mortgage Purposes

1. A Consent shall only be granted for mortgage purposes where it is capable of satisfying the appropriate policies of this Plan and the appropriate provisions of the Zoning By-law with respect to the use to which the lands would be put and the dimensions and size of the parcel if the mortgage is foreclosed and a separate lot created.

4.13.12 Consents for Easements

1. Consents may be granted for easement purposes where the use of land is being conveyed for periods in excess of 21 years subject to whatever conditions may be deemed to be appropriate.

4.14 Technical Studies and Peer Reviews

1. Where a policy in this Plan requires the submission of technical studies, such studies must be prepared at the applicant's expense by a qualified professional. When technical studies are submitted with a development application, Council may authorize a qualified professional to peer review such studies and provide advice to the Township at the applicant's expense.

5.0

General Environmental Policies

The health of the natural environment is directly tied to the health of the Township community and its residents. Natural heritage features and areas such as woodlands and wetlands provide wildlife habitat and contribute to air and water quality. The natural environment also provides the Township with a source of drinking water and other natural resources such as mineral aggregate resources with their associated economic value.

5.1 Goals & Objectives

1. The following goals and objectives shall guide the conservation, planning, and development of the natural environment to:
 - a. Protect the natural environment and its areas, features and resources from development and / or incompatible development;
 - b. Ensure a healthy environment and improved quality of life through the protection and enhancement of the natural environment, and its areas, features and resources;
 - c. Encourage compatible development consistent with environmental, social and economic goals;
 - d. Identify what is required to support an application for development in an area that is considered to be environmentally sensitive;
 - e. Identify what information is required to support an application that may have an impact on the natural resources of the Township; and,
 - f. Prepare for and mitigate the impacts of a changing climate.

5.2 Conservation Reserves

Provincial Parks and Conservation Reserves are vital and treasured assets that protect naturalized areas for future generations. In addition to safeguarding areas of unique natural features and habitats, Parks and Conservation Reserves also provide valuable opportunities for recreational activities for residents and visitors to Ontario.

1. Conservation Reserves within the Township are identified on Schedule A, and Kakabeka Falls Provincial Park is located directly adjacent to the Township's southern boundary. It is the policy of this Plan to protect the ecological and functional integrity of these sensitive areas and minimize any negative impacts from development on these areas.

5.3 Natural Heritage Features & Areas

1. Natural heritage is a system composed of natural heritage features and areas, which are linked by natural corridors. Natural heritage features, areas and corridors are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. Natural heritage features and the LRCA approximate regulated area, which includes the general area of wetlands, floodplains, watercourses, erosion hazards, and the associated adjacent areas (a 15 metre buffer from watercourses and 30 metre buffer from wetland) are shown on Schedule A.
2. Natural heritage features and areas shall be protected for the long-term. The following features and areas are shown on Schedule A:
 - a. Significant wildlife habitat
 - b. Known habitat of endangered and threatened species (generalized to 1-kilometre grids)
 - c. Fish habitat

- d. Areas of Natural and Scientific Interest (ANSIs)
- e. All wetlands, including unevaluated wetlands and Provincially Significant Wetlands (PSWs)

5.3.1 Location

1. Natural heritage features and areas consist of a variety of features and areas including wetlands, woodlands, Areas of Natural & Scientific Interest (ANSI), river systems and wildlife habitats. The actual location and limits of natural features and areas shall be determined through consultation with the Township, the LRCA, and / or the Province.
2. Where development is proposed within, or adjacent to, these features and areas, the proponent may be required to undertake appropriate field work, mapping and complete an Environmental Impact Study (or equivalent study) to provide the information necessary to evaluate the proposal. For the purposes of this Section, “adjacent” can be defined as lands up to 120 metres from the edge of the feature, unless otherwise specified.

5.3.2 Commitment

1. The Township shall ensure the protection of the natural environment when exercising its authority under the Planning Act, and may seek appropriate technical guidance when required.

5.3.3 Maintenance & Restoration

1. 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 groundwater features. When the opportunity exists, such as through parkland dedication, Council shall examine opportunities to improve and / or rehabilitate natural heritage features and areas.

5.3.4 Areas of Natural & Scientific Interest (ANSI)

Areas of Natural and Scientific Interest are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education. There are two kinds of ANSIs: Life Science ANSIs which are significant representative segments of provincial biodiversity and natural landscapes; and Earth Science ANSIs which are geological in nature and consist of some of the most significant examples of bedrock, fossil and landforms in the Province.

1. Development may be permitted in Areas of Natural and Scientific Interest, provided it does not negatively impact on the natural features or ecological functions for which the area has been identified. Where development or site alteration is proposed within or on the adjacent lands (within 120 metres of the boundary) of the ANSI, the proponent shall provide Council with an Environmental Impact Study (EIS) that demonstrates that there will be no negative impacts on the ANSI or on its ecological function.
2. The Township of Conmee has one Earth Science ANSI directly south of Brule Creek known as the Mokomon ANSI. The Mokomon Area of Natural and Scientific Interest shall be protected consistent with the policies of this Plan.

5.3.5 Endangered & Threatened Species

The Endangered Species Act (ESA) prohibits the killing, harming, harassment, capture, or taking of a Species at Risk, and the damaging or destroying of their habitat. Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the ESA.

1. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Council shall ensure every application for development or site alteration provides an appropriate level of assessment for the identification of threatened or endangered species habitat within or adjacent to the project area.

5.3.6 Fish Habitat

1. Fish habitat means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. As no detailed fish habitat mapping has been completed to date within the Township, all water features including: permanent or intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural surface drains, lakes and ponds (except human-made off-stream ponds), should initially be considered fish habitat unless it can be demonstrated to the satisfaction of Council that the feature does not constitute fish habitat as defined by the Fisheries Act".
2. For the purpose of this section, lands adjacent to fish habitat are defined as being within 30 metres of a fish habitat area. Filling, dredging and/or other shoreline alterations within 30 metres of fish habitat areas is prohibited and may be subject to enforcement by the MNRF, Federal Department of Fisheries and Oceans, and/or the LRCA.
3. Development and site alteration shall not be permitted in fish habitat, except in accordance with provincial and federal requirements.
 - a. Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it is demonstrated in an EIS that there will be no negative impacts on the habitat or its ecological functions and, where applicable, Fisheries and Oceans Canada has authorized such development or works in accordance with the Fisheries Act.
 - b. Where development may proceed adjacent to fish habitat, a 30-metre setback from the shoreline shall be maintained as a natural vegetative buffer. Site alteration and disturbance of vegetation within 30 metres of the shoreline shall be limited to minor alterations to accommodate access trails, docks, water pumping equipment or restoration work.
4. Subject to the approval of Council, new development may be approved in shoreline areas, adjacent to and within the required setback, subject to a satisfactory Environmental Impact Study being completed, which shows that development will not have a negative impact on Fish Habitat. The requirement of an Environmental Impact Study will be at the discretion of Council.

5.3.7 Wetlands

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. 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 types of wetlands are swamps, marshes, bogs and fens. Wetlands play a very important role in the natural heritage system, since they:

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

The following policies apply to wetlands:

1. Wetlands within the Township are shown on Schedule A. These wetlands have not been evaluated to determine if Provincially significant.
2. All wetlands, regardless of classification, will be designated as Environmental Protection. Any application for the alteration of a boundary of a Provincially Significant Wetland, either as an increase or a decrease, must be approved by a Qualified Wetland Evaluator.
3. No wetlands in the Township have been evaluated and identified as significant at this time. Wetlands may be evaluated by an OWES Qualified Wetland Evaluator and be classified as Provincially Significant Wetlands in the future. Any Provincially Significant Wetlands identified in the future will be indicated on Schedule A. Such

wetlands will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

4. Where development and / or site alteration is proposed within 120 metres of the boundary of a provincially significant wetland, the proponent may be required to provide Council with an EIS, prepared by a qualified professional, which demonstrates that there will be no negative impacts on the wetland or its ecological function. PSWs will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

5.3.8 Significant Wildlife Habitat

A wildlife habitat area is an area 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 nonmigratory species. In some cases, these areas may be considered significant due to the ecological importance of features, functions, representation or amount, thereby contributing to the quality and diversity of an identifiable geographic area.

1. Currently, there are no confirmed significant wildlife habitat (SWH) areas within the Township. Candidate SWH areas do exist which require further study. Should new information lead to the confirmation of SWH areas, these areas will be added to Schedule A.
2. Development and site alteration shall not be permitted in or adjacent to (within 120 metres) significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. An Environmental Impact Study (EIS) will be required where development may impact significant wildlife habitat or lands adjacent (120 metres) to significant wildlife habitat.
3. The habitat of Special Concern species and other sensitive species should be considered as significant wildlife habitat, as defined in the Natural Heritage Reference Manual. Special Concern species are formally listed in MNRF's Species at Risk in Ontario (SARO) list.
4. The Township of Conmee includes several Species of Conservation Concern (SCC) as well as other Values and Features within the boundaries of the planning area. The habitat of these species, including the identified values and features shall be protected and any development and/or site alteration shall not be permitted except in accordance with provincial and federal requirements.

5.4 Environmental Impact Study (EIS)

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

5.4.1 Purpose of an EIS

1. The purpose of an EIS is to:
 - a. collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);
 - b. demonstrate that a proposal/application will have no negative impact critical natural heritage features and ecological functions and their adjacent lands; and,
 - c. evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.
2. Where the focus of study is adjacent lands, as defined by this Plan, the EIS shall evaluate the ecological function of the adjacent lands and demonstrate that there will be no negative impacts on natural features or ecological functions.
3. Any EIS required by this Plan must describe the critical natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should

consider the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.

4. Any EIS must be prepared to the satisfaction of the Township and any other appropriate agencies, before a planning application that facilitates the development that is subject to the EIS is approved.

5.4.2 Contents of an EIS

1. The EIS shall include a description of:
 - a. the proposed undertaking and study area boundaries;
 - b. the natural features, ecological functions, linkages, and other natural processes of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to development;
 - c. any lands that support environmental attributes and/or functions that may qualify the lands for designation within the Environmental Protection designation;
 - d. the direct and indirect effects to the ecosystem that might be caused by the undertaking;
 - e. any environmental hazards (i.e. slope, flooding, contaminants) that need to be addressed as part of the design and how they will be addressed;
 - f. any monitoring that may be required to ensure that mitigating measures are achieving the intended goals;
 - g. how the proposed use(s) affects the possibility of linking core areas of the natural heritage system by natural corridors that may or may not be identified on the schedules to this Plan; and,
 - h. a Management Plan (MP) identifying:
 - i. how the potential adverse effects will be avoided or minimized over the construction period and the life of the undertaking;
 - ii. how environmental features and functions will be enhanced, where appropriate, and,
 - iii. describing the net effect of the undertaking after implementation of the MP.
2. The Management Plan shall also establish the limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.

5.4.3 What an EIS Should Demonstrate

1. The EIS should demonstrate, where applicable, that the proposed use(s) will:
 - a. not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
 - b. be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
 - c. not cause erosion or siltation of watercourses or changes to watercourse morphology;
 - d. not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
 - e. not cause an increase in flood potential on or off the site;
 - f. maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic and fish habitat;
 - g. not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;

- h. enhance and restore endangered terrestrial and aquatic and fish habitat, where appropriate and feasible;
 - i. not interfere with the function of existing or potential natural corridors;
 - j. not lead to a significant reduction in the forest resource or interior forest habitat in an area; and,
 - k. not lead to species loss or negative impacts on endangered, threatened or vulnerable species and/or their habitat.
2. In addition, the EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule A to this Plan or the ecological functions for which the area is identified.

5.5 Mineral Aggregate Areas and Mining Resources

There are several mineral aggregate and mining resource areas in the Township, as identified on Schedule A. It is the intention of this Official Plan to identify the location of known potential mineral aggregate deposits and mining resources and to protect them for their long-term use and economic growth. The following policies shall apply to mineral aggregate and mining resource areas.

5.5.1 Protection of Viability

1. Where there is a known presence of high-quality aggregate deposits, the Township of Conmee will designate these lands in the Official Plan to ensure these areas are compatible with extraction operations and associated land uses while also precluding incompatible development and land uses.
2. Legally existing pits and quarries and their associated facilities are permitted and identified on Schedule A to this Plan. The implementing Zoning By-law will also recognize existing pits and quarries for their continued use and operations.
3. Where feasible, the viability of mineral mining and mineral aggregate resources will be protected from uses that may compromise the future extraction. On lands identified as being potential resource areas, development of other land uses shall be permitted, provided that:
 - a. Extraction of the resource is not feasible;
 - b. The proposed use serves a greater long-term public interest; and
 - c. Issues of public health, safety and environmental impact are addressed.

5.5.2 Non-Resource Extraction Uses

1. Non-resource extraction uses such as forestry, agriculture, agricultural-related industrial and commercial and secondary uses, conservation, and fish and wildlife uses shall be permitted, provided that these uses will not preclude future extraction of the resource.

5.6 Water Resource Management

1. At the present time, all of the Township's residents obtain drinking water from private wells. It is a policy of this Plan to protect existing sources of drinking water for future use.
2. All development applications for Plan of Subdivision or Plan of Condominium, relating to new commercial, industrial, institutional and any use permitted in the Major Recreation designation shall be supported by a Water Resource Management (WRM) Report. A WRM Report shall be prepared by a hydrogeological professional to the satisfaction of Council and the appropriate agencies. The purpose of the WRM Report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:
 - a. how to maintain or enhance the natural hydrological characteristics of the water resource;

- b. how to minimize or eliminate the effect of the proposed use on the groundwater recharge function;
- c. how to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
- d. how to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
- e. whether it is required to monitor water budgets for groundwater aquifers and surface water features; and,
- f. how to ensure that the quality of the watercourses affected by the development are maintained.

5.7 Hazard Lands Policies

5.7.1 Steep Slopes and Ravines

1. Development will not be permitted on slopes that are subject to active erosion or historic slope failure. Development shall be sufficiently set back from the top of bank of slopes greater than 3:1. The development setback distance may be determined in consultation with an engineer and/or surveyor subject to the following criteria:
 - a. soil type and groundwater patterns;
 - b. vegetation type and cover;
 - c. severity of slope; and,
 - d. nature of development.
2. In some instances, where a sufficient development setback cannot be achieved, the proponent will be required to provide a slope stability analysis as a prerequisite to any development. The analysis shall be prepared by a qualified professional to the satisfaction of the Township.

5.7.2 Natural Hazards

1. Development will generally be directed to areas outside of hazardous land adjacent to the shoreline of inland lakes, rivers, and stream systems which are impacted by flooding and/or erosion hazards, and other hazardous sites. Hazardous sites may consist of steep slopes, unstable soils, organic soils, and unstable bedrock. Where development is proposed within or partly within these features, the development proponent may be required to submit a technical study prepared by a qualified professional, to the satisfaction of the appropriate approval authority, which demonstrates the following:
 - a. the hazard can be safely addressed, and the development and site alteration are carried out in accordance with established standards and procedures;
 - b. new hazards are not created and existing hazards are not aggravated;
 - c. no adverse environmental impacts will result;
 - d. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and,
 - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.
2. Recommendations made in the technical report(s) will be implemented through the planning process. Where the technical report indicates that development within a particular hazard is not feasible, the development shall not proceed.
3. Development and site alteration within a floodway is prohibited, except for development and site alteration which, by its very nature, must be located within a floodway. A floodway consists of those areas, usually low lands adjoining watercourses, which have been or may be subject to flooding hazards.

4. Where development or site alteration are proposed in the vicinity of flooding hazards, a detailed engineering study will first confirm the actual extent of the flooding hazard. Development and site alteration will only proceed if it has been demonstrated to the satisfaction of the Township or Planning Board and LRCA that it can occur safely on the subject lands outside of the flooding hazard, and not upon lands which are high points surrounded by the flooding hazard. Lands impacted by flooding hazards will be zoned appropriately to prohibit development and site alteration, except for development and site alteration which must, by its very nature, be located within a floodway.

5.7.3 Wildland Fire Hazards

Hazardous forest types for wildland fire are forest types assessed as being associated with the risk of high to extreme wildland fire, generally being forested areas which are composed of a certain type and condition of forest fuel (i.e. vegetation). There is an inherent risk to the public when changes to the landscape occur, such as the encroachment of development into forested areas associated with high to extreme risk. The Township may require wildland fire assessments to evaluate wildland fire risk factors of an area or site.

1. Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire.
2. In certain circumstances, development may 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. In the absence of a detailed assessment prepared for Council, proponents submitting a planning application may be required to undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the lands proposed for development and, to the extent possible, adjacent lands. If development is proceeding where a high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.
4. Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in areas where natural heritage features occur, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions in accordance with the policies of this Plan.

5.7.4 Hazardous Sites

1. Hazardous sites are defined as lands that could be unsafe for development and site alteration due to naturally occurring hazards, such as unstable soils or bedrock. There are no known hazardous sites in the Township of Conmee, however, at the time a Planning Act application is submitted, the Township may require the preparation of a technical study to confirm if such conditions exist on site.
2. In the event the technical study confirms that some or all of the lands proposed for development are hazardous, the study shall determine whether the risks created by the hazard can be managed or mitigated in accordance with Provincial standards.

5.7.5 Hazardous Substances

1. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on hazardous lands or hazardous sites.

5.7.6 Human-Made Hazards

1. Human-made hazards may occur on lands which include, but are not limited to, former mineral mining operations, mine hazards, and former mineral aggregate operations. Development and site alteration on, abutting, or adjacent to these lands may only be permitted if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
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 impacts.
3. Applicants of proposed developments within 1000 metres of an Abandoned Mine Hazard Site must consult with the Ministry of Mines first and undertake any required remediation measures. Where a rehabilitated mine

hazard is identified within 1000 m of a proposed development, written consent of the Minister of Mines is required prior to the disturbance of any rehabilitated mine hazard features.

5.8 Waste Disposal Sites

1. There is one active open waste disposal site in the Township, as shown on Schedule A of this Plan. This site shall be protected to ensure there is adequate capacity to accommodate present and future waste disposal needs.
2. The development of new uses or the enlargement of buildings or structures within an influence area of 500 metres from the boundary of a fill area of a closed site is prohibited.
3. Notwithstanding policy 2, development may be permitted with submission of an assessment prepared by a qualified professional that determines:
 - a. the impact of any potential methane gas migration;
 - b. whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the waste disposal site;
 - c. potential traffic impacts;
 - d. whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the waste disposal site; and,
 - e. the impact of the proposed use on leachate migration from the landfill site.
4. In addition to the matters listed above, the assessment shall address other items outlined in the Province's Guideline D-4, Land Use On or Near Landfills and Dumps, to ensure that the proposed land uses are compatible in nature and do not create adverse impacts.
5. The studies required to support a development application within the influence area of a Waste Disposal Site may be scoped based on the type and/or scale of the development proposed, as determined by the Township.
6. In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies addressing the matters set out in the policies of this section shall be submitted for the Township's consideration.
7. It is a policy of this Plan to ensure the residents of Conmee are provided with safe and cost-efficient waste management systems during the lifespan of this Official Plan and beyond. Although it is not anticipated that a new waste disposal site will be necessary during the life of this Official Plan, in the event a new site is deemed necessary, an amendment to this Plan will be required.
8. Decommissioned or former landfill sites within the Township shall be remediated to the satisfaction of the Ministry of the Environment, Conservation and Parks.

5.9 Land Use Compatibility

1. It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries, including major facilities and other sensitive land uses, such as waste disposal sites or sewage treatment facilities. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other to avoid, minimize, and mitigate any potential adverse effects from odour, noise, and other contaminants, and minimize risk to public health and safety.
2. Where avoidance is not possible, it must be demonstrated that there is an identified need for the use and an evaluation of alternative locations must be undertaken. Where the need for the proposed use is identified and no reasonable alternative locations are feasible, the Township shall assess the compatibility of the proposal in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-Series Guidelines.
3. Where a proposed use cannot satisfy the minimum requirements of the applicable MECP guidelines or its successor, or the potential impacts of the proposed use cannot be minimized and mitigated, the use will not be permitted. The approval of development proposals shall be based upon the achievement of adequate distances

and the recommendations of the required studies. Where practical and enforceable, such distances or other recommendations may be implemented through the Zoning By-law or Site Plan Agreements.

5.10 Contaminated Sites

1. If the site of a proposed use is known or suspected to be contaminated, the Township shall require the proponent to prepare a study prepared in accordance with the Ministry of the Environment, Conservation and Parks guidelines which determines the nature and extent of the contamination and the identification of a remediation plan, if required.
2. Where the need for remediation is identified, the site shall be remediated, and a Record of Site Condition be obtained before development approvals are granted.

5.11 Minimum Separation Distances (MDS)

1. Development in all policy designations shown on the Schedules to this Plan shall comply with the Minimum Distance Separation (MDS) Formulae I and II, as established and amended by the Province. The formulae shall be implemented through its inclusion in the implementing Zoning By-law. The administration / interpretation of the formulae shall be guided by implementation guidelines, as established by the Province.
2. While the administration and interpretation of MDS formulae shall be guided by the implementation guidelines as established by the Province, it may be desirable in certain circumstances to reduce a required MDS. A reduction may be accomplished through either a Zoning By-law Amendment or Minor Variance. Reductions to MDS will generally be restricted to situations where a reduction in the setback will result in an overall improvement over the existing separation distance, or when the reduction will result in an overall environmental improvement over the existing separation distance.

6.0 Implementation

6.1 Zoning By-law

1. The Township shall enact a comprehensive Zoning By-law under Section 34 of the Planning Act to implement the policies of this Plan.
2. The Township shall regularly undertake a review of the comprehensive Zoning By-Law to ensure that it remains consistent with the policies of this Plan.

6.2 Temporary Uses

1. The use of land for temporary purposes may be assigned in certain circumstances where a short-term use is proposed, considered appropriate, and to be phased-out.
2. Under the Planning Act, the maximum term of a Temporary Use By-law is 3 years, however a Temporary Use By-law may permit a Garden Suite on a property for up to 20 years.
3. Subsequent By-Laws granting extensions of up to three years (or 20 years for a Garden Suite) may be passed. However, once the By-Law has lapsed, the use must cease or otherwise will be considered in contravention of the implementing Zoning By-Law.

6.2.1 Use & Scope

1. The temporary use of land, buildings and structures may be authorized by the Township through the passing of a Temporary Use By-law in accordance with the Planning Act. Such uses may be permitted in all land use designations without amendment to this Plan, with the exception of lands designated 'Environmental Protection'. The Temporary Use By-law shall describe the area affected and specify the duration for which the use is permitted.

6.2.2 Criteria

1. An application for a Temporary Use By-law shall be considered in accordance with the requirements of the Planning Act and the following:
 - a. Generally in conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. The input received from circulated public bodies and agencies and neighbouring property owners and residents; and,
 - d. Satisfactory assurances that the land will be returned to its previous state and all buildings and structures removed (where deemed appropriate) upon the lapsing of the period stipulated in the by-law or upon the lapsing of any extension period that may be granted.

6.2.3 Approvals

1. Prior to the approval of a Temporary Use By-law, Council shall be satisfied that the following principles and criteria are met:
 - a. The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
 - b. The proposed use shall not require the extension or expansion of existing municipal services;

- c. The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- d. Parking facilities required by the proposed use shall be provided entirely on site;
- e. The proposed use shall generally be beneficial to the community as a whole; and,
- f. The owner shall enter into an agreement with the Municipality and/or post securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the By-Law.

6.3 Interim Control By-law

- 1. Where the Township has authorized a review or a study is undertaken regarding land use planning, Council may adopt an Interim Control By-law to prevent potentially inappropriate development or use of land, pursuant to the Planning Act. The By-law shall specify a time period (not to exceed one years) for prohibiting the use of land, buildings or structures for, or except for, such purposes as are set out in the By-law.
- 2. The Council of the Township of Conmee may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of passing of the interim control by-law.

6.4 Holding Provisions

- 1. In accordance with the Planning Act, the Township may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions have been met. These conditions will be specified within a Zoning By-law Amendment. The objective of utilizing a Holding Provision is to ensure that:
 - a. the appropriate phasing of development or redevelopment occurs;
 - b. development does not proceed until services and utilities are available to service the development;
 - c. agreements respecting the proposed land use or development are entered into; and/or;
 - d. any conditions described by the Council-approved Holding provisions are met prior to any development or site alteration occurring.

6.5 Site Plan Control

The Planning Act permits the Township to designate all or part of its territory as a Site Plan Control Area. Within this area certain types of development (typically, commercial, industrial, and institutional) cannot proceed until a Site Plan has been approved by the Township.

- 1. The Township of Conmee will enact a Site Plan Control By-law under the authority of Section 41 of the Planning Act.
- 2. The Site Plan Control By-law will be to ensure a high standard of development and to provide compatibility with, and protection of, neighbouring uses, new development and significant expansions to existing development. The by-law will also specify the land area and types of development where Site Plan approval will be required.

6.5.1 General Criteria

- 1. Consideration of a plan subject to Site Plan Control by the Township shall be subject to the requirements of the Planning Act and the following criteria being satisfied:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Conformity with the Zoning By-law, Servicing Standards, secondary plans, and design guidelines / standards;

- c. The input received from circulated public bodies and agencies;
- d. The submission and approval of all required information / studies, reports, and plans;
- e. The entering into of a Site Plan Agreement with the Township; and
- f. Where applicable, the posting of sufficient financial security to ensure due performance and the protection of the Township.

6.5.2 Site Plan Agreement

- 1. A Site Plan Agreement pursuant to the provisions of the Planning Act shall be required in most instances. Any such agreement shall be registered on title.

6.6 Community Benefits By-law

- 1. In accordance with Section 37 of the Planning Act, the Township may enact a Community Benefits By-law that imposes charges against land to pay for the capital costs of facilities, services, and matters required because of development or redevelopment in the area.
- 2. Prior to passing a Community Benefits By-law, a community benefits charge strategy shall be prepared which identifies the facilities, services, and matters that will be funded with community benefits charges.

6.7 Parkland Dedication By-law

6.7.1 Parkland Dedication By-law

- 1. The Planning Act permits the Township to enact a Parkland Dedication By-law that establishes:
 - a. the lands to which the by-law is applicable;
 - b. the rate of parkland dedication;
 - c. the development applications which are subject to parkland dedication requirements;
 - d. land uses which are exempt from parkland dedication requirements; and,
 - e. in the case of cash-in-lieu of parkland, whether the value of parkland will be determined on the basis of raw land prior to approvals or on the basis of value of the individual lot(s) prior to issues of a building permit.

6.7.2 Dedication of Land through the Development Process

- 1. The Township may require the dedication of up to ten percent of the land within a residential Plan of Subdivision to be dedicated as parkland. Two percent of the land within a non-residential development shall be dedicated as parkland.
- 2. In lieu of the above requirements, the Township may require cash-in-lieu of parkland, as deemed appropriate. In the establishment of a Parkland Dedication By-law, Township Council may determine value on the basis of either the value of raw land on the day prior to draft approval of Provisional Consent or draft subdivision approval, or on the basis of the value of the new lot(s) prior to issuance of a Building Permit.
- 3. All lands dedicated shall be conveyed in a physical condition satisfactory to the Township.
- 4. Lands within the 'Environmental Protection' designation and/or lands identified as hazard lands shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

6.7.3 Cash In-lieu

- 1. Where a dedication of land for park purposes would be inappropriate or impractical, the Township may permit a proponent to provide a cash in-lieu payment for parkland purposes. The rate of payment shall be in accordance with the provisions of the Planning Act.

2. All monies received under the parkland provisions shall be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities, in accordance with the Planning Act.

6.8 Property Standards By-law

1. In recognition of the importance of property conditions, the Township may pass a Property Standards By-law to regulate residential properties, non-residential properties, vacant buildings, vacant lands, open space lands and heritage properties.
2. A Property Standards By-law may:
 - a. prescribe standards for the maintenance and occupancy of property within the Township or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
 - b. require property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition; and,
 - c. prohibit the removal from any premises of any sign notice or placard placed thereon pursuant to this Section or a By-law passed under the authority of this Section.
3. Any development shall conform to the provisions of the Ontario Fire Code, the Ontario Building Code, and minimum standards for maintenance and occupancy.

6.9 Site Alteration By-law

1. In accordance with the Municipal Act, the Township may enact a Site Alteration By-law to regulate certain activities that may impact drainage and vegetation patterns. A Site Alteration By-law may:
 - a. Prohibit or regulate the placing or dumping of fill;
 - b. Prohibit or regulate the removal of topsoil;
 - c. Prohibit or regulate the alteration of the grade of the land;
 - d. Require that a permit be obtained for the placing or dumping of fill, the removal of topsoil or the alteration of the grade of the land; and
 - e. Impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site.

6.10 Tree Protection By-law

1. The Township may pass a Tree Protection By-Law to prevent the cutting of trees in sensitive areas. Where a Tree Protection By-law is passed, the By-Law shall not be passed without a specific assessment of the impacts of a By-Law together with opportunity for public comment.

6.11 Short-Term Rental By-law

1. The Township may pass a By-law which prescribes standards and regulations related to the use of residential dwellings for the purpose of Short-Term Rentals. Such a By-law would be complementary to any provisions enacted in the Township's Zoning By-law, which may contain provisions for land use controls for Short-Term Rentals.
2. Where the Township enacts a separate Short-Term Rentals By-law, the by-law may address:

- a. The requirement for hosts to obtain a permit from the Township prior to commencing a Short-Term Rental operation;
- b. The requirement to identify to the Township a Property Manager for the Short-Term Rental operation;
- c. Permissions for condominium corporations, housing cooperatives, or building owner to register with the Township a request for a prohibition on Short-Term Rental operations within their dwellings;
- d. General administrative processes for the Township to grant, refuse, suspend, revoke, or review permits; and,
- e. Offenses and penalties for contravention of the by-law provisions.

6.12 Crown Lands

- 1. The Township of Conmee encompasses a significant amount of Crown Lands and will work with all levels of government to identify lands for potential future residential development, including estate lot subdivisions and seasonal cottage developments.
- 2. The Ministry of Natural Resources and Forestry (MNRF) has jurisdiction over the administration of Crown Lands and waters within the Township of Conmee. The following policies shall apply to these Crown Lands:
 - a. The MNRF is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township with respect to the use and disposition of Crown Lands is required from the MNRF.
 - b. Authorization for occupation or use of Crown Lands is required from the MNRF.
 - c. The Township recognizes that resource management activities on Crown Lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.

6.13 Development Applications

6.13.1 Pre-Application Consultation

- 1. The Township may pass a By-law requiring that a pre-application consultation meeting be held prior to submitting a development application in order to identify and confirm the information that will be required at the time of application submission.
- 2. Notwithstanding Policy 1, the Township has the authority to waive the requirement for a formal pre-application consultation meeting.

6.13.2 Complete Applications

- 1. Development applications shall comply with the complete application submission requirements of the Planning Act. The Township shall maintain a Development Application Study policy, which will be reviewed with applicants in the pre-consultation process.
- 2. To process the application, the Township may require additional information and/or reports, as listed in the Policy. The additional information and/or reports will be identified in writing after a pre-application consultation or after further review of the development proposal. All required reports must be completed to the satisfaction of the Township or relevant approval authority.
- 3. Depending on the nature of the proposed development and planning application(s), the Township may require plans and/or studies including, but not limited to:
 - a. Planning Rationale;
 - b. Heritage Impact Assessment;
 - c. Environmental Impact Statement;

- d. Transportation Impact Study;
- e. Minimum Distance Separation analysis;
- f. Servicing Options Study;
- g. Drainage / Stormwater Management Report / Plan;
- h. Geotechnical Study;
- i. Hydrogeological Study;
- j. Erosion and Sediment Control Plan;
- k. Noise / Vibration Study;
- l. Sun-Shadow Study;
- m. Fisheries Assessment;
- n. Shoreline Riparian Control Study;
- o. Archaeological Assessment;
- p. Record of Site Condition (RSC);
- q. Air / Dust Study; and,
- r. Groundwater Protection Study.

6.13.3 Public Participation

Consultation and public participation and input is a fundamental requirement of the planning process. The following policies outline how the Township intend to ensure adequate engagement with members of the public prior to making land use planning and development decisions:

1. The Township shall comply with the minimum requirements of the Planning Act in informing and obtaining the views of the public in matters requiring approval under the Act.
2. In circumstances in which, in the opinion of the Township, alternative or supplementary methods of public engagement will enhance or exceed the requirements of the Planning Act, the approval authority may use online resources or media to inform members of the public of a planning matter.
3. The Township recognizes the unique status of Indigenous Peoples within Canada and the importance of engagement and dialogue with First Nation and Métis communities in the region. When considering land use planning and development decisions of mutual interest, particularly heritage and archaeology matters, the Township will circulate information on the proposal to the affected Indigenous group. Such engagement may complement formal processes by the Province under the principles of the Duty to Consult.

6.14 Non-Conforming / Non-Complying Uses and Lots

6.14.1 Non-Conforming / Non-Complying Uses

As a general rule, existing uses that do not conform with the policies of this Plan are intended to be gradually phased out so that the affected land use may change to a use which is in conformity with the goals and vision of the Official Plan and the implementing Zoning By-law.

1. Despite the intent to phase out non-conforming uses, a non-conforming use may be reconstructed where removed, provided it does not exceed the previous building envelope.
2. Where a use proposed to be reconstructed exceeds the previous building envelope, the Township will evaluate the expansion component of the proposal under Section 45(2) of the Planning Act using the following tests:
 - a. Is the application desirable for appropriate development of the subject property?
 - b. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

6.14.2 Non-Complying Lots

1. A non-complying lot in existence prior to the effective date of the implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the implementing Zoning By-law may be used and buildings thereon may be erected, enlarged, repaired or renovated, provided:
 - a. the use conforms with the applicable policies of this Plan and the implementing Zoning By-law;
 - b. the buildings or structures comply with all of the other provisions of the implementing Zoning By-law; and,
 - c. the lot with the proposed use can support a sewage treatment system that meets the requirements of the Thunder Bay Health Unit or the Ministry of the Environment, Conservation, and Parks, as applicable.

6.15 Amendments to the Plan – Public Notice

1. The Township may undertake minor amendments to this Plan without providing notice to the public, nor holding a public meeting, in cases including:
 - a. Changing the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
 - b. Consolidating previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
 - c. Correcting grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps;
 - d. Translating measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.
2. In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of the Planning Act.

6.16 Interpretation of Land Use Designation Boundaries

1. The boundaries between land uses designated on the Schedules to this Plan are approximate, except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features. In such cases, the location of the boundaries are not open to flexible interpretation.
2. Where the general intent of the document is maintained, minor adjustments to boundaries will not require amendment to this Plan.
3. It is recognized that the boundaries of the Environmental Protection designation may be imprecise and subject to change. The Township shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the Environmental Protection designation shall not require an Amendment to this Plan.
4. Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

6.17 Definitions

1. For the purposes of interpretation this Plan, the definitions in the Planning Act, R.S.O. 1990, the Provincial Policy Statement 2020, and other applicable legislation shall apply. In all other instances terms shall be defined in accordance with common usage and if necessary, reference to the Canadian Oxford Dictionary, 2nd Edition.

6.18 Official Plan Review Process

1. Upon the date of adoption of this Plan, the objectives and policies of this Plan shall be reviewed within 10 years after it comes into effect as a new official plan and at least once every five years thereafter, in accordance with the Planning Act, as amended. The review shall consist of an assessment of:
 - a. the continuing relevance of the vision that forms the basis of all policies found in this Plan;
 - b. the degree to which the objectives of this Plan have been achieved;
 - c. the amount and location of lands available for development;
 - d. whether the Township has increased the extent of commercial and industrial uses in relation to residential uses;
 - e. the Township's role and relationship with other nearby municipalities;
 - f. development trends in the area and their effect on development in the Township; and,
 - g. the nature of any Provincial planning initiatives and their implications on the Township.



AMCTO
THE MUNICIPAL EXPERTS

**Modernizing the
Municipal Elections Act
for the 21st Century**



Introduction

The *Municipal Elections Act* (MEA) legislates the processes for how local elections operate in Ontario. It provides municipal staff who are also local election administrators with the framework in which to organize and run efficient municipal elections. It provides voters, candidates and third-party advertisers with guidance on qualifications for participating in local democracy. The Act serves as an important tool for local election accountability, ensuring smooth democratic processes for citizens across Ontario, and is key to voter and public trust in local governments.

While public trust has always been [front and centre to democratic processes](#)¹, since the COVID-19 pandemic there has been [commentary, concern and cautions raised](#) about the state of trust in public institutions at all levels of government and the state of the democratic process that empowers those institutions². Applying a continuous improvement mindset to the rules and framework that support local democracy ensures democratic processes are modernized, reflect current circumstances and technology, meet citizen expectations, and continue to be reliable.

As the largest voluntary municipal association in Ontario with members working across the province, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) takes the position that local governments serve as the most transparent level of government with openness and accountability at the core of operations. To continuously improve public trust, a comprehensive review of the MEA is needed in consultation with the sector. By reviewing and re-writing the MEA to reflect today's challenges in bolstering public trust, improving voter turnout, and improving overall election administration; voters, residents, candidates, third parties, interest groups and election administrators can rely on a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

To keep public trust and improve safeguards, a review should apply a lens considering the ever-changing landscape that impacts election administration. This includes [threats of foreign interference](#)³,

¹ AMCTO. 2015, *Submission on the Municipal Elections Act*. <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

² Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory. March 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

³ For instance, Ball, Stewart. "China tried to influence last two federal elections, says report released by CSIS." *Global News*. 31, Jan. 2024. <https://globalnews.ca/news/10264872/canada-china-foreign-interference-elections-csis-report/>



increased spread of misinformation⁴ and the increased use of technologies like artificial intelligence (AI) that presents both opportunities⁵ and challenges⁶ for election administration and for supporting candidates and voters in their electoral participation. A fulsome review should also contemplate how to ensure the continued health of our local democracies, something the Association of Municipalities of Ontario (AMO) is looking at currently through their [Healthy Democracy Project](#)⁷.

While we know this is easier said than done and recognize that the legislation contains a patchwork of provisions which attempts to fill in gaps, this approach has made the overall MEA in its current form, more challenging to read, interpret, comply with, and enforce. With the upcoming 2026 municipal elections, municipalities will be planning earnestly early next year, and a focus on renewing the election frameworks has never been timelier.

This submission has been prepared by AMCTO with a goal to improve and modernize the MEA and its regulations. It highlights the need for revisions as conducted on a line-by-line basis and considers how the proposed amendments would impact other acts such as the *Education Act, 1990* and the *Assessment Act, 1990*. Our recommendations focus on outcomes-based solutions across three broad themes:

1. **Strengthening Public Trust and Electoral Integrity**
2. **Enhancing Accountability and Transparency while Making Compliance and Enforcement Easier**
3. **Permissive Legislation that Reduces Administrative Complexity**

Through this submission, we also identify a proposed timeline to assist the Province in planning for continuous improvements to the *Act*. These recommendations are labelled as:

- **Priority:** those we believe must be implemented through legislative updates ahead of 2026
- **Secondary:** those we believe can and should be implemented through legislative updates ahead of 2026
- **Long-term:** those that may require further investigation, analysis, and collaboration between the Province, AMCTO, municipalities, and other affected stakeholders to get right.*

**It should be noted that these are no less important to AMCTO members and we would encourage the Province to initiate work on them as soon as possible.*

This submission is the result of continuous work by our MEA Working Group, ongoing conversations with members, as well as feedback from clerks following the 2022 municipal elections. Through this submission, we hope to inspire the Province to take action in reviewing the MEA and to inform a broader dialogue around local election administration, the importance of openness and accountability in local government.

⁴ For instance, Thompson, Elizabeth. "Disinformation, foreign interference threatening Canada's electoral system, elections watchdog warns." *CBC News*. 22, June 2022. <https://www.cbc.ca/news/politics/canada-elections-watchdog-cote-1.6497875>; Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory. Mar. 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵ Deepack P et al. *AI Magazine*. "AI and core electoral processes: Mapping the horizons." V. 44.3 Fall 2023. <https://onlinelibrary.wiley.com/doi/full/10.1002/aaai.12105>

⁶ Leaders. "How worried should you be about AI disrupting elections?" *The Economist*. 31 Aug. 2023. <https://www.economist.com/leaders/2023/08/31/how-artificial-intelligence-will-affect-the-elections-of-2024>

⁷ See <https://www.amo.on.ca/about-us/healthy-democracy-project>





Background

Elections occur in 414 cities, towns, and villages[†] across Ontario to ensure that [2,842](#)⁸ municipal offices and [676](#)⁹ school board trustees are elected through processes that run as efficiently and effectively as possible within the current legislative framework.

While the MEA sets out the rules for local elections, the [Assessment Act, 1990](#) and the [Education Act, 1990](#) also contain provisions impacting local elections; adding more places for voters, candidates, and administrators to look for the rules that bind the local democratic process in Ontario.

quality assurance testing
compliance audit post-election reporting
staff training committee recruitment
ward boundary candidate support
election monitoring financial statement reviews
representation reviews overseeing prosecutions
new council orientation stakeholder relationships
vendor procurement supply chain management
voters list updates local scouting
volunteer recruitment

Election administration is a complex endeavour that municipal staff lead and oversee. This includes a multi-year planning and implementation journey that continues up to a year or more past election day. As election administrators, municipal clerks support candidates, third-party advertisers, election workers, and voters by overseeing ballot and technology preparation; coordinating supply chain management and vendor selection;

performing security reviews; preparing election reports; revising voters' lists; overseeing compliance audit committees (CACs); and responding to possible prosecutions. In many Ontario municipalities, this work may be done by one or two people.

Election administrators take pride in executing fair, accountable, transparent, accessible, and reliable local elections and are always looking for ways to continuously improve the delivery of these important services. An updated MEA would allow election administrators to do their jobs more efficiently and effectively while providing needed clarity to local candidates, third-party advertisers, voters and the general public.

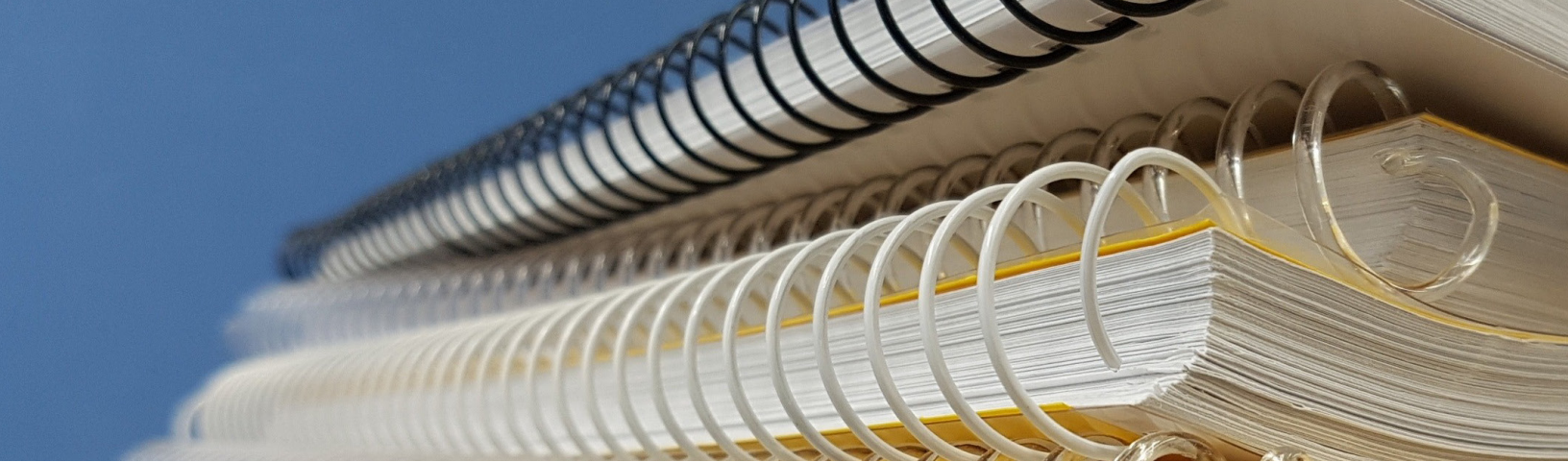
To ensure administrators can pivot and implement legislative changes without impacting planning for the 2026 municipal elections, we urge the Province to act swiftly to consult on, then enact the following recommendations and updates to the MEA.

[†] While there are 444 municipalities in Ontario, 414 hold elections. The other municipalities are upper tiers, representatives for which are elected or appointed through lower tiers locally.

⁸ Association of Municipalities of Ontario (AMO). "Analysis of 2022 Municipal Post Election Data", 14 Nov. 2022. <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁹ Ontario Education Services Corporation. "Post Election Data," 1 Nov. 2022. <https://elections.ontarioschooltrustees.org/Resources/pdf/2022Data/Post-Election%20Data%20-%20All%20School%20Boards.pdf>





Overview of the Issues

Strengthening
Public Trust &
Electoral Integrity

As outlined in the introduction, the *MEA* in its current form needs to be comprehensively reviewed in consultation with the sector and re-written. Processes can be streamlined, rules improved, provisions re-ordered, and clarity brought forward to ensure that voters, residents, candidates, third-parties, interest groups and election administrators have a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

Enhancing
Accountability
& Transparency
while Making
Compliance &
Enforcement
Easier

Some of the top concerns identified by AMCTO members include the current legislation containing a patchwork of amendments, repealed sections, and transitional provisions that are no longer relevant. On top of this, there are other structural issues in the way the Act is laid out, that make it difficult for voters, candidates, and organizations to understand and manage. Often a clause in one section must be read with a clause in another section, or within another act, which makes reading and complying with the rules difficult to do.

Permissive
Legislation
that Reduces
Administrative
Complexity

Another significant issue has been the lack of harmonization of local election rules across the three Acts (*MEA*, *Assessment Act*, *Education Act*) that set out the complex rules for municipal and school board elections. School board trustee candidates and voters must interpret three pieces of legislation to understand their qualifications. Moreover, because school support has two purposes under legislation – election and assessment – outdated legislative requirements make it difficult to match school support to voters which can mean delays at the polling station.

Rules on campaign finance and third-party advertising are also complex and difficult to oversee and enforce. There needs to be a thorough review of both frameworks to streamline rules and introduce mechanisms to make enforcement more efficient. This must include examining enforcement such as the compliance audit process, offences, and penalties.





Recommendations

The *MEA* will be 30 years old when the next scheduled municipal and school board elections take place in October 2026. While there have been a few changes to the *Act* since the last formal review, the current mix of political, environmental, social, technological, and legal factors make this an opportune moment to modernize the *Act*.

A review and re-write of the *Act* should also include a concurrent review of relevant sections of the *Education Act* and *Assessment Act* which contain provisions that add further complexity to the local election picture.

General Recommendations

- 1. Overhaul and update the *Act* to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.**

While it may not be possible to complete a top-to-bottom re-write and re-design of the *Act* ahead of 2026, AMCTO is calling on the Province to launch consultations and engage our members to begin the process as soon as possible. The goal is to bring forward brand new legislation by 2028 at the latest, ahead of the 2030 municipal elections. The project planning for this endeavour should begin now, informed by discussions with AMCTO, Elections Ontario, the Municipal Property Assessment Corporation (MPAC) and Association of Municipalities of Ontario (AMO).

A new *Act* would breathe new life into local government elections by rebuilding a fulsome statute instead of relying on the current patchwork of fixes that make the legislation more complicated than necessary. A new *Act* would make it easier for voters, candidates, and third-party advertisers to understand, comply with and participate in democratic processes. A review also provides an opportunity to bring innovation to election administration so that Ontario is looked to as a leader in the local democratic process in Canada.



2. Include a legislative requirement to review the Act after every scheduled municipal and school board election year.

While a comprehensive review should ensure the Act does not become quickly outdated, with the pace of technological and societal change, the MEA will continue to need regular review and updating. We are suggesting that the Act be substantially reviewed at least every four years with a specific legislative requirement to do so.

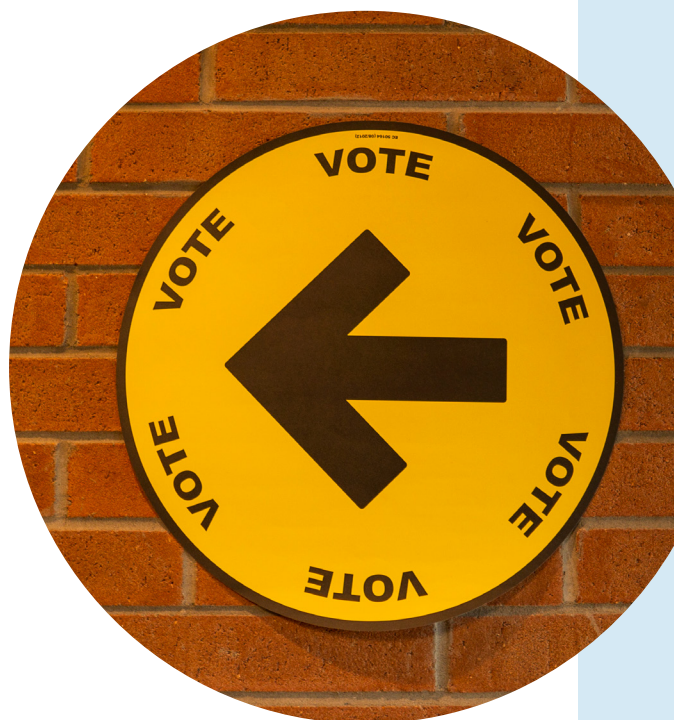
3. Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.

In the past few years, privacy protection has become increasingly important. With increased vitriol both in-person and in digital public spaces, members of the public, candidates for elected office, and other officials have expressed concern about the protection of personal information. Furthermore, as personal safety concerns have become increasingly alarming, it is essential that steps are taken to protect the privacy of individuals while balancing the need for increased transparency in local elections.

For instance, [several municipalities have passed resolutions](#) calling on the Province to remove requirements to post personal information online including candidate and contributor home addresses¹⁰. Anecdotally, several clerks have noted that they have received requests from those who experienced harassment or violence and consequentially, they do not want their information appearing on the voters' list.

Unlike provincial election legislation, the MEA does not explicitly allow for the redaction of certain information when posting documents online. Section 4.7 of the [Elections Act, 1990](#) gives Elections Ontario, upon request, the authority to redact certain personal information if the Chief Electoral Officer reasonably believes posting the information would endanger the person's life, health, or security. Further, section 4.8 of the *Elections Act* restricts the sharing of names, addresses, and unique identifiers of electors to certain persons.

For municipal election legislation, consider allowing for redaction of personal information or removing the requirement for municipalities to post personal information online while ensuring information is still available to clerks or to any other body to review qualifying addresses for contributions.



¹⁰ See for instance, <https://kitchener.citynews.ca/2023/04/26/region-of-waterloo-asks-province-to-keep-home-addresses-of-local-candidates-donors-private/>



Recommendations to Strengthen Public Trust and Electoral Integrity

Electoral integrity is a core focus of election administration and critical to ensuring public trust. While all recommendations are built on the foundation of electoral integrity, recommendations listed under this theme speak to the need to provide support to electors, residents, and administrators in this endeavour.

Priority Recommendations

- 1. Amend the Act to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the Act.**

One way to enhance the clarity of the *MEA* is to ensure that the text matches core guiding principles of elections.

As we noted in our [2015 submission](#)¹¹, in *DiBiase v. Vaughan (City)*, 2007, the Honourable Justice Peter Howden of the Ontario Superior Court wrote that in making its finding, the court relied upon the principles articulated in a previous Supreme Court of Canada ruling (*Haig v. Canada*, 1993), specifically that:

- The secrecy and confidentiality of the voting process is paramount;
- The election shall be fair and non-biased;
- The election shall be accessible to the voters;
- The integrity of the voting process shall be maintained throughout the election;
- There is to be certainty that the results of the election reflect the votes cast;
- Voters and candidates shall be treated fairly and consistently; and
- The proper majority vote governs by ensuring that valid votes be counted, and invalid votes be rejected so far as is reasonably possible.

These principles are fundamental to the administration and exercise of elections at all orders of government in Canada. They are in fact, central to the *MEA* itself, and should be embedded in the Act.

- 2. Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.**

The 2022 municipal and school board election day fell during Diwali, an important festival observed by many communities across the province. In future years, it could be the case that election day falls on another culturally or religiously significant festival or event.

While many municipalities provide advance voting opportunities, local elections rely on volunteers as well as municipal staff to support election day activities including running voting locations.

¹¹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>



Candidates for office may also be impacted as they may wish to be with family and friends during these special occasions. For residents and staff of the impacted communities it can be a difficult decision to choose between missing personal celebratory commitments or missing an important democratic process. This could be a contributing factor to lower voter turnout and election staffing resources.

Section 9.1 (6) of the [Ontario Election Act, 1990](#)¹² contains a mechanism through which an alternative day can be chosen for provincial elections. A mechanism for selecting an alternative day is needed for local elections, however the selection of a suitable alternate day should not be left to individual clerks as there is a policy imperative that municipal and school board elections must be held on the same day across the province.

Moreover, as clerks need ample time to ensure that they can plan and execute elections, the selection and communication of an alternate date would need to be done well in advance, at least by the January in the year prior to the year of the election, if not earlier.

3. Amend the Act so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.

To facilitate in-person voting, municipal clerks and their staff require large, central, and accessible locations to host voters on advance voting and election days. Often, the best facilities are local schools. While the MEA allows clerks to use certain buildings, including schools, as voting locations ([section 45\(4\)](#)), health and safety concerns often cited by school administrators make the location selection process less seamless than it should be.

While school boards are required to provide space on election day, clerks often face administrative difficulties in securing these spaces. For example, we have heard from members that some school administrators request that municipalities hire security personnel or may not provide access to facilities such as washrooms, or access to school staff during election day, and some refuse access altogether. This leaves clerks with challenges confirming voting locations and without the enforcement tools to secure these spaces.

Additionally, all electors should have access to voting in multiple locations on all voting days. As per the [definition in section 5 the MEA](#)¹³, “voting day in a regular election is the fourth Monday in October” which does not specifically include advance voting opportunities. For instance, schools can currently say no to advance polls, or can charge a permit fee. The Act should be changed so that schools must allow advance polls if requested, and free of charge.

On election day, institutions like long-term care homes become polling locations for the Province's most vulnerable electors. However, there may be issues with accessing these locations because of outbreaks or other circumstances, which can make casting votes more difficult. Explicitly allowing voting to take place in institutions and schools on advance voting days allows clerks to provide more electors more choice in when and where to cast their ballots.

¹² See the *Election Act*, R.S.O. 1990, c. E.6

¹³ See section 5 in the *Municipal Elections Act*, 1996



4. Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.

Further to the above, enhancing safe schools on voting day is a priority for everyone. This goal can be achieved by reducing the number of people in schools. To do this, one of the mandatory PA days should fall on election day and while some school boards practice this, there remains inconsistency across the province.

AMCTO previously shared an analysis of locally scheduled PA days that showed that moving PA days every four years to coincide with municipal election days is unlikely to be a significant burden for school boards as there is a pattern of October PA days. School boards should be required to schedule one of the provincially mandated PA days on municipal and school board election day to facilitate the election of their own representatives and so that election administrators can focus on providing safe electoral services.

Ahead of the 2022 municipal elections our Association [made formal requests of school boards](#) to schedule one of the mandatory PA days on election day¹⁴. We also asked that these dates be included every four years as part of the annual school year calendar development.

Following this advocacy push, we were pleased to see an increase in the number of school boards that scheduled a PA day in 2022, with [encouragement from the Ministry of Education](#)¹⁵. However, this remains an issue for future elections, requiring a permanent, reoccurring solution.



Secondary Recommendations

5. Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.

There are areas where the rules and guidance within the Act should provide more certainty to candidates and to electors to facilitate their participation in local democracy. Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork. Municipal staff are responsible to their employer and so should follow established HR protocols for taking leave. By removing the requirement for municipal employees to provide council with notice of their intention to stand for election, all candidates can be treated fairly.

¹⁴ See AMCTO letter, September 2021, to School Board Directors of Education & Board Chairs re PD Days <https://www.amcto.com/letter-to-school-boards-re-PD-days>

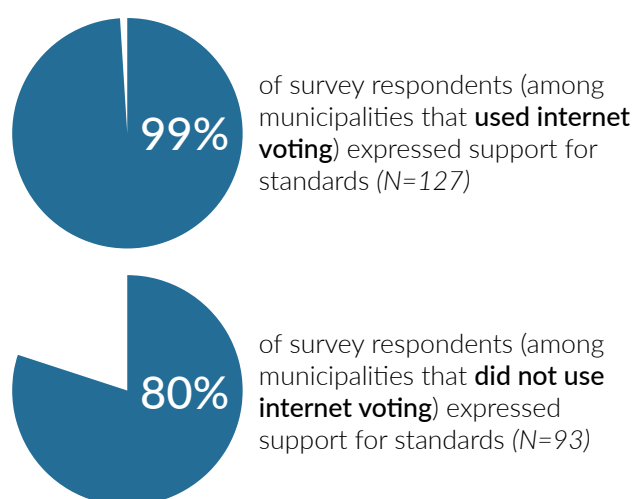
¹⁵ See AMCTO Advocacy Update, September 2022, re Progress on Professional Development (PD) Days on Municipal and School Board Election Day <https://amcto.informz.net/informzdataservice/onlineversion/pub/bWFpbGluZ0luc3RhbmNISWQ9MTA3NTYwODQ=>



6. Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).

Like the issue noted above about the definition of voting day in [section 5](#) of the MEA, it should be made explicit that any elector can be absent from work to exercise their right to vote on any day voting is available. The current definition of voting day is limited to election day only and could be read to exclude advance voting days, days that may be more convenient to voters for casting their ballots and participating in the democratic process.

7. In consultation with AMCTO and other municipal stakeholders, consider how the work by the [Digital Governance Standards Institute](#)¹⁶ related to electronic voting may be formalized to support election administration in Ontario.



Survey data collected through AMCTO's 2022 Post-Election Survey

Work is already underway to develop voluntary standards on [voting technology](#)¹⁷ and [electronic voting](#)¹⁸. Municipal professionals from across Ontario have engaged with the committee undertaking this work. With an increasing number of municipalities considering e-voting methods for ease of meeting voters 'where they are', there should be a provincial interest in adopting voting standards.

Overwhelmingly, respondents to our 2022 Post-Election Survey support internet voting standards. The responses also suggest more municipalities would consider this method of voting if there were standards in place. The right training and supports would need to be

What our Members are Saying:

"Standards would ensure consistency in format, security, etc. across vendors."

"[Voting standards] would ensure a province-wide standard for security and operational experience."

"There are standards set out for paper voting in the MEA. There should also be a standard for electronic voting as it is now left to the municipality and vendors. It may provide further confidence in these systems."

¹⁶ See <https://dgc-cgn.org/>

¹⁷ See <https://dgc-cgn.org/standards/find-a-standard/voting-technologies/>

¹⁸ See <https://dgc-cgn.org/can-dgsi-111-public-review-for-online-voting-standard-now-open/>



in place to ensure that municipalities, vendors, and other interested parties fully understand the standards and their responsibilities.

Moreover, decisions about voting methods should always be left to the municipality to decide. Whereas online voting may be beneficial in some regions of the province, it may not be the best method for others given costs, technological support and access to broadband.

Ultimately, voting standards would empower municipalities to select the best voting method(s) for them and their communities. Consider how these standards may be formalized to support election administration in Ontario.

Long-Term Recommendations

- 8. Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of “tenant”, “spouse of a non-resident” and “occupancy”.**

Municipal elections have unique eligibility rules tied to property and tenancy status that make these terms important and unique. The current definitions provided in the *Act* are not sufficiently clear, and create potential confusion for electors, candidates, and administrators. We raised this [concern in 2015](#)¹⁹ and legislative changes in [2016](#)²⁰ brought forward regulation-making authority to consider a definition of tenant for electoral purposes. However, regulations are not yet in place.

The lack of definition about occupancy, control, possession and tenancy remains a significant gap municipal clerks must deal with related to voter qualification with many claiming to be eligible based on a lease of “properties” such as parking spots, sheds on land, as well as various seasonal properties such as RV parks and leased cottages. Providing a clearer definition of “occupancy”, “control”, “possession”, “tenancy”, and “spouse of a non-resident” is important to all municipalities, but more so in communities where qualifications based on residency and property are muddled such as in cottage country and rural Ontario. There are unique eligibility rules at the municipal level that make clear terminology important.

¹⁹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

²⁰ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



For example, Wollaston Township experienced issues with lack of clarity on qualifications and in 2020 called for the Province to close loopholes on property qualifications and leases in what they called “pay for play schemes”²¹. The resulting council resolution received support from several other municipalities.

Providing this clarification for electoral purposes will help clerks ensure that tenants entitled to vote can do so, and those who believe they may be entitled to vote (but are not under law) can obtain needed clarity. Our Association can be a willing partner to assist in developing these regulations.

Recommendations to Enhance Accountability and Transparency While Making Compliance and Enforcement Easier

This section contains recommendations that speak to fairness, accountability, transparency, and key principles to ensuring the integrity of elections. This section contemplates making compliance with electoral rules easier to follow for candidates and where these rules are deliberately broken, suggests recommendations that allow efficient enforcement of remedies and penalties. As the local “Chief Electoral Officer”, the clerk should have the authority to make decisions about administrative and operational matters. This will ensure that there is no real or apparent conflict for council members who may be standing for election while making decisions about the electoral process. This may also help to improve overall municipal staff-council relations.

Priority Recommendations

1. Remove the 25-signature endorsement requirement.

Everyone has the right to stand as a candidate for election if they meet the qualifications set out in the relevant Acts. However, particularly in larger urban municipalities, candidates often run for office without any intention of campaigning, without setting out policy proposals, or legitimately participating in the democratic process.

The [original intent behind this provision](#) of obtaining a 25-signature endorsement was to try to reduce frivolous candidates from ending up on the ballot which could result in split votes²². Ultimately, requirements for 25 signatures in medium and large municipalities have not addressed this issue as signatures are easy to collect with a declaration that signees are eligible electors. This does not dissuade people from launching non-serious campaigns and adds an administrative burden for election administrators who must review and attempt to check required information on candidate forms and eligibility.

²¹ Wollaston Township. Letter to Minister of Municipal Affairs and Housing with Council Resolution. Dated September 16, 2020.

²² Ontario. Legislative Assembly, *Hansard*, 41st Leg, 1st Sess, No 158 (11, April 2016) at 1440. <https://www.ola.org/en/legislative-business/house-documents/parliament-41/session-1/2016-04-11/hansard#para577:~:text=Some%20people%20have,than%20100%20votes.>



2. Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.

Instead of the 25-signature requirement, the Province should look at other ways to support serious candidates while disincentivizing non-serious candidates. The current process of refunding anyone who files a financial statement is ineffective at dissuading frivolous candidates and there may be better mechanisms to ensure compliance with campaign finance rules.

Potential areas to explore are nomination fee refund eligibility to candidates who receive a certain vote share or removing the right to receive a refund of the nomination filing fee if the financial statement is not filed on time. Consideration should be given to whether certain rules favour incumbents as opposed to their challengers. Overall, there must be a balance between supporting genuine candidacy, reducing administrative burden, and applying penalties to those who deliberately skirt electoral rules.

3. Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.

While we recommend reviewing the campaign finance framework in its entirety (see long-term recommendations in this section), the Province should immediately review the Act to identify and close loopholes in campaign finance rules.

For example, [subsection 88.9](#)²³ prohibits individuals from contributing over \$1,200 to a single candidate, however there is no complementary provision that explicitly prohibits a candidate from accepting such a contribution. Contributors are not necessarily familiar with the Act in the same way candidates are, and with the Act in its current form, the rules around contributions are not easy for residents to understand.

4. Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.

There is confusion among candidates and the public about who can submit a compliance audit application. Currently, [subsection 88.33](#)²⁴ states that an elector who is entitled to vote may make an application, but it is not clear whether an elector must reside in the municipality in which they are making an application. This has been [raised and challenged most recently](#)²⁵ in the Ontario Superior Court of Justice, where an Oakville candidate appealed an elector's request for an audit of their finances, stating that the elector resides in a different ward than them, and is therefore ineligible to file a compliance audit request.

As contributions are open to residents of Ontario (i.e. not limited to electors), there should be a mechanism by which electors as residents of Ontario may seek remedy from the compliance

²³ See ss.88.9 in the *Municipal Elections Act, 1996*

²⁴ See ss.88.33 in the *Municipal Elections Act, 1996*

²⁵ See <https://www.oakvillenews.org/local-news/ward-7-councillor-nav-nanda-appeals-decision-to-audit-her-campaign-finances-8482086>



audit process regardless of where they reside. If applications are not frivolous and vexatious, any resident of Ontario with the means of seeing through an application should be able to bring one forward to ensure the integrity of the electoral process.

5. Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.

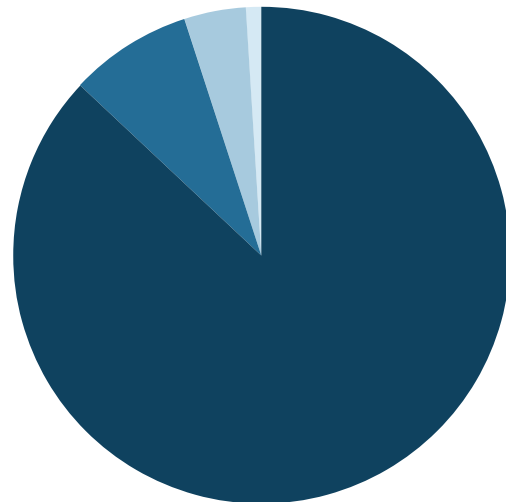
The current structure creates many overlapping deadlines which is challenging to communicate to electors, the public, and for municipalities and school boards to track. This becomes more challenging in larger municipalities with hundreds of candidates. Streamlining application deadlines will make communication, administration, and compliance easier.

6. Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.

Consistent with our recommendations on [Bill 181 to Standing Committee](#)²⁶ in 2016, having municipal clerks review contributions to candidates and third-party advertisers is problematic for a number of reasons:

- The CAC already exists to review financial statements
- The current process jeopardizes the independence and the impartiality of clerks during elections
- The current process places clerks in potential conflict with members of council
- Most municipalities do not have mature electronic filing systems for candidate and third-party advertiser financial statements
- The current process imposes additional administrative and resource burden on clerks who are already busy running local elections

Rolling the review of contributions into the established mandates of CACs would also allow an elector to make an application and is a more effective way to ensure candidate and contributor accountability.



How does your municipality determine whether any contributors exceed the maximum allowable amount? (N=220)

- Clerk's office fulfilling it (192)
- Finance department fulfilling it (17)
- Other (8)
- Using an external consultant (3)

Survey data collected through AMCTO's 2022 Post-Election Survey

²⁶ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-Bill-181-Committee-Presentation-Deck.pdf>



The CAC process has traditionally not received much attention. However, the process is an important element of accountability in local elections and is [starting to receive more public discussion](#)²⁷.

Providing the CAC with explicit authority to decide whether to commence a legal proceeding against a candidate or third-party advertiser could reduce applications made to the courts for review of CAC decisions.

Consider improving the CAC process with accountability, transparency, and operations in mind as countless hours are spent on delivering important post-election processes, which can contribute to overall increased audit costs and continue for years after the election with prosecutions and court reviews.

7. Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.

Further, in the interest of supporting applicants, election administrators and CAC members with carrying out their responsibilities, the decision-timelines for CACs should be expanded from 30 days to 45 days. This additional time is especially helpful where the CAC process may fall around a holiday (especially in cases of by-elections). 45 days would remain a reasonable decision timeframe consistent with references in other statutes for required meetings.

8. Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.

The MEA assigns responsibility of administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions, is vaguely distributed between both council and staff. Administrative responsibilities for elections should rest with the clerk.

For instance, section [88.37\(1\)](#)²⁸ gives council responsibility for “establishing” a compliance audit committee to review potential campaign finance violations. In practice, however, this section has been interpreted broadly, giving council a more expansive mandate that includes appointing committee members. It is not appropriate for council to appoint members of a committee that is created to review the election finances of candidates, some of whom may end up filing as candidates and sitting as councillors. To maintain clarity and objectivity, all administrative responsibilities related to CACs should reside with the clerk.



²⁷ Coyne, Andrea and Andrew Lawlor. “Building voter confidence in the municipal electoral process,” *Policy Options*. 21, Feb. 2024. <https://policyoptions.irpp.org/magazines/february-2024/municipal-elections-safeguards/>

²⁸ See section 88.37(1) in the *Municipal Elections Act, 1996*



Secondary Recommendations

- 9. Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.**

The process of scrutineering is changing in every municipality that incorporates the use of internet voting into their election. As voting in the digital age is no longer neatly contained to recreation centres, school auditoriums or church basements, the rules are not as clear as they once were. The Act provides significant attention to the role of scrutineers during an election, ensuring that candidates are permitted to appoint a scrutineer for each ballot box and voting place. But what happens when there are thousands of polling places and no formal ballot box? There is currently no clarity about how election results can be scrutineered in jurisdictions that use online or alternative voting methods. This is a gap in the current process that needs to be addressed.

- 10. Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.**

Offences and related penalties should be reviewed. More specifically, for the coercion or intimidation of an elector, preventing or impeding an elector from voting, and from false representation or aiding a person in committing offences. A review needs to address these gaps - many of which are a result of changes to technology.

In consideration of new offences and related penalties, the Province must of course consider the burden of proof and enforceability of penalties for such offences. The Province should also provide more support and guidance to clerks on best practices for implementation and engaging law enforcement for the more serious offences.

Long-Term Recommendations

Due to gaps in rules and penalties, the lack of standardization of compliance audits, and the [increased use of the courts](#) to review compliance audit committee decisions²⁹, there has been increased frustration among administrators and an inconsistent approach to post-election activities meant to ensure transparency and accountability. As an Association, we have highlighted several of these member concerns about role clarity, conflict of interest and capacity issues.

Not only is the current process frustrating for municipal staff but for candidates who are not clear on their responsibilities. This can also be frustrating for residents and electors who are doing their due diligence in holding candidates accountable for improper activities. If the rules are not clear, and the process becomes convoluted, why would anyone participate in the electoral process?

²⁹ Coyne and Lawlor.



11. Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.

While we have put forward several recommendations as interim measures to address financial issues, there remain underlying concerns that only a full review of the campaign finance framework can properly address.

Whether it is on the campaign finance framework or the below noted third-party advertising framework, there needs to be a balance struck: any new rules should avoid making it difficult for people to participate in local democracy. Making compliance easier while also ensuring that there is proper accountability, makes the rules and processes easier to enforce and to prosecute where rules have been broken.

Given the complexity of administration, compliance, and enforcement, a wider conversation about these frameworks is needed with our members and other stakeholders to understand the issues, challenges, and opportunities from varying perspectives. Together, we can co-design a framework that benefits everyone.

12. Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.

Similarly, the third-party advertiser framework needs to be updated and improved. The [current measures were introduced](#) to regulate third-party advertising, which includes contribution and spending limits, and to help create flexibility for groups doing advocacy work throughout the campaign period³⁰. However, there remains room for improvement, including better defining qualifications for third-party advertisers. Improvements should ensure the regime is less cumbersome and easier for advertisers, administrators, and compliance audit committees to comply with and enforce.

13. Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.

Related to our secondary recommendation in this section, there are gaps in penalties related to overcontributing to a candidate's own campaign and accepting overcontributions from residents. There are nuances within the legislation that must be considered as well. For instance, there should be assurances that changes to campaign finance rules and penalties are balanced with the ability of candidates to pay off campaign debts.

Ultimately, a review of the campaign finance and third-party advertising frameworks, along with the compliance audit, offences, penalties, and enforcement processes must be looked at holistically as these are intertwined with changes to one section or subsection potentially requiring subsequent changes elsewhere in the Act.

³⁰ Ontario Newsroom. Ministry of Municipal Affairs and Housing. Backgrounder. June 7, 2016. "Changes to the Municipal Elections Act," Accessed: <https://news.ontario.ca/en/backgrounder/39111/changes-to-the-municipal-elections-act>.



14. Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.

The Province should consider revising the spending limit formula in [Ontario Regulation 101/97](#)³¹ which has been stagnant since 2018 and does not consider inflationary pressures on campaign costs.

15. Explore establishing an independent office to manage investigation and prosecution of offences under the Act.

Local election administration enforcement is nuanced and often differs municipality to municipality as does capacity and resourcing, whereas federal and provincial elections are administered by one centralized body. In reviewing the campaign finance, third-party advertising and enforcement frameworks in the MEA, the Province should also consider promising practices from election administrators at other levels of government, such as an independent office like the Commissioner of Canada Elections.

Municipalities face challenges proceeding with prosecutions under the MEA. For instance, the conflicting nature of local police governance is responsible for the investigation of criminal activity, and municipal elected officials sit on these police boards. Anecdotally, in instances where local forces are engaged, they have recused themselves and referred matters to the Ontario Provincial Police (OPP) who may or may not involve themselves in local matters. Barring a provincially appointed official, more clarity around MEA offences being investigated by the OPP would help address existing concerns.

Similarly, prosecution through the courts is a time-consuming process that can take multiple years to get to trial, the process for which takes up staff time and resources to prepare for, prosecute, and await judgement before applying penalties.

A separate body could allow for an alternative dispute resolution mechanism with procedures that are applied consistently across municipalities. This would remove potential conflicts and friction between municipal staff as election administrators, candidates, and members of council who may have contravened the Act, leading to quicker resolutions. At the provincial-level for instance, the [Election Finances Act, 1990](#)³² includes mechanisms such as referrals to the Ministry of the Attorney General for prosecution and the use of administrative monetary penalties.



³¹ See section 5 of O.Reg 101/97 under the *Municipal Elections Act, 1996*

³² See the *Elections Finances Act, 1990* <https://www.ontario.ca/laws/statute/90e07>



Recommendations to Reduce Administrative Complexity

AMCTO supports modernizing legislative and regulatory environments that enable the work of municipal public servants, while allowing innovation with policies and practices that reflect current needs and focuses on outcomes.

Legislation needs to strike the right balance between providing clear rules and frameworks to ensure the integrity of the electoral process, while also reducing administrative and operational burden for municipal staff. Local election administrators need to be able to run elections in a way that responds to the unique circumstances of their local communities. Thereby, providing the right rules and frameworks for administrators will result in benefits for electors, candidates, advertisers, and others involved in local elections.



Priority Recommendations

- 1. Bring the language of the Act and regulations into the 21st century by removing gendered references and including references to encompass all voting methods.**

To ensure more inclusive language within the Act, the Province should remove gendered references. Clerks receive complaints from non-binary persons about the use of language in the Act which they feel is exclusionary. Moreover, as more municipalities are turning to alternative voting methods to reach voters and run efficient elections, language in the Act across numerous sections and within regulations should encompass all voting methods rather than referring to traditional paper ballots or in-person voting. Changes are required in sections 43, 47, 48, 49, 52, and 89, among others.

- 2. Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.**

One way to improve clarity and interpretation is to ensure that all key terms are captured in the definition section of the Act. There are several instances wherein a definition appears later in the legislation while others are captured in the definition section. Definitions for several terms also require clarity. For instance, municipalities are left to define "retirement homes" resulting in inconsistencies across municipalities. As we have noted elsewhere in this submission, definitions of "tenants" and "occupancy" also lack clarity.

It is also important that language clarifies the definition of "municipality" so that it consistently applies to operational and administrative tasks undertaken by municipal administration, whether by the clerk or other municipal staff.



3. Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the *Legislation Act, 2006*.

Candidates, voters, and other interested parties are not familiar with the traditions and nuances of legislation and regulations. Without a reference to other legislation, voters and candidates are unlikely to know that they should refer to the *Legislation Act* for definitions. Moreover, it should be clarified that references to specific deadlines within the *Act* are to reflect regular municipal business hours especially where these hours may fall on weekends and holidays.

4. Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial nomination periods.

As noted previously, local elections are complex multi-year projects often undertaken by a handful of municipal staff who are also responsible for numerous other statutory and operational responsibilities. In 2020, the [nomination period was extended to August from July](#)³³. Extending this period runs contrary to the changes the Province made in 2016 [shortening the nomination period](#)³⁴. Furthermore, the municipal nomination period is longer than those at the provincial and federal levels where this process is managed by agencies whose sole focus is election administration.

Shortening the length of the nomination period would give municipalities more time to prepare ahead of the election. There is significant strain on municipal staff and resources with longer nomination periods, with legislative and business deadlines for printing ballots, quality assurance, security, and testing, among other activities. While this may sound straightforward, municipalities are often working with tight, limited supply chains and vendors, and in larger municipalities, staff are often dealing with multiple ballot types, and in many cases, managing hundreds of candidates. A longer nomination period means there is less time between the close of nominations and the first day of voting to finish the nuanced tasks and activities required of local elections.

Longer elections are more expensive for candidates, harder to run for administrators, and can be a potential cause of fatigue from an already disengaged electorate. Moving the nomination period back to at least July would make the nomination period shorter, while also giving candidates in smaller municipalities—who may still be working full-time jobs with less sophisticated campaign infrastructure—enough time to campaign.

5. Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.

[Building on the updates made in 2016](#)³⁵ which began to untangle council's role in election administration, the *Act* should be updated to authorize the clerk to choose what voting method is best. Requiring council to pass bylaws on voting methods in section 42 gives council members and the public the impression that council is responsible for election administration issues.

³³ See <https://www.amcto.com/network-community/blog/advocacy-update-bill-218>

³⁴ See <https://news.ontario.ca/en/release/39113/ontario-passes-legislation-to-allow-ranked-ballot-option-for-municipal-elections>

³⁵ See section 41(4) of the *Municipal Elections Act, 1996*.



[Section 42](#)³⁶ should further be amended to resolve the conflict in timelines between when procedures need to be completed and when they must be provided to candidates. For instance, June 1st is the deadline for the procedures in a regular election year, but 42(3)(b) requires these must be provided when a candidate files their papers, which could be as early as May 1st.

6. Change the timeline for proxy appointment to begin September 1st for a regular election.

A similar timeline alignment issue occurs between making the voters' list available to voters to confirm if they are on the list and/or update their information and the appointment of proxies. In the 2022 election, the first day for proxy appointment was August 22nd. However, the voters' list was not available until September 1st. In this scenario, staff were not able to necessarily confirm whether an individual appeared on the voters' list as a qualified elector until September 1st. Thus, allowing proxy voters to be appointed earlier than receipt of the voters' list is problematic.

In the case of a by-election, consider changing the timing for proxy appointments to when the clerk has made corrections.

7. Expand the timeline for reporting on accessible elections from 90 days to 120 days.

[Section 12.1 \(3\)](#)³⁷ requires the public posting of a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities within 90 days of voting day. We recommend that this be extended to 120 days. Providing additional time to municipalities would allow them to look at reporting on the election holistically in one comprehensive post-election report that includes factors impacting accessibility.

8. Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.

The Act states that candidates are to receive the certificate of permitted amounts of their own expenses and contributions to their campaigns upon the filing of their nomination forms. The MEA does not require the certificate for maximum amount for parties, etc., after voting day to be issued until or before September 30th along with all final certificates. In comparison, third-party advertisers are to receive the certificate of maximum amount for parties, etc., after voting day upon filing their Notice of Registration. Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.



³⁶ See section 42 of the *Municipal Elections Act*, 1996.

³⁷ See section 12.1(3) of the *Municipal Elections Act*, 1996.



9. Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.

The following points outline areas where we believe further clarification can be provided to ensure continued progress, transparency, and accountability in local election administration.

Voters' Guide

- Include more details on voter identification (ID) requirements to provide clearer information about acceptable ID.

Candidate and Third-Party Advertiser Guides

- Specify the documentation that can be accepted as proof an individual is authorized to act on behalf of a trade union for third-party advertising purposes.
- Clarify whether promoted social media posts count as third-party advertising.
- Provide clarification on whether contributions can be sought via platforms such as GoFundMe that process online payments.
- Add further clarity in candidate guides on how to interpret the Act from a campaign finance perspective (i.e. using personal credit cards to reimburse campaign expenses, setting up and managing banking accounts) and where to seek advice for filling out the required forms.
- Add content to guides related to individuals who are supported by their corporations/organizations and stipulate that in these cases, campaign volunteers could be perceived as 'in-kind' contributions. Any stipends provided to volunteers should be captured in financial documents.



Forms

- Ensure clarity and consistency regarding the use of a single name on the ballot under [section 41 \(2\)](#)³⁸. Nomination forms allow the use of a single name on the ballot while section 41 does not provide guidance on how names should be listed on the ballot.
- Conduct extensive external-to-government systems testing of provincial government forms to ensure they are accessible and useable. Our members advised of candidate challenges with downloading and filling in prescribed forms as they were in a format that was not supported by their computer system. We understand that several municipalities raised this issue with the Ministry of Municipal Affairs and Housing (MMAH), but no remedy was applied.
- Update Declaration of Identity - Form 9 so that it can be used to serve voters who have no identification (e.g. those who may be homeless, seniors who have not updated their government-issued identification, etc.)

³⁸ See section 41(2) of the *Municipal Elections Act*, 1996.



Secondary Recommendations

10. Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.

[Section 27\(2\)](#)³⁹ requires that the final changes clerks make to the voters' list be submitted 30 days following election day. In the post-election period, it can be challenging for clerks to meet this deadline given that they are busy managing orientation and onboarding of councillors as well as handling compliance activities. In larger municipalities where thousands of revisions are processed during the election period, it is very challenging to meet the current 30-day timeline. It has never been clear from an operational perspective why this must be done in 30 days. 60 days would provide clerks with a more reasonable post-election timeline to account for and submit final changes.

11. Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.

The Act should be clear that if the clerk is satisfied, a correction can be made regardless of when that is. A similar mechanism should be included regarding school board support especially where an elector has completed a declaration. This would facilitate a smoother experience on election day for electors whose information may not be correct.

AMCTO's advocacy efforts⁴⁰ to fix the voters' list resulted in Elections Ontario taking over responsibility for a single register of electors, consolidating elector information across the province and removing overall responsibility from MPAC, which retains responsibility for school support data. We are hopeful that in 2026, the first election in which voters' lists will be compiled using Election Ontario's information, there will be a significant improvement in data quality of the voters' list.

Clerks should be extended the authority to make changes to elector information beyond what is currently allowed under [section 22](#)⁴¹ to update voter information, including school support, on election day, if they are satisfied that the information provided by an elector is correct. Without this authority and as the legislation stands currently, an elector may be unable to exercise their right to vote.

Permitting changes to the voters' list on election day should not prevent any improvement to processes for accepting revisions at the single register or at MPAC's level related to school board support. The end goal should always be to have corrections addressed adequately at all levels to ensure voters have a seamless, quick, and overall positive experience on election day.

³⁹ See section 27(2) of the *Municipal Elections Act, 1996*.

⁴⁰ See <https://www.newswire.ca/news-releases/local-govt-association-applauds-elections-ontario-report-887387112.html>

⁴¹ See section 22 of the *Municipal Elections Act, 1996*.



12. Establish a province-wide registry for MEA offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.

The *Act* makes it clear that candidates, contributors, and third-party advertisers are responsible for ensuring that they comply with the *Act*. While the *Act* also requires clerks to certify nomination papers and registrations, clerks do not have the tools or resources such as public and centralized information about electoral histories and sanctions imposed on candidates, contributors, or third-party advertisers. How is a clerk from southwestern Ontario to know whether a candidate or third-party registering in their municipality has been disqualified in northern Ontario?

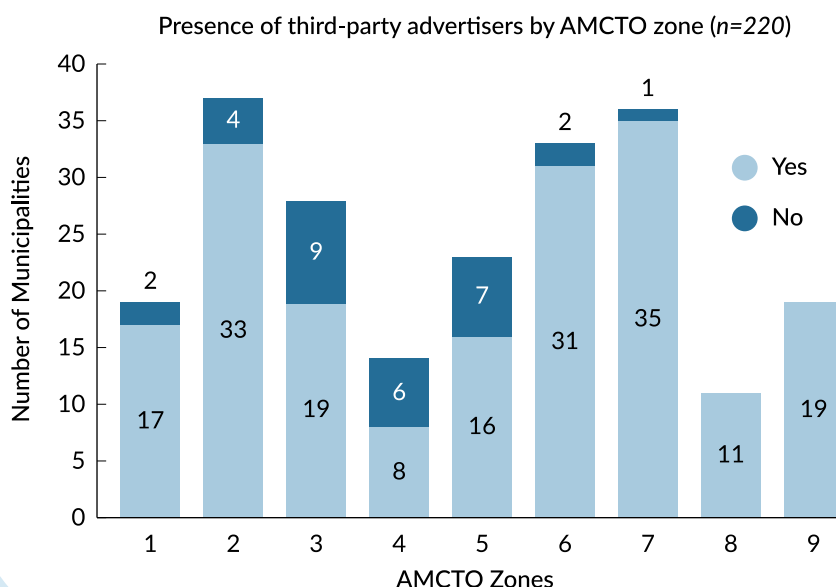
To assist municipalities in completing reviews, there should be a province-wide registry of MEA offenders. Such a central repository kept and maintained by a separate body would include information about qualifications, records of compliance audit and court decisions. Information should be available to ensure clerks, compliance audit committees, and others have access to information about those who have contravened the *Act*.

13. Amend the *Act* to consolidate rules between regular elections and by-elections specifying what must be different.

The *Act* provides that by-elections should be conducted “as far as possible in the same way as regular elections”. However, it does not provide further guidance. Are there ways in which by-elections should not run like regular elections? This is an area where the *Act* can be streamlined to clarify, where necessary, what activities may be different in a by-election. This would ensure municipalities are conducting by-elections consistently across the province.

14. Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.

Third-party advertiser registration primarily occurs in medium to larger municipalities and few, if any, are registered in smaller municipalities.



The entire process from registration to compliance is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled third-party advertisers. If the intent is to retain the current framework, amendments need to be made so that there is a line in the sand for who and when someone becomes a third-party advertiser. For instance, is a 'mom and pop restaurant' a third-party advertiser because they hand out flyers for a



candidate at their restaurant? A threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds would help ensure local voices without resources can participate without unnecessarily triggering ad status.

Moreover, calculations for third-party spending limits are cumbersome and lack clarity especially for by-elections. The current wording of section 88.21⁴² suggests that the number of electors in the entire municipality, instead of the ward that is the subject of the by-election, is used to calculate spending limits for third-party advertisers. This gives third-party advertisers a disproportionately higher spending limit than candidates in a by-election.

15. Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.

There are also timeline issues with third-party advertising registration. Allowing third-party advertisers to register up to the Friday before election day is problematic from an operations perspective. At this time, municipal staff's attention should be focused on the successful execution of voting and the electoral process, rather than additional paperwork.

16. Require those who file a Notice of Extension of Campaign Period - Form 6 to also file a Supplementary Financial Statement.

Often candidates and third-party advertisers believe that because they did not campaign, raise or spend money in the extended period, they are not required to file a supplementary financial statement even though they filed a notice of extension. This is the interpretation which inevitably causes confusion. Stronger language should be applied to those who file a Form 6 to specify that a Supplementary Financial Statement is required.



Long-Term Recommendations

17. Clarify the process for removing a name from the voters' list by a relative.

Providing the clerk with more flexibility to determine procedures on how a family member may request to remove someone from the municipality's voters' list (provided the clerk is satisfied that the individual should be removed) would assist in the clean-up of municipal voters' lists.

However, we are hopeful that the single register of electors managed by Elections Ontario will improve the quality of the voters' list given that there is one register and duplications should be reduced. The Province could re-evaluate this post-2026 to determine whether any legislative changes are necessary.

⁴² See section 88.21 of the *Municipal Elections Act*, 1996.



18. Decouple school board support for electoral purposes from school support for assessment purposes.

Despite Elections Ontario taking responsibility for a single register of electors, under the *Assessment Act*, MPAC remains responsible for collecting information about school board support. This may be attributed to the leading legislative interpretation that school support may have dual purposes: electoral and assessment. However, as the Ombudsman noted in [the 2021-2022 Annual Report](#)⁴³, this data from MPAC is no longer used to determine school board funding but rather who can run and vote in school board elections.

Currently, the single register of electors is not expected to resolve this issue as MPAC remains responsible for collection of school support information. As a result, there are two separate portals through which voters must check and update their information: one from Elections Ontario for qualification and one from MPAC for school support. This dual process will cause confusion for the voter without resolving issues related to incorrect assignment of school support.

Municipalities receive school support information, relying on this data to develop their voters' lists. The problem resides in processes that assume an elector to be an English Public supporter unless a supporter has submitted forms or updated information on an online portal to declare otherwise. This particularly impacts French-language rights holders and separate school supporters who may have moved between wards or between municipalities but did not fill out a form.

This issue continues to blur the electoral picture for candidates, electors, and administrators when it comes to linking electors and the school boards for which they are entitled to cast their ballots. This blurring sometimes results in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials. Making school support for electoral purposes distinctive in legislation and providing Elections Ontario with the authority to collect this information would improve the quality of school support data.

The Province should update candidate and voter guides to make it clear that school support amendments cannot be made by municipalities as a result of Provincial legislative barriers. It is important that candidates and voters are able to direct their concerns to the Province rather than to municipal staff who do not control these processes.

19. Amend the *Education Act* to clarify who is a French-language rights holder and who is a separate school rights holder.

As we noted previously, local elections are complex endeavours, and not only do clerks run municipal elections, but they are also required to run the election for trustees across five school boards. Increasingly, candidates who may not be qualified to run for school trustee (i.e. do not hold the language or religious rights to qualify) are submitting papers to run. This has resulted in

⁴³ Ontario Ombudsman. 2022, *Annual Report 2021-2022*, <https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/annual-reports/2021-2022-annual-report> p 43



void school board trustee elections. It is no wonder why there is confusion when the *Education Act*, *Assessment Act* and the *MEA* must be read to figure out the nuances of qualification. Clearer rules around language rights qualifications would help people understand whether they qualify as a candidate.

20. Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.

Given that school board boundaries cross municipal boundaries, when trustee candidates do not submit their nomination papers in the municipality in which they reside, it complicates the situation. Clerks are left trying to figure out residential qualification in addition to general candidate qualification. This is burdensome for candidates and municipal staff and must be addressed.



21. Consider readjusting school board boundaries to align with municipal boundaries.

Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.

22. Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.

Voters and administrators require more guidance and clarity on what types and forms of acceptable identification can be used in local elections. It is a persistent challenge for municipalities educating members of the public about what can be used, particularly because accepted identification is different than provincial and federal elections due to residency requirements. Moreover, certain voters also lack identification and documentation to be able to exercise their right to vote.

As part of the Province's work on [Digital Identity](#)⁴⁴ under the Ontario Onwards Action Plan, there should be collaboration and consultation with the municipal sector, including AMCTO, on the specific needs of identification for electoral and other local service provision purposes.

⁴⁴ See <https://www.ontario.ca/page/digital-id-ontario>





Trends AMCTO Continues to Monitor

Our Working Group also discussed several trends that may impact electoral administration. While there are no specific recommendations at this time, we want to highlight some of what the group identified to inspire continued conversations about the tools, resources and supports local election administrators may require in the future.

Electoral Participation

Declining voter turnout has been discussed as an indicator of democratic health. Our 2022 Post-Election Survey, which included data from [MMAH's municipal election survey](#), found a 4% decline in overall voter turnout between 2018 and 2022⁴⁵. In 2018 and 2022, electors also voted in a provincial election, and in the fall of 2021, voted in a federal election as well.

[Our 2014 Post-Election Survey](#) found the average turnout was approximately 43%⁴⁶. [As we noted in previous submissions](#), there may be some element of voter fatigue⁴⁷ which is also why we recommend shortening the election period.

While voter turnout has decreased, the number of acclamations has increased. [As AMO noted](#):

with fewer candidates, there are also more positions being acclaimed, especially in smaller, rural municipalities. This year, 548 council positions were acclaimed, including 139 mayors and reeves. Compared to 2018, total acclamations are up 15% over 2018 and up 16% for mayors and reeves (heads of council). A total of 32 councils will be entirely acclaimed this year, 3% more than 2018, when 26 councils were acclaimed. All of [sic] the fully acclaimed municipalities in 2022 have populations of 10,000 residents or less.⁴⁸

⁴⁵ AMCTO. February 2024, 2022 Post Election Survey, <https://www.amcto.com/about-amcto/news-announcements/2022-municipal-elections-survey-key-findings>

⁴⁶ AMCTO. August 2015, 2014 Post Election Survey <https://amctopolicy.files.wordpress.com/2015/08/amcto-2014-post-election-survey-results.pdf>

⁴⁷ AMCTO. July 2015, AMCTO Submission on the Municipal Elections Act <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

⁴⁸ Association of Municipalities of Ontario (AMO). News Release. September 27 2022, "Municipal elections data available on AMO website" Accessed: <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/municipal-election-data-available-amo-website>



It is understood that in making voting easier and more accessible, it is possible to increase participation in local democratic processes which is why municipalities have looked at implementing alternative voting methods in their communities.

Digital Identity

As an Association, we continue to be interested in the Province's [Digital Identity](#) project⁴⁹ given the operational implications to local service delivery. Photo identification is used for recreation programming registration, paying property tax, resolving parking offenses, and confirming residency for local elections. The degree to which Ontario follows other jurisdictions in implementing digital identities will determine how local service delivery, including elections*, may benefit or be challenged by such an initiative. Any introduction of digital identities will need to work for elections and be reflected in the *MEA*.



Misinformation

We are also keeping an eye on more subversive and potentially harmful trends including the spread of misinformation that threatens democratic institutions. This is an increasing concern for election administrators at all orders of government.

For instance, a report from the [Canadian Election Misinformation Project](#)⁵⁰ documents and evaluates misinformation during the 2021 Canada federal election. While there was widespread misinformation during this election, the overall impact was minimal as the campaign period and results were not driven by misinformation. However, there was a rise in misinformation through groups who hold conspiratorial beliefs about various topics. The report also highlights certain vulnerabilities that need to be addressed including the increasing difficulty in detecting what qualifies as misinformation and the continued distrust of democratic institutions by increasing segments of Canadians.

There has also been reporting on distrust and misinformation, among other threats outlined by the [Security and Intelligence Threats to Elections Task Force](#)⁵¹ that are a cause for concern.

While there are tools and resources offered by organizations like the [Canadian Centre for Cybersecurity](#)⁵² to help the public and others identify this pervasive information, decentralized elections such as those run by municipalities, could benefit from more specific resources and supports for managing these threats.

⁴⁹ See <https://www.ontario.ca/page/digital-id-ontario>

* There are a range of identification requirements outlined in regulation that may be accepted as proof of identity.

⁵⁰ See https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵¹ See <https://www.cbc.ca/news/politics/threats-of-violence-canada-elections-1.7153960>

⁵² See <https://www.cyber.gc.ca/en/guidance/how-identify-misinformation-disinformation-and-malinformation-itsap00300>



Foreign Interference

Misinformation created and distributed by domestic actors is concerning enough but with the threat of foreign interference, the scale of risk is at a magnitude that must be dealt with at a national level. [The Government of Canada](#) consulted with Canadians on foreign interference and potential government action starting in late 2023⁵³. As an Association and to represent our members' interests, [we wrote to the Ministers of Justice Canada and Public Safety](#)⁵⁴ to advise that changes made at the federal level will require complementary provincial legislation. Local election administrators will require support in managing threats and potential incidents.

We also continue to watch with interest the [Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions](#)⁵⁵ for findings and recommendations.

Artificial Intelligence (AI)

While governments are beginning to take measures that provide frameworks and rules around the development and use of AI, there are few sources that deal specifically with elections. Administrators need the right legislative tools and guidance to ensure they can manage the impacts of AI on local democratic processes and ensure there is the right support to enforce such provisions. The Act must provide the rules and frameworks to support election administrators who may choose to leverage these technologies to improve electoral services.



⁵³ CSIS. 2021. *Foreign Interference: Threats to Canada's Democratic Process*. <https://www.canada.ca/content/dam/csis-scrs/documents/publications/2021/foreign-interference-threats-to-canada%27s-democratic-process.pdf>; Government of Canada. Public and Emergency Preparedness Canada. News Release. November 24, 2023. "Government of Canada launches consultation on legislative amendments to counter foreign interference in Canada" <https://www.newswire.ca/news-releases/government-of-canada-launches-consultation-on-legislative-amendments-to-counter-foreign-interference-in-canada-868566675.html>

⁵⁴ See AMCTO letter, January 2024 re: AMCTO Letter to Ministers of Justice Canada and Public Safety re Foreign Interference <https://www.amcto.com/letter-to-ministers-re-foreign-interference>

⁵⁵ See <https://foreigninterferencecommission.ca/>





Conclusion

For many reasons, election administrators at all orders of government face several heightened challenges and our clerk members are no different. [Increasing distrust in public institutions](#)⁵⁶ beyond just healthy skepticism⁵⁷ means that democratic processes delivered through election administration are more important than ever. There are decreasing rates of democratic participation reflected in low voter turnout, electoral support, and an increased number of acclamations that [impact the efficacy of elections](#)⁵⁸.

The good news is that there are opportunities as well: voting methods can reach more qualified electors which may result in increased rates of voter participation. Improvements to technology can result in more automated and quicker service delivery if balanced with the necessary security precautions. Clarifying rules can make compliance and enforcement more straightforward, paving the way for more diverse pools of candidates.

The Act should reflect the digital challenges and opportunities of today and tomorrow, and discussions should occur via legislated four-year reviews to ensure clarity, consistency, accountability, transparency, and trust remain top of mind. The legislation should be more enabling while providing important guidance, standards, and support with the right mix of tools to make compliance and enforcement streamlined.

The Province should build on the [MEA modernization work from 2016](#)⁵⁹ by rewriting and restructuring the Act to address existing and new challenges and opportunities. The issues weighing most on the minds of election administrators would be served by transformational change to the Act to provide a better overall framework for local elections. This requires bringing a 21st century mindset to improving service delivery to voters, candidates, and the public, while providing election administrators with more flexibility, certainty, and clarity to do the important work of delivering fair, accountable, and transparent municipal and school board elections.

AMCTO looks forward to discussing our recommendations with the Province and collaborating on priority legislative and regulatory improvements.

⁵⁶ Edelman Canada. May 2023. “2023 Edelman Trust Barometer,” <https://www.edelman.ca/sites/g/files/aatuss376/files/202303/2023%20Edelman%20Trust%20Barometer%20EN.pdf>

⁵⁷ Norris, Pippa. *In Praise of Skepticism: Trust but Verify*. Oxford University Press, 2022.

⁵⁸ See <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁵⁹ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



AMCTO MEA Working Group

AMCTO formed the MEA Working Group in 2023 to review, analyze, and discuss a suite of reforms to the *Municipal Elections Act* (MEA). Together, the Group brought forward best practices and lessons learned from municipal and school board elections administration to identify challenges and opportunities for solution-orientated improvements to existing election rules and regulations. Their work informed this submission and continues to support our members and municipal professionals in local election administration.

AMCTO would like to thank the following individuals for their time, contributions, and expertise as part of our MEA Working Group:

Martina Chait-Hartwig
(Chair)
Township of Douro-Dummer

Florence Witherspoon
(Vice-Chair)
Township of Ashfield-
Colborne-Wawanosh

Shawnica Hans
City of Brampton

Veronique Hie
City of North Bay

Terri Knight-Lepain
City of Windsor

Antonia Mancuso
Town of Oakville

Lori McDonald
Town of Bracebridge

Fiona Murray
City of Toronto

Evan Read
City of Vaughan

Pam Walsh
Town of Blind River

For more information about this Working Group, the submission and AMCTO advocacy initiatives, please contact advocacy@amcto.com.

The following appendix includes a line-by-line breakdown of our recommendations and the corresponding section of the MEA in its current form. We invite the Province to consult with us, our members and other sector organizations on reviewing and updating the current legislation to better serve local elections administration now and into the future.



Appendix: Summary of Recommendations

Recommendation	Legislative Reference(s) if applicable	Rationale
Overhaul and update the Act to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.	Act and regulations	The MEA contains a patchwork of amendments, sections, provisions and other structural issues that make it difficult for people to understand and manage.
Include a legislative requirement to review the Act after every scheduled municipal and school board election year.	New section	The Act should be updated on a regular cycle to ensure that it is responsive to new and emerging technology and trends.
Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.	Act and regulations	Protection of privacy is becoming an increasing concern and is central to ensuring public trust.
Amend the Act to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the Act.	New preamble	A preamble inclusive of these principles should set out the intended outcomes of the legislation and provide foundational understanding of elections.
Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.	Section 4 Regular elections	In future years, it could be the case that election day falls on another culturally or religiously significant festival or event impacting voter turnout and staffing resources.
Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.	New sub/section	Confirming availability of school facilities for election day is one less thing for clerks to have to determine and provides voters with a large, central, accessible facility to cast their ballots. Ensures that election administrators can focus on providing electoral services to residents and municipal and school trustee candidates.
Amend the Act so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.	Section 45 Number and location of voting places	Clerks require a legislative basis to work with heads of institutions to address resident voting requirements providing more opportunities for the most vulnerable to cast their vote.

Recommendation	Legislative Reference(s) if applicable	Rationale
Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.	Section 30 Employee of a municipality	Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork.
Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).	Section 50 Electors' absence from work	The current definition of voting day is limited to Election Day only and could be interpreted to not include advance voting days.
In consultation with AMCTO and other municipal stakeholders, consider how the work by the Digital Governance Standards Institute related to electronic voting may be formalized to support election administration in Ontario.	New section	With an increasing number of municipalities considering e-voting methods to make voting easier and be "where the voters are" there should be a provincial interest in adopting some standards.
Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of "tenant", "spouse of a non-resident" and "occupancy".	Section 17 Qualification of electors (with possible implications for Section 2 Residence)	The current definitions provided in the Act are not sufficiently clear, and create potential confusion for electors, candidates, and administrators.
Remove the 25-signature endorsement requirement.	Section 33 Filing Nomination	Signature requirements in medium and large cities has not addressed its stated intent as signatures are easy to collect with a declaration that signees are eligible electors and adds an administrative burden.
Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.	Section 34 Refund	The current process of refunding anyone who files a financial statement does not dissuade frivolous candidacies. Other mechanisms should be investigated.
Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.	Section 88.9 Maximum contributions to candidates	Fill the gap that does not specifically prohibit candidates from accepting a contribution.
Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.	Section 88.33 Compliance audit of candidate finances	Clarify that any resident in Ontario can file a compliance audit application consistent with rules on contributions.



Recommendation	Legislative Reference(s) if applicable	Rationale
Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.	Section 88.33(3)	The current structure creates many overlapping deadlines that is challenging to communicate to electors and candidates and for purposes of tracking.
Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.	Section 88.34 Review of contributions to candidates	This provision jeopardizes the independence and impartiality of the clerk, places the clerk in conflict with members of council and there already exists a process on the Compliance Audit Committee to review statements.
Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.	Section 88.34 Review of contributions to candidates	To support applicants, election administrators and CAC members with carrying out an application, moving the decision-timelines from 30 days to 45 days may be more reasonable especially where the CAC process may fall around the holidays and is consistent with references in other statutes for required meetings.
Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.	Section 88.37 Compliance Audit Committees	The MEA gives the responsibility for administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions is unclearly distributed between both Council and staff. This is one area where there is a clear conflict in members of council who may be subject to an application are involved in the administration of the committee reviewing that application.
Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.	Section 16 Scrutineers	Qualifications of scrutineers continues to be challenged. Moreover, as alternative voting methods are increasingly used, the role of scrutineering is less understood and should be addressed.
Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.	Section 89 Offences	Fill existing and new gaps because of changes to technology. Any changes to offences and penalties would require additional guidance and support for election administrators on how to enforce these matters.



Recommendation	Legislative Reference(s) if applicable	Rationale
Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.	Section 88.8 Campaign Contributions to Section 94.2 Limitation Period	The campaign finance framework is complex to administer and comply with and should be reviewed to make it easier to follow while ensuring accountability.
Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.	Section 88.4 Third Party Advertisers	The third-party advertising framework is complex to administer and comply with and should be reviewed to make it easier to follow and comply with.
Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.	Section 89- Section 94.2	A holistic review needs to consider enforcement mechanisms, penalties and the prosecution process for candidates and contributors.
Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.	O Reg 101/97	The Province should consider reviewing and updating the spending limit formula in regulation which has been stagnant and does not consider inflationary pressures on campaign costs.
Explore establishing an independent office to manage investigation and prosecution of offences under the Act.	New section	Municipalities have faced challenges proceeding with investigations and prosecutions due to capacity, resourcing and time-consuming processes through the courts. A separate body would allow for alternate dispute resolution that avoids placing municipal staff in conflict with candidates and members of council.
Bring the language of the Act and regulations into the 21 st century by removing gendered references and including references to encompass all voting methods.	Act and regulations	To ensure more inclusive language within the Act, remove gendered references. Moreover, as more municipalities are turning to voting methods to reach voters and run efficiency elections, language in the Act across numerous sections and within regulations should contain language that encompasses all voting methods rather than referring to paper ballots.
Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.	Section 1	One way to improve clarity and improve interpretation in the Act is to ensure that key terms within the Act are captured in the definition section. There are several areas wherein a definition appears later in the Act and others are captured in the definition section.



Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the <i>Legislation Act, 2006</i> .	Section 10 Saturdays and Holidays and other sections dealing with filing deadlines.	Inconsistency between business hours and the legislation can lead to frustration for candidates, administrators and others engaging in local democratic processes.
Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial campaign periods.	Section 31 Nomination Day	The municipal nomination period is longer than those at the provincial and federal levels which are run by agencies whose sole focus is election administration while municipal staff are managing day-to-day operations while running elections simultaneously. Revert back to the 2016 nomination deadline of July or earlier.
Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.	Section 42 Bylaws re voting and vote counting equipment	Clarify areas of responsibility between the clerk as the administrator of elections and council as overseers of the municipality.
Change the timeline for proxy appointment to begin September 1 st for a regular election.	Section 44 Appointment of Proxy	Fix the disconnect between voters' list availability and appointment of proxies, qualifications for which cannot be confirmed as electors until the list is available.
Expand the timeline for reporting on accessible elections from 90 days to 120 days.	Section 12.1 (3)	Extending the timeline would allow more time to compile a comprehensive post-election report which is typical practice.
Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.	Section 88.20 Candidate Expenses and s 88.1 Registered Third parties' expenses	Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.
Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.	Voters' Guide; Third Party Advertisers Guide; Candidate's Guide	There are several opportunities to update and provide more information to support voters, third party advertisers and candidates in Provincial guidance materials. There have also been several challenges with usability of provincial forms and inconsistencies between the legislation and forms that should be addressed.
Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.	Section 27 List of changes	Provide more time for clerks to provide final changes after the election period given the number of activities and tasks required to be completed post-election.



Recommendation	Legislative Reference(s) if applicable	Rationale
Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.	Section 22 Correction of Errors	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Establish a province-wide registry for <i>MEA</i> offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.	Section 35 Examination of nominations	While candidates are ultimately responsible for declaring their eligibility, clerks are required to certify nominations. Providing centrally available information about qualifications of candidates, and of those who may have contravened the <i>MEA</i> available to clerks will support this process.
Amend the <i>Act</i> to consolidate rules between regular elections and by-elections specifying what must be different.	Section 65 By-elections	Should the <i>Act</i> continue to distinguish between regular and by-elections, then there must be more guidance and information on how these elections are run to ensure more consistency in how by-elections are run across the province.
Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.	Section 88.4 Third Party Advertisers	The process is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled as a third-party advertiser.
Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.	Section 88.4 Third Party Advertisers	There are also timeline issues with registration. Allowing third-parties to register up to election day is problematic from an operations perspective when municipal staff's attention has shifted from paperwork to execution of voting.
Clarify the process for removing a name from the voters' list by a relative.	Section 24 Application for Name Change	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Decouple school board support for electoral purposes from school support for assessment purposes.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Cumbersome rules across multiple acts can result in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials.
Amend the <i>Education Act</i> to clarify who is a French-language rights holder and who is a separate school rights holder.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Clearer language around qualifications would help people understand whether or not they qualify as a candidate.



Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.	<i>Education Act, 1990</i> and <i>Municipal Elections Act</i>	School board boundaries cross municipal boundaries, and trustee candidates do not always submit their nomination papers within the municipality in which they reside, meaning clerks are left trying to figure out residential qualification as well. The complexity is burdensome for candidates and for municipal staff and must be addressed. Rules for elections need to be clear and straightforward.
Consider readjusting school board boundaries to align with municipal boundaries.	<i>Education Act, 1990</i> and <i>Municipal Act</i>	Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.
Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.	O Reg. 304/13 Voter Identification	There are numerous ways people carry identification requirements and there are segments of the population without proper identification. The Province has also been working on digital identity which needs to be accounted for.





The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) represents excellence in local government, management and leadership. Over the past 85 years, AMCTO has provided education, accreditation, leadership, and management expertise for Ontario municipal professionals. With 2,200+ members working in municipalities across the province, AMCTO is Ontario's largest association of local government professionals, and the leading professional development organization for municipal professionals.

Our mission is to deliver professional growth, networks, advocacy, and leadership to support and strengthen the knowledge, skills, and capabilities of municipal professionals now and into the future.

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[name of municipality] RESOLUTION
Provincial Updates to the Municipal Elections Act

WHEREAS elections rules need to be clear, supporting candidates and voters in their electoral participation and election administrators in running elections.

WHEREAS legislation needs to strike the right balance between providing clear rules and frameworks to ensure the integrity of the electoral process,

WHEREAS the legislation must also reduce administrative and operational burden for municipal staff ensuring that local election administrators can run elections in a way that responds to the unique circumstances of their local communities.

WHEREAS the *Municipal Elections Act, 1996* (MEA) will be 30 years old by the next municipal and school board elections in 2026.

WHEREAS the MEA sets out the rules for local elections, the *Assessment Act, 1990* and the *Education Act, 1990* also contain provisions impacting local elections adding more places for voters, candidates, and administrators to look for the rules that bind the local democratic process in Ontario.

WHEREAS with rules across three pieces of legislation, and the *MEA* containing a patchwork of clauses, there are interpretation challenges, inconsistencies, and gaps to fill.

WHEREAS the Act can pose difficulties for voters, candidates, contributors and third-party advertisers to read, to interpret, to comply with and for election administrators to enforce.

WHEREAS while local elections are run as efficiently and effectively as can be within the current legislative framework, modernization and continuous improvement is needed to ensure the Act is responsive to today's needs and tomorrow's challenges.

WHEREAS to keep public trust and improve safeguards the Act should be reviewed considering the ever-changing landscape which impacts elections administration including privacy, the threats of foreign interference, increased spread of mis/disinformation and the increased use of technologies like artificial intelligence and use of digital identities.

WHEREAS the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO) reviewed the Act and has provided several recommendations including modernizing the legislation, harmonizing rules, and streamlining and simplifying administration.

AND WHEREAS AMCTO put forward recommendations for amendments ahead of the 2026 elections and longer-term recommendations for amendments ahead of the 2030 elections.

THEREFORE BE IT RESOLVED THAT [insert municipality name] calls for the Province to update the MEA with priority amendments as outlined by AMCTO before Summer 2025 and commence work to review and re-write the MEA with longer-term recommendations ahead of the 2030 elections.

AND BE IT FURTHER RESOLVED that this resolution will be forwarded to all municipalities in Ontario for support and that each endorsement be then forwarded to the Minister of Municipal Affairs and Housing (minister.mah@ontario.ca), the Minister of Education (minister.edu@ontario.ca), the Minister of Public and Business Service Delivery (todd.mccarthy@ontario.ca), Minister of Finance (Minister.fin@ontario.ca) the Premier of Ontario (premier@ontario.ca), [name municipality] MPP and AMCTO (advocacy@amcto.com).



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October 15, 2024

Honourable Sylvia Jones
Minister of Health
5th Floor - 777 Bay St.
Toronto, Ontario, M7A 2J3
Via Email: Sylvia.Jones@ontario.ca

RE: Critical Shortage of Paramedics in Northwestern Ontario

Dear Honourable Sylvia Jones:

The Northwestern Ontario Municipal Association (NOMA) is made up of 37 municipalities, representing over 232,300 people according to the 2021 Ontario Census, and extends from the Manitoba Boarder in the west to the Town of Hearst in the east which amounts to 526,417.35 km² and a driving distance of approximately 1045km. To drive this distance is approximately the same distance from the Ontario border to Alberta border crossing two provinces. It is a vast geographical region that makes it more challenging to provide adequate services to residents.

NOMA would like to express our grave concerns regarding the critical shortage of paramedics experienced across our region. It is realized that a shortage of paramedics is a province-wide challenge but in comparison to more urban communities, Northwestern Ontario's efforts to recruit and retain paramedics are hampered by the rural and remote nature of the district, uncompetitive salaries and benefit packages and an inability to maintain work-life balance.

It is increasingly difficult to secure adequate health care staff to our region. To use Rainy River District as an example, they require 46 full-time Paramedics, but the service is currently operating with only 32 full-time Paramedics and at risk of losing more. In July 2024, an ambulance base located in Emo, the center of the Rainy River District where a gold mine, sawmill, seniors' homes, schools, and daycare facilities are all located, was temporarily closed due to a critical lack of paramedics. This is an unsustainable crisis situation, and it is an example that is seen throughout the Kenora and Thunder Bay Districts. The well-being of our paramedics is compromised, and our residents are at risk of not having access to life-saving ambulance services. When an ambulance base is shut down or not staffed adequately there is a domino effect region wide as limited resources are stretched in order to service the region.

To help solve the critical paramedic shortage in Northwestern Ontario and similar areas across the province, NOMA requests the Ministry of Health to consider the following actions:

1. Provide 100% Provincial Funding: Introduce targeted funding for rural, remote, and northern paramedic services. This will allow these regions to offer competitive salaries and benefits,

upgrade outdated equipment and bases, and invest in workplace health and safety programs. These steps will help attract and retain paramedics, especially where local municipalities can't increase tax revenues.

2: Launch a Targeted Recruitment Campaign: Initiate a province-wide recruitment campaign focused on promoting paramedic careers in rural and remote communities. Highlight the unique opportunities, financial incentives, and community benefits of working in areas like Rainy River District.

3: Collaborate with Colleges and Educational Institutions: Partner with the Ministry of Colleges and Universities to support paramedic training programs that better reflect the need for an immediate increased workforce, increase second-career funding, and support services experiencing shortages with 100% provincial funding to increase the availability of bursaries or tuition waivers to students who commit to working in underserved areas post-graduation.

4. Create Work-While-Training Opportunities: Collaborate with the Ministry of Labour to develop apprenticeship or second-career programs for rural residents interested in paramedic careers. Provide financial assistance and on-the-job training, allowing them to work part-time while completing their education.

By implementing these measures, the Ministry of Health can provide rural paramedic services with the tools they need to deliver continuous, high-quality care across the province. NOMA implores the province to ensure equitable health care and paramedic services for the people of Northwestern Ontario.

Sincerely,



Wendy Landry, President, Northwestern Ontario Municipal Association
Mayor, Municipality of Shuniah

Cc:

Honourable Doug Ford, Premier of Ontario

Honourable Minister Natalia Kusendova-Bashta, Minister of Long-Term Care

Blair Hains, Chief of Staff, Minister of Health

Deborah Richardson, Deputy Minister, Ministry of Health

Susan Picarello, Assistant Deputy Minister of Health, Emergency Health Services Division

Mayor Deb Ewald, Chair, District of Rainy River Services Board

MPP Greg Rickford, (Kenora – Rainy River)

MPP Kevin Holland (Thunder Bay - Atikokan)

MPP Lise Vaugeois (Thunder Bay - Superior North)

MP Patty Hajdu (Thunder Bay - Superior North)

MP Marcus Powlowski – Thunder Bay-Rainy River

MP Eric Melillo – Kenora

All member municipalities CAOs and Clerks



Representing the Districts of Kenora, Rainy River and Thunder Bay
P.O. Box 10308, Thunder Bay, ON P7B 6T8
www.noma.on.ca
p. 807.683.6662 e. admin@noma.on.ca

September 26, 2024

Honourable David Piccini
Minister of Labour, Immigration, Training & Skills Development
14th Floor, 400 University Avenue
Toronto, Ontario M7A 1T7
Via email: minister.mlitsd@ontario.ca

Dear Minister Piccini

ADDRESSING NORTHERN ONTARIO LABOUR MARKET NEEDS THROUGH THE ONTARIO IMMIGRANT NOMINEE PROGRAM

It was a pleasure to meet with Parliamentary Assistant Patrice Barnes at the AMO conference in August to discuss the Ontario Immigrant Nominee Program and filling labour shortages in the North. I am pleased to provide this letter of support on behalf of the Northwestern Ontario Municipal Association for **the allocation of 3,000 nominations annually within the Ontario Immigrant Nominee Program for immigrants coming to Northern Ontario to fill labour shortages.**

OINP has 21,500 total spots to allocate in 2024, up from 9,000 spots just three years ago. That means there is plenty of room to make a set-aside for Northern Ontario without detracting from the GTA and other Ontario communities. The allocation of these 3,000 spots would be spread among communities, ensuring that the benefits of immigration are extended beyond the largest cities in Northern Ontario.

Most, if not all, municipalities in Northwestern Ontario rely on newcomers to grow and expand economic development opportunities in their communities. We require skilled workers to fill jobs across the North and having guaranteed allocations for immigrants to come to the North will help ensure those jobs gets filled. Newcomers represent potential growth and innovation for Northern and Rural communities, however, the vast majority of newcomers to Ontario settle in the Greater Toronto Area. The federal Rural and Northern Immigration Pilot Program (RNIP) has proven highly successful in attracting over 4,000 immigrants to Northern Ontario to date. The federal government is moving to make it a permanent program and an integral part of Canada's overall immigration strategy. Ontario should learn from and mirror this success through the allocation of Ontario Immigrant Nominee Program (OINP) spots for Northern Ontario communities.

Thank you for your consideration of this request.

Sincerely,



Wendy Landry, President, NOMA
Mayor, Municipality of Shuniah

Cc:

MPP Kevin Holland (Thunder Bay - Atikokan)
MPP Lise Vaugeois (Thunder Bay - Superior North)
MP Patty Hajdu (Thunder Bay - Superior North)
MP Marcus Powlowski – Thunder Bay-Rainy River
MP Eric Melillo – Kenora
Thunder Bay Chamber of Commerce
All member municipalities CAOs and Clerks



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October 10, 2024

Alan Spacek
Board Chair
Ontario Northland Transportation Commission
555 Oak St East
North Bay, ON P1B 8E3

Dear Board Chair Spacek:

On behalf of the Board of Directors for the Northwestern Ontario Municipal Association (NOMA), I am writing to express our strong support for Ontario Northland Transportation Commission's (ONTC) proposed expansion of motor coach services in Northwestern Ontario, including connections to the Winnipeg airport, the Thunder Bay airport, and west of Hearst through Nipigon and surrounding communities. This expansion aligns closely with NOMA's strategic priorities and the broader transportation objectives of the Ministry of Transportation and the Government of Ontario.

NOMA would also like to see a secondary bus route for both highway 11 and 17 to increase efficiency and reliability on this main transportation corridor. Additionally, we strongly encourage ONTC and the provincial government to expand ONTC's motor coach services to include North to South routes to connect those communities (such as Red Lake, Ear Falls, Sioux Lookout, among others) to highway 11 and 17. These additions would greatly enhance transportation connection within our region.

NOMA's Economic Development Plan "Time to Grow" recognizes that northern transportation is essential for the success of our region and all of Ontario. Enhancing transportation availability by introducing these new routes, we can significantly improve connectivity, support economic growth, and ensure that our communities remain accessible. This expansion also aligns with the Ministry of Transportation's ongoing efforts with Ontario's highway programs to improve the safety, reliability, and efficiency of our transportation network. NOMA recognizes how expanding motor coach services fits with the province's commitment to enhancing northern highways, ensuring residents and businesses have the transportation links they need.

In conclusion, NOMA strongly supports Ontario Northland's proposal to expand motor coach services in Northwestern Ontario. We urge the Ontario Northland Transportation Commission and the provincial government to prioritize this expansion and our outlined suggestions to better serve our region.

Thank you for your consideration.

Sincerely,



Wendy Landry
President, Northwestern Ontario Municipal Association
Mayor, Municipality of Shuniah

Cc:

Hon. Prabmeet Singh Sarkaria, Minister of Transportation
MPP Greg Rickford, (Kenora – Rainy River)
MPP Kevin Holland (Thunder Bay - Atikokan)
MPP Lise Vaugeois (Thunder Bay - Superior North)
All member municipalities CAOs and Clerks



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October 7, 2024

Honourable Anita Anand
President of the Treasury Board and Minister of Transport
House of Commons
Ottawa, ON, K1A 0A6
Via Email: Anita.Anand@parl.gc.ca

Her Worship Mayor Olivia Chow
Office of the Mayor
City Hall, 2nd Floor
100 Queen St. W.
Toronto, ON M5H 2N2
Via Email: mayor_chow@toronto.ca

Re: The Future for Billy Bishop Airport Requires Urgent Action and a Modern Governing Agreement

Dear Minister Anand and Mayor Chow,

I am writing to you to express my support for the sustained operation and development of Billy Bishop Toronto City Airport. As the President of the Northwestern Ontario Municipal Association, I am extremely concerned to learn that the Tripartite Agreement that governs operations at the Airport expires in 2033 – less than 9 years from now.

Billy Bishop Airport provides a critical service and point of connection for the North. Many of my community members rely on Billy Bishop airport to visit family, connect through to other destinations for work, travel and tourism or to access critical medical services, the convenience and ease of Billy Bishop Airport cannot be matched. It has been reported widely that Northern Ontario communities have experienced drastic reductions in air service coming out of the COVID pandemic. Reliable air connectivity available through Billy Bishop Airport is an important economic and social lifeline for my community.

We were pleased to see the Federal Government's investment in a US Customs and Border Patrol preclearance facility, which is expected to open in 2025. This is welcomed news for communities in Northwestern Ontario as it will enable more and better connections through Billy Bishop Airport and amplify the airport's already strong economic contribution. We viewed this investment in the airport's long term future as recognition of the very important role the airport has come to play for the communities it connects including Northwestern Ontario – very much at odds with an agreement that expires in a matter of years.

To that end, we would implore you, as signatories to the Tripartite Agreement, to commence a process to modernize the Tripartite Agreement and secure the long-term future of Canada's 9th-busiest airport and 3rd-busiest in Ontario. My community members rely on this service, and we

want to see even more connections and expanded services to the North. As elected leaders, we have a responsibility to think past our own front doors, reflect the needs of all of our constituents and those beyond our communities who are impacted by our decisions. Certainty about the airport's long-term future should not be something we as leaders should need to think long about. **The time is now for the parties of the agreement to move forward with urgency to ensure this vital piece of transportation infrastructure and the important connections it facilitates are sustained.**

Sincerely,



Wendy Landry
President, Northwestern Ontario Municipal Association
Mayor, Municipality of Shuniah

Cc:

Hon. Soraya Martinez Ferrada, Minister of Tourism, Government of Canada
Hon. François-Philippe Champagne, Minister of Innovation, Science and Industry, Government of Canada
Hon. Arun Thangaraj, Deputy Minister of Transport Canada, Government of Canada
John D. Elvidge, City of Toronto, Clerk
Paul Johnson, City of Toronto, City Manager
Jag Sharma, City of Toronto, Deputy City Manager
RJ Steenstra, President and CEO, Ports Toronto
Sandra Pupatello, Chair, Board of Directors, Ports Toronto
Neil Pakey, President and CEO, Nieuport Aviation
Hon. Prabmeet Sarkaria, Minister of Transportation, Government of Ontario
Hon. Vic Fedeli, Minister of Economic Development, Job Creation and Trade, Government of Ontario
MP Patty Hajdu (Thunder Bay - Superior North)
MP Marcus Powlowski – Thunder Bay-Rainy River
MP Eric Melillo – Kenora
MPP Greg Rickford, (Kenora – Rainy River)
MPP Kevin Holland, (Thunder Bay - Atikokan)
MPP Lise Vaugeois, (Thunder Bay - Superior North)
All member municipalities - CAOs and Clerks

Date: October 7, 2024

Resolution 2024-34:

Background:

WHEREAS Billy Bishop Airport serves more than 2 million passengers per year, making it the 9th-busiest airport in Canada, 5th-busiest serving the US market, 3rd busiest airport in Ontario, and making it a critical component of the national and regional air transportation system; and

WHEREAS the airport provides daily connections to the North with service to Thunder Bay, Sault Ste. Marie, Timmins and Sudbury, and enables access to many other neighbouring communities; and

WHEREAS Billy Bishop Airport is a critical access point for Northern communities for economic opportunities, tourism, social connectivity and critical medical care located in downtown Toronto;

WHEREAS the airport operates under a Tripartite Agreement among the City of Toronto, Transport Canada and PortsToronto, and that agreement is set to expire in 2033; and

WHEREAS the airport is seeking to secure its long-term future through a process to modernize and extend the Tripartite Agreement to drive sustainable growth and enhanced access and connections for passengers and the communities it connects to;

Recommendation:

NOW THEREFORE BE IT RESOLVED THAT the Northwestern Ontario Municipal Association is seeking urgent action from the City of Toronto, PortsToronto and Transport Canada to commence a process and conclude it by the end of 2025 to modernize the current Tripartite Agreement and secure the future of Billy Bishop Airport.

AND FURTHER BE IT RESOLVED THAT a copy of this motion be sent to Hon. Anita Anand - President of the Treasury Board and Minister of Transport, Mayor Olivia Chow – Toronto City, Hon. Soraya Martinez Ferrada - Minister of Tourism, Government of Canada, Hon. François-Philippe Champagne - Minister of Innovation, Science and Industry - Government of Canada, Hon. Arun Thangaraj - Deputy Minister of Transport Canada - Government of Canada, John D. Elvidge - City of Toronto – Clerk, Paul Johnson - City of Toronto - City Manager, Jag Sharma - City of Toronto - Deputy City Manager, RJ Steenstra - President and CEO - Ports Toronto, Sandra Papatello – Chair of Board of Directors - Ports Toronto, Neil Pakey - President and CEO - Nieuport Aviation, Hon. Prabmeet Sarkaria - Minister of Transportation - Government of Ontario, Hon. Vic Fedeli - Minister of Economic Development, Job Creation and Trade - Government of Ontario, MP Patty Hajdu (Thunder Bay - Superior North), MP Marcus Powlowski – Thunder Bay-Rainy River, MP Eric Melillo – Kenora, MPP Greg Rickford, (Kenora – Rainy River), MPP Kevin Holland, (Thunder Bay - Atikokan), MPP Lise Vaugeois, (Thunder Bay - Superior North), and all NOMA member municipalities - CAOs and Clerks.

Moved By: Lisa Teeple, Councillor of Emo
Seconded By: Jim Vezina, Mayor of O'Connor
CARRIED

Wendy Landry

President, NOMA

October 11, 2024

Minister of Transportation
Hon. Prabmeet Singh Sarkaria
Email: minister.mto@ontario.ca

MPP Oxford
Ernie Hardeman
Email: Ernie.Hardeman@pc.ola.org

SCOR EDC
Email: do@scorregion.com

Re: Continued Funding Support - Southwest Community Transit

Please be advised that the Town of Tillsonburg Council, at its meeting held on October 7, 2024 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution # 2024-474

Moved By: Councillor Luciani

Seconded By: Councillor Spencer

Whereas the County of Brant, Middlesex County, Municipality of Strathroy Caradoc, Norfolk County, Municipality of East Zorra Tavistock, Grey County, Perth County, City of Stratford, Municipality of Lambton Shores, and Wellington County have successfully utilized government funding to create and sustain local community transit through Southwest Community Transit; and

Whereas 85,000 riders have utilized the Southwest Community Transit services in the first half of 2024 alone, demonstrating significant community reliance on these services; and

Whereas the economic impact of this transit system is estimated to be \$748,800,000 annually, largely due to its role in providing transportation to employment opportunities; and

Whereas the current funding for this critical small urban and rural

inter-community transit service is set to expire in March 2025, putting the sustainability of the service at risk:

Therefore be it resolved that the Town of Tillsonburg council urges the provincial government to continue funding Southwest Community Transit beyond March 2025 to ensure the ongoing viability of this essential service for small urban and rural Ontario

Be it further resolved that this resolution be circulated to the County of Brant, Elgin County, Middlesex County, Norfolk County, Oxford County, Municipality of Strathroy Caradoc, Municipality of East Zorra Tavistock, Perth County, City of Stratford, Municipality of Lambton Shores, Wellington County, Bruce County, Municipality of Bayham, Municipality of Thames Centre and other relevant stakeholders for their support and advocacy.

Carried

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,



Laura Pickersgill
Executive Assistant
Town of Tillsonburg

Cc: All Ontario municipalities



NEW SERIES!

Transferring Risk Intentionally

Our **new series on contractual risk transfer** kicks off at the end of the month, with the second in the series following in November. This series is designed to help municipalities learn how to effectively transfer risk using contracts and agreements. In each session, we will tackle the unique challenges of partnering with non-profits, contractors, or other municipalities and pinpoint the necessary steps to do it right. Just like contractual risk transfer, proper documentation is an important aspect of municipal operations. In our final webinar of the year, we will discuss the vital role that documentation plays during a claim.

Transferring Risk Intentionally Series – Successful Special Events

In this first session of our new three-part risk transfer webinar series “Transferring Risk Intentionally,” we will look at special events and the unique hazards and unexpected risks that municipalities must address when planning these celebrations. Join IPE’s Tracy Eso to learn the importance of formalized procedures and

Date:

Thursday, October 31st

Time:

11:00 am - 12:00 pm ET

Audience:

All Municipal Staff

agreements to help protect your municipality.

[More event details.](#)

Transferring Risk Intentionally Series – Securing Safe Roads and Trails

In this second webinar of the "Transferring Risk Intentionally" series we discuss how roads and trailways are one of the most significant areas of responsibility for a municipality. Understanding ways those exposures can be effectively mitigated by the use of contracts as well as partnerships will be the topic of this informative session with IPE's own Brian Anderson, Roads Specialist and Tracy Eso, Risk Assessment and Solutions Specialist.

[More event details.](#)

Date:

Wednesday, November
27th

Time:

11:00 am - 12:00 pm ET

Audience:

All Municipal Staff

Documents & Disconnects: Creating Evidence for Better Claims Management

In this 90-minute presentation, Tracy Eso will be joined by Loni McGovern of IPE's claims department to hone-in on how documentation plays a vital role during a claim. By reviewing particular claims case studies, Tracy and Loni will discuss claims where lack of documentation has hurt a claims' outcome and where supplying ample documentation has made the difference in shutting down claims early, and much more!

[More event details.](#)

Date:

Thursday, December
5th

Time:

12:00 pm - 1:30 pm ET

Audience:

All Municipal Staff

List of Correspondence

Electronic

1. AMO Policy Update – Province to Introduce Legislation Governing Bicycle Lanes
2. AMO President's Board Update - October 2024
3. CAMA Launches New Municipal Succession Planning Toolkit to Shape Tomorrow's Leaders
4. AMO's annual report on the CCBF and the distribution of surplus administration fees
5. ROMA Board welcomes new members and Chair
6. Notice to the Profession: Ontario Supporting Grieving Families of Stillborn Children
7. NOMA September 25 2024 Board Meeting

Upcoming Training Available

Various	AMO	New Councillor Training (\$525/ea)
Various	AMO	New Head of Council Training (\$525/ea)
Various	AMO	Foundations in Planning for Elected Officials (\$225)
Various	AMO	Navigating Conflict Relationships as an Elected Official (\$200)
Various	AMO	Foundations in Planning for Elected Officials (\$250)
Various	AMO	Indigenous Community Awareness Training (\$375)
Various	AMO	Advanced Councillor Training Series (\$425)
On demand	NOMA	Webinar On-Demand: How to Attract New Residents to Your Community

Upcoming Conferences/Events (please refer to the Conmee Conference Attendance Policy)

2024

Oct 23-24	MMAH	Planning Workshop (\$0 Thunder Bay)
Oct 24	CAMA	Employment Agreements & Law Updates (free webinar)
Oct 30	Canoe	Canoe Procurement Group Webinar
Nov 5-6	WSPS	Partners in Prevention Regional Health & Safety Conference
Nov 14 th	AMO	Competing Rights: What You Need to Know! \$525

2025

Jan 19-21	ROMA	Annual Conference (Toronto)
Apr 8-10		Northwest Response Forum (Dryden)
June 8-11	AMCTO	Annual Conference (Windsor)
Aug 17-20	AMO	Annual Conference (Ottawa)

THE CORPORATION OF THE TOWNSHIP OF CONMEE

BY-LAW # 1470

Being a By-law to confirm the proceedings of Council at its meeting.

Recitals:

Subsection 5(3) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, requires a municipal Council to exercise its powers by by-law, except where otherwise required.

Council from time to time authorizes action to be taken which does not lend itself to an individual by-law.

The Council of The Corporation of the Township of Conmee deems it desirable to confirm the proceedings of Council at its meeting by by-law to achieve compliance with the *Municipal Act, 2001*.

ACCORDINGLY, THE COUNCIL FOR THE CORPORATION OF THE TOWNSHIP OF CONMEE ENACTS AS FOLLOWS:

1. Ratification and Confirmation

The action of this Council at its meeting set out below, with respect to each motion, resolution and other action passed and taken by this Council at its meeting is adopted, ratified and confirmed as if such proceeding and action were expressly adopted and confirmed by by-law:

Meeting held October 22nd, 2024

2. Execution of all Documents

That the Mayor of the Council and the proper officers of the Township are authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and except where otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute all necessary documents and to affix the Corporate Seal of the Township to such documents.

Passed this 22nd day of October, 2024.

THE CORPORATION OF THE
TOWNSHIP OF CONMEE

Sheila Maxwell, Mayor

Shara Lavallee, CAO/Clerk