

OFFICIAL PLAN

TOWNSHIP OF ARMOUR



OFFICE CONSOLIDATION DECEMBER 9, 2024

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Land Use Planning Services

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MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

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PART I

INTRODUCTION

1.1 PURPOSE OF THE PLAN

The original Armour Township Official Plan was adopted by Council in 1991 and approved in parts by the Province in 1994. During 2001 and 2008 statutory five-year reviews of the Plan were carried out to reflect the requirements of updated Provincial Policy Statements (PPS) 1996, 2005, 2014 and 2020. This Official Plan complies with Provincial Planning Statement 2024.

The general purpose of the Official Plan is to guide Armour Township through three decades from 2008 to 2038 by providing land use policy designed to secure the health, safety, and welfare of the present and future inhabitants of the municipality.

The 1994 Official Plan projected Armour population to increase by 57.5 people every five years during a 21-year planning period to 2015. Given the accuracy of this projection, only off by five persons, it makes sense to maintain this projected rate of growth into 2038.

1.2 BASIS OF THE PLAN

As a result of land use surveys, local knowledge and input from the public, the following factors are repeatedly identified as having a significant influence on future land uses in Armour Township. It is also apparent that site plan control and adherence to the Manuals of the Department of Fisheries and Oceans be among the foundations in implementing the policies of this Plan.

1.2.1 IMPORTANCE OF THE NATURAL ENVIRONMENT

The environment is the most important natural resource in Armour Township. The lakes and the Magnetawan River system make the area extremely attractive for retirement and recreational activities, which are the economic mainstay of the

municipality.

1.2.2 MANAGE LAND USE TRENDS IN THE WATERFRONT AREAS

- In Armour Township the most attractive waterfront lands are already developed. What remains are lands difficult to access or with development constraints such as steep slopes or sensitive shorelines due to wetlands or natural habitats.
- Prices of waterfront lands are skyrocketing, thereby making alterations to difficult shorelines practical. The visual impacts of such alterations often have a negative effect on the shoreline character.
- Smaller seasonal dwellings are being replaced by larger year-round homes. Many family seasonal dwellings have multiple generations of families using them.
- Winter use of waterfront dwellings is now normal and expected.
- There is a growing tendency for guest sleeping cabins and boat houses.
- Shared or “fractional” ownership of waterfront dwellings is a booming trend.
- Commercial properties such as camps and resorts are being converted to condominium developments and fractional ownership plans with private road access.
- Lakeshore capacity assessment is a planning tool that can be used to control the amount of phosphorus entering inland lakes on the Precambrian Shield by controlling residential shoreline development. Use of the lakeshore capacity assessment along with proactive land-use controls and enforcement of water-related regulations and bylaws will help to ensure that the quality of water in Armour’s inland lakes is preserved. Protection of water quality will also protect environmental, recreational, economic and property values.
- The municipality does not have jurisdiction to control the intensity of activity on the water. This is under the jurisdiction of Transport Canada. Studies to determine surface area ratios per waterfront dwelling have not been done for the lakes in Armour Township. It is therefore impossible to establish defensible recreational carrying capacities that could translate into development limits for the water bodies.

1.2.3 MAINTAIN RURAL CHARACTER OF THE COMMUNITY

Armour Township is a predominantly rural Township. The Hamlet of Katrine (as identified by name on Schedule "A") is an existing built-up area with both residential and community commercial/institutional uses. While recognized in the past as a settlement area, it is Council's position that physical constraints to development (e.g. flood plain and steep slopes) prevent this area from being a focus for further residential growth. The Village of Burk's Falls, though a separate municipality, is therefore recognized as an established primary settlement area and service centre to the south east Parry Sound region. Council will be supportive of Burk's Falls' sustainability as a viable settlement area and service centre to the surrounding rural areas.

The principal land uses in Armour Township will continue to be recreational, resource industrial and permanent residential dwellings. Simplifying procedures to allow more people to live in the community, especially the rural areas, is vitally important to the future of Armour Township. Low birth rates, school enrolment declines, and the wave of retirees are issues best met with straight-forward consent policies in the rural areas where the majority of Armour Township people enjoy living the most. All lot creation will conform to the policies of the Official Plan.

1.2.4 PROMOTION OF NEW BUSINESSES AND JOBS

Tourist opportunities are considered a major economic asset of Armour Township in addition to specialty agriculture and forestry. It is vitally important for the Township to recognize and promote its potential for expanded recreational and tourism business.

A large amount of commercial assessment was lost to expropriations for the widening of Highway 11. The Official Plan encourages new commercial development along the new service roads and especially at the new interchanges on Highway 11. The Official Plan promotes these areas as economic development gateways now that all other points of access to Highway 11 have been closed off.

1.3 GOALS OF THE PLAN

The following goals form the basis for the development and land use policies of this Plan and provide a general guide to Council for the review of all new development proposals:

- (a) To accommodate the present and future population by providing for a wide range of housing types, including affordable housing units;
- (b) To identify opportunities and to encourage the continued operation and development of tourism and recreational related commercial establishments;
- (c) To guide the Township toward its fullest economic potential by striving to obtain a wider commercial/industrial assessment base and to increase employment opportunities while ensuring a high level of environmental and servicing standards while ensuring that new development or redevelopment is compatible with and appropriately separated from surrounding uses;
- (d) To optimize the use of the Township's natural resources through policies based on sound economic, social and environmental principles;
- (e) To enhance and protect the quality of the environment;
- (f) To maximize the use of facilities and to encourage a wide range of recreational and cultural facilities;
- (g) To provide and maintain a safe, convenient, efficient transportation system for all persons and goods with a minimum of disruption to the environment;
- (h) To require a level of services consistent with socio-economic costs, demands and environmental concerns.
- (i) To ensure that all significant cultural heritage resources in the municipality are identified, protected, and conserved.
- (j) To take a coordinated and integrated approach to development adjacent to the boundaries of the Village of Burk's Falls.
- (k) To consider the protection of municipal drinking water supplies and designated groundwater protection zones as identified in Burk's Falls' 2003 Municipal Groundwater Study and to consult with the Village on planning applications that may impact these supplies and zones.
- (l) To communicate with the local District Social Services Administration Board (DSSAB) on matters related to affordable housing.
- (m) To align land use policy with the Armour Township 2017 Asset Management Plan. Street and road construction and maintenance methods will be regularly reviewed and implemented. The road asset management system will be

continuously updated as per the 2017 Asset Management Plan to determine maintenance requirements and priorities.

- (n) To provide for an appropriate range and mix of housing types to meet the requirements of current and future residents and support a goal of 10% of new permanent residential units being affordable as defined in Part III (Development Policies) of this Official Plan.

PART II

DESIGNATED AREA POLICIES

The land use policies established in Part II of this Official Plan shall apply to those areas so designated and identified on Schedule "A" - Land Use Plan.

2.1 RURAL COMMUNITY

2.1.1 DEFINITION

The predominant use of land in this category shall be for farming activities, forestry, conservation, detached residential dwellings, golf courses, summer camps for children, woodland retreats, recreational clubs and lodges, highway commercial uses, recreational and tourist commercial uses, private aircraft fields, Crown lands, home occupations and industries, small scale low water use industrial operations, schools, parks, community recreation facilities, churches, nursing homes, day nurseries and institutional uses, affordable housing developments, churches and cemeteries, mineral extraction including wayside pits and quarries, and waste disposal sites.

2.1.2 OBJECTIVES

- (a) To protect and enhance the natural amenities, character, and lifestyle of the rural area of Armour Township;
- (b) To support and encourage the tourism industry as a major traditional contributor to the economic base of the municipality;
- (c) To restore business and service functions lost during the widening of Highway 11 to a controlled access four-lane highway. One of the basic requirements of businesses locating in the Rural Community is municipal road access via paved roads with no seasonal load limits. Armour Township Council has ensured that local roads of that quality are provided by the Ministry of

Transportation during the Highway 11 reconstruction process.

- (d) To provide opportunities for low density affordable residential uses in harmony with the rural character of the municipality;
- (e) To protect existing traditional farms and to encourage production of fuel crops for the bio-diesel and ethanol industries;
- (f) To promote businesses and low water using industries thereby increasing sustainable employment opportunities for Armour Township residents, both seasonal and permanent;
- (g) To maintain the natural resource industries of Armour Township by encouraging sustainable practises in forestry and wildlife trapping and by protecting mineral aggregate resources for long term use;
- (h) To ensure that new development or redevelopment is compatible with and appropriately separated from surrounding uses and that negative environmental impacts and land use conflicts are avoided or minimized; and
- (i) To promote the use of alternative/renewable energy systems such as wind turbines, solar panels, bio-diesel, ethanol and wood hot water heating systems.

2.1.3 POLICIES

(a) Residential Uses

- (i) When evaluating applications for land division, Council and Planning Board shall consider:
 - (a) whether the proposed land division represents limited residential development or resource-based recreational activities;
 - (b) the cumulative cost of providing additional municipal services to the subject lands;
 - (c) the justification of the need for the lot creation, including opportunities for it to locate within a settlement area, and the number of existing vacant

lots of record of a similar type and location;

- (d) the potential for the proposed lot creation to lead to rural sprawl; and
 - (e) the potential for the proposed lot creation to contribute to cumulative environmental impacts. Council, in collaboration with Planning Board, will monitor the type, extent, and location of lot creation and the conversion from seasonal dwellings to permanent dwellings in the Township under this Official Plan up until the time of the five-year review of the Official Plan, at which point its policies on land use and land division will be re-evaluated.
- (ii) In the case of an existing lot of record which complies with the provisions of the Armour Township Zoning By-law, a single detached dwelling may be permitted provided the lot also meets the requirements of all relevant policies of the Official Plan.
 - (iii) The minimum residential lot size shall be 0.8 hectares (2 acres) unless otherwise specified by Council or any other ministry or agency with jurisdiction.
 - (iv) All residential uses shall comply with the setbacks dictated by the Ontario Minimum Distance Separation Formulae except any farm dwelling located on the same lot as the subject livestock or poultry operation.
 - (v) All residential uses shall comply with applicable flood protection or other environmental requirements of the Official Plan.
 - (vi) All residential uses shall be serviced by sustainable private water and sewage disposal located on site. Private communal services are not permitted in Armour Township.
 - (vii) No new residential development or redevelopment shall be permitted that could adversely impact neighbouring sewage disposal systems or water supplies. Where new residential development is permitted, the approval authority shall be

satisfied that a potable water supply can be located with no danger of cross contamination from sewage disposal systems and there are no adverse impacts on adjacent surface and ground water supplies.

(viii) Where considered desirable by the approval authority, a study in accordance with Ministry of the Environment Conservation and Parks Conservation and Parks Procedure D-5-4 Technical Guideline for Individual On-Site Systems: Water Quality Impact Risk Assessment and Procedure D-5-5 Technical Guideline for Private Wells: Water Supply Assessment shall be required by a qualified Professional Engineer to indicate:

- That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
- That suitable conditions exist for an individual on-site sewage disposal system.

(ix) Any new residential land use or new residential lot proposed within 1000 metres of a Class III industrial use such as an aggregate pit or quarry, will require a study to assess land use compatibility based on provincial D-series guidelines, to ensure the continued operation of such industrial uses and allow for expansion where feasible.

(x) Any new residential land use or new lot proposed within 500 metres of an active or closed waste disposal site will require a study to assess potential negative impacts on the proposed development due to its proximity to the waste disposal site.

(b) Agricultural Uses

(i) Separation distances between new or expanding livestock and poultry operations and non-farm uses in the Rural Community shall be in accordance with the Ontario Minimum Distance Separation Formulae.

(ii) Agriculture is recognized as a traditional use in Armour Township and it often defines the character and landscape of the Rural Community. Continuation of existing

agricultural operations will be supported.

- (iii) Alternative farm businesses such as maple sugar operations, bio-diesel refiners, hobby farms, kennels or game farms will be encouraged in the Rural Community where they are on lands of sufficient size to accommodate their use; where they will be compatible with existing abutting uses in the area; where environmentally sensitive features are protected; and where there is a sufficient supply of water.

(c) Industrial Uses

- (i) The industrial use of land in the Rural Community shall be for manufacturing, assembly, processing, fabrication, warehousing and storage of goods and materials. This policy also permits compatible commercial, public and institutional uses deemed suitable and accessory to industrial operations such as factory outlets, offices, restaurants and caretakers' apartments.
- (ii) Council shall exercise discretion in zoning lands for industrial uses in order to permit only dry industries in the municipality. Dry industries are defined as those whose fluid waste discharge consists of nothing more than the domestic waste water of employees and customers and does not exceed 10,000 litres/day.
- (iii) Industrial uses in the Rural Community shall be required to locate only where access is available to a municipal road maintained by the Township on a year-round basis with no seasonal load limits.
- (iv) Industrial uses shall be sited to screen outside storage from view by means of buffering and setbacks.
- (v) Industrial uses shall only be permitted by amendment to the Armour Township Zoning By-law and shall be subject to Site Plan Agreements under Section 41 of the **Planning Act**. Prior to a decision to amend the Zoning By-law, MOECP's D-Series Guidelines for Land Use Compatibility (D-1 and D-6) shall be applied, the appropriate technical studies carried out, and the recommendations from these studies implemented through such tools as (but not limited to) the Zoning By-law, site plan agreements, holding

provisions, and MOECP Certificates of Approval.

- (vi) Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:
- That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
 - That suitable conditions exist for an individual on-site sewage disposal system.
- (vii) Where a land use change or industrial development is proposed that may adversely affect existing uses, a land use compatibility study that assesses the impacts of odour noise, vibration, particulate or other emissions may be required in accordance with provincial D-series guidelines.

(d) [Commercial/Industrial Redevelopment Corridors](#)

As part of the Highway 11 widening process, certain Armour Township roads are being re-constructed by the Ministry of Transportation to a paved standard with no seasonal load limits. The following Township roads are either affected by this initiative or already enjoy no seasonal load limits. Areas accessed by the following roads are therefore identified in an overlay general designation by a red “C” as commercial/industrial re-development corridors on Schedule “A” Land Use Plan:

- Pickerel and Jack Lake Road and Berriedale Road from Ontario Street to Pevensey Road
- Sterling Creek Road & Pevensey Road at new Highway 11 interchange
- North Pickerel Lake Road west of new Berriedale Road
- Highway 520 West
- Highway 520 South (Ontario Street)
- Pegg’s Mountain Road at new Highway 11 interchange

- New Katrine Service Road from Highway 520 (Ontario Street) to Sunset Pass Drive
- Commercial Drive

New or redeveloped commercial/industrial uses shall be subject to zoning by-law amendments and/or site plan agreements under Section 41 of the **Planning Act**. In the process of amending the zoning by-law and drawing such agreements, the Ministry of Environment Conservation & Parks *D-Series Guidelines for Land Use Compatibility (D-1 and D-6)* shall be applied.

An accessory dwelling unit may be permitted above or attached to a principal commercial use, except automotive uses.

Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:

- That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
- That suitable conditions exist for an individual on-site sewage disposal system.

(e) Recreational Commercial Uses

Recreational commercial uses permitted in the Rural Community may include lodges, camps, clubs, golf courses, trailer parks, convenience stores and other similar uses devoted to serving the tourism industry. These uses will be zoned appropriately in the Armour Township Zoning By-law and certain uses such as trailer parks may also be subject to regulation through other municipal by-laws. New recreational commercial developments will be subject to site plan agreements under Section 41 of the **Planning Act**.

The Armour Township link in the Trans-Ontario Provincial Snowmobile Trail system is an important recreational asset. Council shall ensure that development conflicts with the trail are minimized and that businesses are encouraged to provide services and accommodations for the trail users.

Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:

- That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
- That suitable conditions exist for an individual on-site sewage disposal system.

(f) Waste Disposal Sites

- (i) Arrangements for the disposal or management of solid wastes in the Rural Community will be reviewed from time to time with a view to consolidating disposal areas, improving site operations, rehabilitating worked out sites and establishing future sites.
- (ii) Under no circumstances will residential uses be permitted on any lands formerly used for waste disposal or waste management.
- (iii) Closed waste disposal and waste management sites will be shown on Schedule 'A' Land Use Plan. Council, in consultation with the Ministry of Environment Conservation & Parks, will not allow development on or adjacent to such sites for a minimum period of 25 years after closing.
- (iv) All lands used for solid waste disposal or waste management shall provide adequate protection to residents against any adverse environment effects as required by Provincial legislation.
- (v) The development of salvage yards and similar uses will be regulated by by-laws passed pursuant to the **Municipal Act** and all such uses shall be licensed by the Municipality. The location of salvage yards will be controlled by the zoning by-law and all new salvage yards shall require an amendment to the Official Plan. All end-of-life vehicle waste disposal sites shall also meet the requirements of Regulations 347 and 85/16 pursuant to the Environmental Protection Act.
- (vi) Sewage lagoons for municipal purposes, or for the disposal of wastes from septic or holding tanks, may be established by amendment to the zoning by-law. New or expanded

sewage lagoons must meet the requirements of the Ministry of Environment Conservation & Parks. The area within 400 metres (1300 feet) of the perimeter of a sewage lagoon is an area of potential adverse environmental impact. New or expanded sensitive uses (e.g., residential or recreational uses) within that area shall be appropriately separated from the limits of the existing lagoons, and conversely, new or expanded sewage lagoons shall be appropriately separated from existing sensitive uses. This shall be determined in accordance with MOECP D-Series Guideline D-2 and prior to a decision on the Zoning By-law amendment.

(g) Servicing Strategy

Council will explore options for allowing private communal sewage and water services, in addition to individual on-site services, by undertaking a sewage and water servicing strategy prior to the next five-year review of the Official Plan.

2.2 WATERFRONT COMMUNITY

2.2.1 DEFINITION

The predominant use of land in this category shall be for permanent single detached dwellings and detached seasonal dwelling units. This category may include recreational uses, marinas, tourist establishments, trailer parks, and retail service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of the local lakeshore residents.

The Waterfront Community designation shall be defined as those lands extending inland 300 metres (1000 feet) from any waterbody or river so designated on Schedule "A" to this Plan with the exception of lands with topographic constraints (i.e. steep slopes, wetlands, creeks) or man-made constraints (i.e. highways, railways, hydro or gasline corridors, rights-of-way, property boundaries) which would orient the use of such lands away from the waterbody or river.

2.2.2 OBJECTIVES

- (a) To promote controlled public access to the recreational lakes in Armour Township;
- (b) To control the development of recreational/commercial uses in

lakeshore areas;

- (c) To evaluate shoreline development proposals on the basis of their impact on water quality and the natural and human environment;
- (d) To correct existing and prevent potential sources of pollution; and
- (e) To ensure that new development or redevelopment is compatible with and appropriately separated from surrounding uses and that negative environmental impacts and land use conflicts are avoided or minimized.

2.2.3 GENERAL POLICIES

- (a) It is intended that single detached dwellings in the Waterfront Community will be zoned in part for permanent use and in part for seasonal use.
- (b) New uses and redevelopments shall be set back sufficiently from the shoreline of any lakes or water courses to ensure adequate protection from flooding and protection of these waters from pollution

No New Development Until Lake Capacity Studies Are Completed

- (c) With the exception of property consolidations or access rights of way, all lands with frontage on lakes in Armour Township are closed to new land division by consent or plans of subdivision or condominium or any other type of intensification including corporate, co-operative or fractional ownership until such time as lake development capacity studies have been completed (see Section 2.2.4) in accordance with the Lakeshore Capacity Assessment Handbook. Such studies will be implemented as Appendices to the Official Plan containing lake-specific development limits and guides.
- (d) All new development or major redevelopment on existing lots of record in the Waterfront Community shall be subject to site plan agreements under Section 41 of the **Planning Act, 1990**.
- (e) Major development, or redevelopment including new driveways on existing lots of record in the Waterfront Community shall be required to prepare stormwater management/siltation control plans to the satisfaction of the Township.

- (f) Backlot severances will not be permitted in the Waterfront Community. Backlot severances shall be defined as development of land by subdivision or severance or by any other means within 300 metres (1000 feet) of any lake or substantial creek or river that is separated from that waterbody by a public road or an existing lot of record having a developable area sufficient in size to legally accommodate development.
- (g) Where considered desirable by the approval authority, a study shall be required by a Professional Engineer to indicate:
 - That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
 - That suitable site conditions exist for an individual on-site sewage disposal system.
- (h) The policies of Section 4.3 Cultural and Archaeological Resources apply to waterfront development.

2.2.4 POLICIES FOR LAKE PLANS

Each Armour Township lake is different in terms of character, limnology and physical features. A lake's capacity for development is assessed with the Lakeshore Capacity Model as outlined in the Lakeshore Capacity Assessment Handbook. There is no universal template or computer model that can be applied to all lakes in Armour Township to determine capacity to accommodate new shoreline development. Lake plans may therefore be developed for specific lakes in Armour Township to monitor lake chemistry, establish standards and limits for new lot creation, and to control development activities or address other special needs.

- (a) A lake plan will be encouraged with the stakeholders in each Waterfront Community and land use controls will be implemented through policies in the Official Plan.
- (b) Lake plans shall provide more detailed land use policy direction for specific lakes and are intended to go beyond the general policy framework of the Official Plan. Lake plans shall identify, reflect and respond to the character and physical capabilities of specific lakes.

- (c) The land use planning components of a lake plan will be carried forward in the Official Plan while other features of a lake plan will be implemented through the efforts of individual ratepayer organizations.
- (d) It is recognized that environmental, physical and social factors other than recreational water quality may also present limits to the amount of development that would be desirable for a particular lake. Therefore, the preparation of specific lake plans in consultation with the Waterfront Community are strongly encouraged to address these matters on an individual lake basis.
- (e) Specific lake plans may identify the recreational carrying capacity of that particular lake based upon various factors. Recreational carrying capacity refers to the point at which the shoreline facilities and the recreational activities, which they generate, are in balance with the ability of the waterbody to withstand the impact. This must take into account the physical environmental and human activity and perception.
- (f) The following matters should be addressed through specific land use planning policy in a lake plan:
 - (i) Definition of the characteristics of the lake;
 - (ii) Topography, landscape, shoreline features and hazards;
 - (iii) Shoreline constraints and influences;
 - (iv) Allocation of water quality capacity;
 - (v) Cultural landscape; historic development, archaeological resources;
 - (vi) Built heritage;
 - (vii) Open space, recreation areas and trails;
 - (viii) Points of public access;
 - (ix) Development potential and capacity;
 - (x) Natural areas or landscape features to be preserved;
 - (xi) Definition of character to be preserved;
 - (xii) Specific policies and standards for development; and
 - (xiii) Existing number of vacant lots on the lake and the justification for new lot creation.

Development policies for the following specific lakes will be added as lake plans become available as Appendices for information only, and not by Official Plan Amendment.

2.2.5 POLICIES FOR DEER LAKE

2.2.6 POLICIES FOR JACK'S LAKE

2.2.7 POLICIES FOR LARSON LAKE

2.2.8 POLICIES FOR LITTLE DOE LAKE

2.2.9 POLICIES FOR OWL LAKE

2.2.10 POLICIES FOR PICKEREL LAKE

2.2.11 POLICIES FOR PIKE LAKE

2.2.12 POLICIES FOR RAT LAKE

2.2.13 POLICIES FOR THREE MILE LAKE

2.2.14 POLICIES FOR CONVERSIONS

The intent of these policies is to permit the conversion of seasonal dwellings to permanent dwellings by means of special provisions in the Armour Township Zoning By-law.

- (a) The lot shall have access by means of an open roadway, owned and maintained on a year-round basis by Armour Township.
- (b) Conversions shall be permitted only if the lake has the capacity to support the conversions and the existing dwelling is suitable for such a conversion and can be brought up to the standard of a permanent home in the opinion of the Chief Building Official.
- (c) Council may request a report from a qualified professional in order to determine the ability of any water supply system or waste disposal system to adequately serve a seasonal dwelling which is to be converted to a permanent residence. The use of holding tanks shall be prohibited.

2.2.15 WATERFRONT LOT ACCESS

(a) **By Water**

On waterfront lots of record where access by road is either impractical or impossible, Council may permit seasonal use of such lots where separate mainland parking and docking facilities is available and navigable water frontage is available to the subject lot.

(b) By Private Condominium Roads

Private roads are lanes, roads or rights-of-way providing access to two or more lots/units maintained by private individuals or Condominium Corporations. It is the policy of Armour Township Council to restrict new development on private roads to internal roads within Plans of Condominium in accordance with the Provincial Policy Statement.

Development Agreements and Site Plan Agreements applicable to units in plans of condominium shall contain wording to indicate that:

- (i) The owner acknowledges and agrees that the lot/unit in question does not front on a public road assumed for maintenance by Armour Township; and
- (ii) The owner acknowledges and agrees that Armour Township is not required to maintain or snowplow the said private road, and also is not required to provide emergency services, garbage collection or school busing; and
- (iii) The owner acknowledges and agrees that Armour Township will not take over or assume a private road as a Township public road or street unless it has been built according to an appropriate Township road standard; and
- (iv) The owner acknowledges and agrees that Armour Township is not liable for any injuries, losses or damages as a consequence of the Township issuing a building permit.

2.2.16 COMMERCIAL WATERFRONT DEVELOPMENT

(a) Expansion of Existing Commercial Operations

- (i) In the case of existing commercial operations which comply with the requirements of the Armour Township Zoning By-law, proposals for expansion and/or redevelopment of lands, buildings or structures zoned for such uses shall be considered provided such expansion or redevelopment also meets the requirements of the relevant development policies of this Official Plan.
- (ii) Any proposal for expansion and/or redevelopment of any existing commercial operation shall require innovative waste treatment technology approved by the appropriate agency pursuant to the Ontario Building Code Act or the Environmental Protection Act

designed to prevent the artificial input of phosphates, nitrates and carbonates (plant nutrients) to the waterbody.

- (iii) Expansion and/or redevelopment of existing commercial operations shall be subject to site plan agreements under Section 41 of the **Planning Act**.
- (iv) Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:
 - That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
 - That suitable conditions exist for an individual on-site sewage disposal system.
- (v) The lake's capacity to support expansions to existing commercial operations will be assessed.

(b) **New Commercial Operations**

Proposals for new commercial operations on lands not zoned for such uses in the Waterfront Community shall be refused until such time as lake development capacity studies have been completed.

2.2.17 SITE PLAN AGREEMENTS FOR WATERFRONT DEVELOPMENTS

These policies should be read in conjunction with Section 5.7 Site Plan Control, of this Plan.

(a) **Application Requirements**

When an application is received for the development or redevelopment of a lot of record the application shall be complete as per the Pre-Consultation Agreement and shall be accompanied by a site plan per the requirements of Section 41 of the **Planning Act** which shows:

- (i) The location of all existing or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from lot lines and from an abutting watercourse or lake; and

- (ii) The approximate location of all natural and artificial features on the subject land (e.g., roads, drainage ditches, wells, watercourses, banks, slopes, wetlands, wooded areas etc.).
- (iii) The location of existing and proposed dwellings on the same lot including any new septic or filter bed sewage system. Existing septic or filter bed sewage systems, if any, are to be decommissioned unless the existing dwelling is being demolished.

(b) Site Plan Control Guidelines

All applications subject to site plan control will be reviewed against a set of municipal guidelines. The guidelines shall determine if additional studies are necessary to support the application and a Site Plan Agreement. The guidelines will provide Armour Township staff with checklists and explanatory text in order to develop appropriate Site Plan controls respecting the following:

- A) The siting of individual on-site sewage disposal systems;
- B) The siting of individual on-site water services, particularly drilled or dug wells;
- C) Proposed site drainage;
- D) House and/or building siting;
- E) Requirements for the protection and conservation of vegetation;
- F) Site grading and replacement of fill.

(c) Natural Vegetative Buffers

When a Site Plan Agreement is required for development or redevelopment on lands which front on a designated lake or watercourse, a natural vegetative buffer of not less than 15 m (49.2 ft.) in depth along the shoreline or watercourse shall be identified on the Site Plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetative buffer except for the removal of dead or diseased trees, debris or noxious plants or where a landscaped corridor not greater than 9 m (29.5 ft.) in width is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment.

(d) **Site Plan Control - Additional Information**

Where deemed necessary, in accordance with the municipal guidelines (see also Section 5.1.2), Council, or its designate, may require additional site information, which may include:

- A) A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions. This report should be verified by a soils analyst or consultant with demonstrated competence in soils analysis. This study should be sent to the North Bay-Mattawa Conservation Authority for review and comment;
- B) A groundwater or surface water quality impact study which shows the impact of the proposed use on water quality and how this impact can be effectively minimized;
- C) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and
- D) A screening plan showing how the proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved or enhanced; and
- E) Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:
 - That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
 - That suitable conditions exist for an individual on-site sewage disposal system with no negative impacts on sensitive surface and ground water features.

2.3 FLOOD PLAIN AREAS

2.3.1 DEFINITION

The Flood Plain areas of Armour Township include the beds of all navigable waterways, all Crown lakebeds and lands seasonally inundated by water and subject to flooding during a Regulatory Flood event and/or potential loss of life if those lands were built upon. The Regulatory Flood area in Armour Township is the greater of:

- (a) The area of the municipality which will be flooded during a storm occurring on average once every 100 years; or
- (b) The area of the municipality which would be flooded if rainfall data was modelled from an intense storm which occurred in Timmins in 1961 and could occur in the Armour Township region.

Most of these mapped areas were identified based on the Township's interpretation of aerial photographs.

2.3.2 OBJECTIVES

- (a) To direct development away from Flood Plain areas.
- (b) To correct existing and to prevent potential sources of pollution.

2.3.3 POLICIES

(a) **Regulatory Flood Elevations**

All lands situated below the Regulatory Flood elevations are located in the Flood Plain.

The regulatory flood elevations identified for the 12 sections of the Magnetawan River are most accurate at the locations of the evaluated cross-sections shown on Schedule "A". For areas between the 12 cross-section locations, the flood elevation at the upstream (higher) cross-section will be applied.

The mapping included on Schedule A shows the approximate location of the identified regulatory flood elevations on the Magnetawan River. The precise location of these Flood Plain boundaries or the Flood Plain boundaries on Doe Lake, Little Doe Lake and Pickerel Lake, however, can

only be determined through surveying of spot elevations by an Ontario Land Surveyor.

LAKES AND MAGNETAWAN RIVER CROSS SECTIONS	REGULATORY FLOOD ELEVATIONS (CGD)
Little Doe Lake Doe Lake Channel Pickerel Lake Magnetawan River - Katrine 1 Magnetawan River - Katrine 2 Magnetawan River - Katrine 3 Magnetawan River - Katrine 4 Magnetawan River - Katrine 5 Magnetawan River - Katrine 6 Magnetawan River - 7 Magnetawan River - 8 Magnetawan River - 9 Magnetawan River - 10 Magnetawan River - 11 Magnetawan River - 12	296.91m 296.91m 323.80m 296.90m 296.90m 297.00m 297.10m 297.20m 297.40m 296.70m 296.40m 296.30m 296.30m 296.20m 296.00m

(CGD: Canadian Geodetic Datum - elevation above mean sea level)

(b) Normal High Water Mark

In areas where the Regulatory Flood elevation is not known and where there has not been air photo interpretation of the potential flood plain boundary beyond that which identifies the normal high water mark, lands below the Normal High Water Mark, as measured by an Ontario Land Surveyor, shall be considered within the Flood Plain and so zoned in the Armour Township Zoning By-law.

(c) Flood Proofing

- (i) Where existing structures and/or vacant lots of record are situated within the Flood Plain, all redevelopment, reconstruction, alteration or expansion permitted by the Zoning By-law, shall be located outside the Flood Plain to the extent feasible. Where this is not feasible, such works shall be flood-proofed in accordance with known Regulatory Flood elevations. Alterations to existing

development located in the Flood Plain shall not increase the ground floor area.

- (ii) All flood-proofing measures shall be undertaken to the satisfaction of the Chief Building Official. Flood-proofing plans prepared for the landowner by a qualified professional engineer and in accordance with Appendix 6 of the MNRF's Technical Guide: River and Stream Systems: Flooding Hazard Limit, may be required by Council
- (iii) In the case of a severe flood where a building is destroyed in a Flood Plain area, permission will be granted by Council to permit the building to be rebuilt on the same site provided that it is flood-proofed to the appropriate flood-proofing elevations and reconstructed to the same ground floor area.

(d) **Intended Ownership**

Where any land within a Flood Plain area is privately owned, this Plan shall not be interpreted that such areas are open and free for use by the general public or that they will be purchased by the Township or any other public agency.

(e) **Permitted Uses**

Where land is within the Flood Plain area, the intent is to ensure that new or expanded development does not occur.

Uses permitted in the Flood Plain include:

- Open space for public or private recreation
- Marinas and boathouses
- Agricultural uses for cropland, livestock feeding and grazing, and nurseries
- On a site specific basis - storage yards and parking areas, aggregate extraction save and except buildings and structures, storage materials as long as they are not explosive, buoyant, corrosive, flammable, or a pollutant
- Roads, bridges, railways and other public services of approved hydraulic design; appurtenances which would not obstruct the passage of flood waters or debris
- Approved structural works used for flood and erosion-sediment control.

(f) **Amending the Flood Plain Boundary**

For Flood Plain Areas that were identified based on interpretation of aerial photographs, minor corrections may be made to the Flood Plain boundaries through a zoning by-law amendment process, if Council is satisfied that it has sufficient information to support the refinement. Such minor corrections would clarify the interpretation of the land use designation boundary.

Except as provided above, amendment to the Flood Plain designation can only proceed if a technical report, prepared by a qualified hydrological engineer, has determined that the identified Flood Plain Area would not be subject to the regulatory flood. Such reports must be prepared for the entire "reach" of a waterbody, which in the case of a river would be the inter-related parts of the river. Such reports would generally be prepared by a qualified engineer retained by a development proponent.

Placement of fill is not an acceptable basis for amendment to Flood Plain Area boundaries, based on public health and safety concerns with the potential for increased flood-related impacts to other properties.

2.4 ENVIRONMENTAL CONSTRAINT AREAS

2.4.1 DEFINITION

The purpose of this section is to recognize that certain areas of Armour Township have special environmental values and other constraints which should be taken into account when applications for new or extended development are considered by Council. Such areas include mineral aggregate resource deposits, significant wildlife habitats, deer wintering areas, significant habitat of endangered and threatened species, abandoned mine hazards, significant fish habitat and wetlands. Except for significant habitat of endangered and threatened species, these features, where known, are shown on Schedule "B" to this Plan as environmental constraints to development.

2.4.2 OBJECTIVES

To encourage development to locate in areas which are not environmentally sensitive and to strive to protect environmentally sensitive areas through careful review of all development proposals.

2.4.3 POLICIES

(a) **Mineral Aggregate Resource Areas**

- (i) Council shall have regard for the availability of mineral aggregate resources to meet future local and provincial needs. Detailed mineral aggregate resource mapping is not available for Armour Township. For the purpose of this Plan, ice-contact glacial deposits represent the highest potential for aggregate resources and are designated on Schedule "B" Environmental Constraint Areas. The establishment of new pits or the expansion of existing pits and quarries shall not require an official plan amendment but shall be accommodated by means of a zoning by-law amendment. Temporary pits and quarries opened by a public road agency will require no amendments to the Official Plan or the Zoning By-law.
- (ii) New proposals for alternative land uses, or expansion of existing land uses, in or adjacent to mineral aggregate resource areas identified on Schedule "B", will only be permitted if the following criteria are met:
 - Extraction would not be feasible; or
 - The proposed land use or development serves a greater long-term interest of the general public than does aggregate extraction and issues of public health, public safety and environmental impacts are addressed; or
 - The proposed land use or development would not significantly preclude or hinder future extraction.

(b) **Deer Wintering Areas**

- (i) It is the intent of the Plan to ensure at a minimum an undiminished diversity of self-sustaining wildlife populations and the natural communities which support them and to provide continuous public access to, and benefits from, wildlife. This management will be in part accomplished wherever feasible, by protecting areas of significant deer habitat on both private and public lands identified as Deer Wintering (Confirmed) and Strata 1 & 2 Potential Deer Winter Habitat as identified on Schedule "B" Environmental Constraint Areas.

- (ii) As part of the pre-application process, the applicant with the municipality will identify significant deer wintering areas using criteria provided to the municipality by the MNRF. Should any significant deer wintering areas be confirmed, development will be subject to a winter deer habitat assessment. Development and site alteration shall not be permitted in significant winter deer habitat unless it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.
- (iii) Where development is proposed on a site deemed to be a deer wintering area, new lots must have a minimum lot frontage and depth of 90 metres. Where new lots are proposed in an area where there is a narrow conifer fringe on a shoreline that provides critical deer habitat, the minimum frontage shall be 120 metres and minimum depth 90 metres. Lesser lot sizes may be considered pending an evaluation prepared by a qualified specialist indicating that winter deer habitat does not exist.
- (iv) Planning Act applications that meet the tests for Minor Variance are not required to do a winter deer habitat assessment as part of a Minor Variance application.
- (v) All Planning Act applications for consents to sever up to two lots for single detached dwellings, lot additions or separation of merged lots are not required to also do a winter deer habitat assessment.

(c) **Significant Habitat of Endangered and Threatened Species and Significant Wildlife Habitat**

Council recognizes the importance and value of both the significant habitat of endangered and threatened species and significant wildlife habitat in Armour Township and supports their protection.

- (i) Development and site alteration shall not be permitted in habitat of endangered and threatened species, except in accordance with provincial and federal requirements.
- (ii) A range of significant wildlife habitats (in addition to deer wintering habitat) may occur in Armour Township, as described in the MNRF Significant Wildlife Habitat Technical Guide. New development and site alteration shall only be permitted within the significant wildlife habitat or adjacent lands (generally within 120 metres) to the significant wildlife habitat if it has been

demonstrated through a site-specific assessment (i.e. Environmental Impact Study) that there will be no negative impacts on the natural features or their ecological functions.

- (iii) While a small number of locations of significant habitat of endangered and threatened species and significant wildlife habitat are known, the majority can only be identified through site assessment. Accordingly, before new site-specific planning approvals are granted for larger scale development (e.g. subdivisions/condominiums, major industrial or commercial developments), Council will generally require that an appropriate level of site assessment be carried out by a qualified professional before new planning approvals are granted. This will ensure that such significant habitats, if present, are identified. In the case of habitat of endangered species and threatened species, development and site alteration shall not be permitted, except in accordance with provincial and federal requirements.

(d) **Significant Fish Habitat**

- (i) It is the intent of the Plan to promote the wise management and sustainable use of fisheries so as to provide recreational and economic benefit to Armour Township and the Province of Ontario, consistent with the maintenance of healthy aquatic ecosystems and the no net loss policy of the Canada Fisheries Act.
- (ii) In considering new development or redevelopment adjacent to a body of water, Council shall consider the following:
 - Developments shall generally not be permitted where they would be entirely adjacent to Type 1 or unknown fish habitat areas mapped by the Ministry of Natural Resources, unless a fish habitat assessment has determined that there are adequate areas not of Type 1 habitat where docking and other shoreline facilities can be located; and
 - Methods by which negative impacts on the habitat can be minimized or eliminated; and
 - The need to provide or maintain public access.
- (iii) Prior to making a final decision on new development proposals referred to above, Council may require additional studies, special

engineering works or design controls to ensure that the resulting development does not adversely affect the ability of the natural habitat to sustain healthy fish populations.

(iv) Notwithstanding applicable flood-proofing elevations, all new waterfront structures except docks, uninhabited boat houses or those intended for flood or erosion control shall be set back as follows with such setbacks measured horizontally from the water's edge;

- 30 metres from coldwater lakes and streams;
- 15 metres from warmwater/coolwater lakes and streams;
and
- 30 metres from Type 1 fish habitat.

(e) **Forest Resources**

It is the intent of this Plan to maintain a commercial forest base so as to provide a continuing contribution to the economy of Armour Township and the Province of Ontario by forest based industries. Forest management will be encouraged on both public and private lands and will be in accordance with harvest techniques and management techniques recommended by the Ministry of Natural Resources & Forestry.

(f) **Wetlands**

Wetland areas are a significant environmental resource, which contribute to the ecological, social and economic well being of the Township of Armour. It is the intent of this Plan to protect wetland areas within the Township from incompatible land uses. There are no known provincially significant wetland areas in the municipality. If one is identified, no development or site alteration will be permitted in it or adjacent to it. Lands adjacent to a provincially significant wetland are defined as within 120 metres until further evaluation proves another distance more appropriate.

(g) **Wildland Fire Hazard Areas**

MNRF has provided Appendix "A" preliminary mapping of potential wildland fire hazard areas in Armour Township. This generalized MNRF mapping does not confirm or exclude the presence of hazardous forest

types but may be used as a starting point for the completion of an Armour Township wildland fire assessment plan.

In the interim, before a wildland fire assessment plan has been prepared, the following guidelines are suitable for use in guiding applications for new development in or near potentially dangerous areas of Armour Township identified on Appendix "A" as follows:

- (i) If it is found that the wildland fire risk potential is high to extreme, the MNRF recommends undertaking the two-step process (levels 1 and 2) for assessing the required mitigation efforts, as described in the Wildland Fire Risk Assessment and Mitigation Reference Manual, 2017.

PART III

DEVELOPMENT POLICIES

In order to ensure and facilitate methodical and logical development within the Township of Armour, the following general policies shall be applied to all land use designations.

The uses permitted in this Plan, and regulations for such uses shall be set forth in the implementing Zoning By-law. Regard shall be had for the protection of existing or permitted uses, especially in the case of conflicting land use proposals.

Council shall consult with adjacent municipalities when considering land use development proposals which could have effects on the environment of any neighbouring municipality.

In addition to all of the applicable municipal requirements, all development adjacent to, or in proximity to, a provincial highway is also subject to the safety and geometric requirements and permits of the Ministry of Transportation as detailed in Section 3.2 of this Plan.

3.1 LAND DIVISION

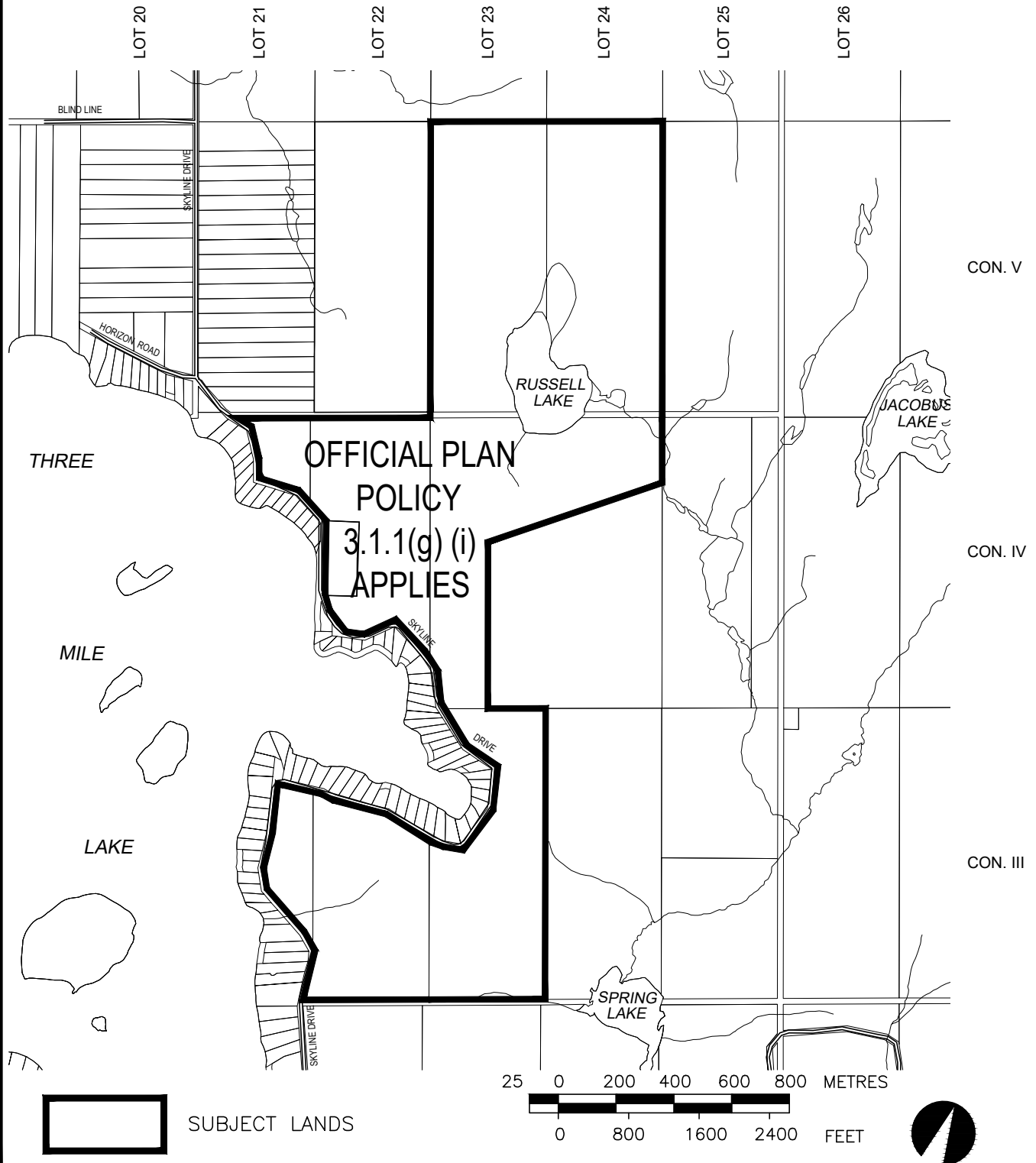
3.1.1 SEVERANCES

Severance by consent is the primary form of development in Armour Township and shall be permitted to continue provided it does not result in negative impacts to municipal services. The following policies apply in addition to specific land use policies applicable in Part II of this Plan.

- (a) Prior to considering any land severance application, the Southeast Parry Sound District Planning Board (the Planning Board) shall establish that a plan of subdivision is not necessary for the proper and orderly development of the subject and surrounding lands.
- (b) Large lots shall be encouraged with wide frontages of not less than 61 metres (200 feet) and areas of not less than 0.8 hectares (2 acres).
- (c) This subsection deleted by Official Plan Amendment No. 3.

- (d) Severances shall not be permitted in any areas subject to the dangers of flooding, erosion or slumping, steep slopes, wetlands or high water table, or organic soils or any other physical hazards.
- (e) Severances shall not be permitted in any areas which would result in negative impacts on natural heritage features such as fish habitat, significant wildlife habitat, and significant habitat of endangered species and threatened species.
- (f) Development is permitted within 1,000m of an identified abandoned mine hazard only if it has been demonstrated (e.g., through a technical study) to the Ministry of Northern Development and Mines that the site no longer presents a hazard. Early consultation with the Ministry of Northern Development and Mines on development proposals within 1,000m of a known mine hazard is advisable.
- (g) Backlot severances are not permitted in the Rural Community or Waterfront Community areas. Backlot severances shall be defined as development of land by subdivision or severance or by any other means within 300 metres (1000 feet) of any lake or substantial creek or river that is separated from that waterbody by a public road or by an existing lot of record having a developable area sufficient in size to legally accommodate development.
 - (i) Notwithstanding Armour Township Official Plan Policy 3.1.1(g) consents approved by the Southeast Parry Sound District Planning Board as B-032/23, B-033/23, B-034/23 and B-035/23 plus the retained parcel, and known in a block as 723 Skyline Drive, do not meet the definition of backlot development as they re-establish existing lots of record which were merged in title by error. (OPA 5)
- (h) Access to individual lots, wherever possible, shall be from Township roads and not from Provincial highways. Sight lines for access to new lots should not be obstructed by curves or grades in the public roadway.
- (i) Severances shall not be permitted without frontage on a road which is open year-round and publicly owned and maintained.
- (j) In no case shall any severed parcel or retained parcel be approved by the Planning Board which does not conform to the policies of this Plan or to the provisions of the Armour Township Zoning By-law or does not have regard for matters in Section 51(24) of the **Planning Act**.

Municipal Corporation of the Township of Armour Location Map for Official Plan Amendment No.5



LOCATION MAP FOR OFFICIAL PLAN AMENDMENT NO. 5

January 9, 2024 MAYOR Original signed by Rod Ward CLERK Original signed by John Therault

- (k) Severances will be discouraged if the establishment of the proposed use could lead to land use conflicts with existing non-conforming uses in the immediate vicinity.
- (l) All severances shall meet the requirements of the Ontario Minimum Distance Separation Formulae.
- (m) No severance shall impose an undue financial burden on the Township.
- (n) Severances for minor boundary adjustments or easements shall be permitted provided a separate lot or parcel is not created. Consents shall also be permitted to increase the area of an undersized lot.
- (o) An archaeological assessment will be required for development on lands with archaeological potential in accordance with Section 4.3.
- (p) The proponent shall demonstrate that there is sufficient off-site reserve sewage system capacity for hauled sewage (e.g. a letter from a sewage hauler as part of a complete application).

3.1.2 INDUSTRIAL/COMMERCIAL SEVERANCES

Industrial/commercial lots may be severed one lot at a time subject to site plan agreements and compliance with the relevant provisions of this Plan and the Armour Township Zoning By-law.

Where industrial or commercial uses are proposed on the basis of private on-site sewage services or private on-site water services, these uses shall be restricted to dry industrial and commercial uses, unless demonstrated, through a hydrogeological assessment, prepared to the satisfaction of Council by a qualified professional in accordance with applicable MECP guidelines, procedures, and standards, that adequate on-site sewage and water services can be provided without unacceptable impacts.

For the purposes of this policy, “dry industrial or commercial uses” are defined as those uses in which only the disposal of domestic waste of employees is permitted and treated and no industrial liquid wastes, wash or cooling water or process wastes are permitted.

Where an industrial area is being revitalized, a Record of Site Condition is required under Regulation 153/04 where a land use is changing to a more sensitive use, as defined in the Regulation.

3.1.3 PLANS OF SUBDIVISION - GENERAL

- (a) Where a new roadway or roadway extension is necessary, Council shall encourage development by registered plans of subdivision pursuant to Section 51 of the **Planning Act**, rather than by individual land severances.
- (b) Council shall recommend only those draft plans of subdivision which comply with the policies and land use designations of this Plan and which can be supplied with adequate services by the Township including municipally owned and maintained roads or common element condominium roads.
- (c) Council shall ensure that all new plans of subdivision provide a high standard of design compatible with adjacent existing planned development and that all costs associated with any development of the land are born by the developer.
- (d) Where required under the Ontario Water Resources Act, permits, approvals, and registrations may be required for proposed stormwater management facilities.

3.1.4 RURAL RESIDENTIAL PLANS OF SUBDIVISION OR CONDOMINIUM

- (a) It is the intent of this Plan to permit Rural Residential developments on private services in those parts of the municipality that are clearly suited for such development based on the natural amenity of the area.
- (b) Rural Residential developments shall consist of large lot/unit residential developments of single detached dwellings. Lots/units shall be at least 0.8 hectares (2 acres) in size or larger.
- (c) Rural Residential developments shall not be permitted to negatively impact the natural environment including any environmentally sensitive areas, fish habitat, significant wildlife habitat, and significant habitat of endangered and threatened species. No rural residential developments shall be permitted in Flood Plain areas.
- (d) Rural Residential developments shall be appropriately zoned in the Armour Township Zoning By-law.
- (e) Proposals for new Rural Residential developments shall be subject to the following criteria:

- (i) Not be located in the vicinity of any incompatible land uses and in particular shall meet or exceed the minimum distance separation formulae;
- (ii) Be sufficiently separated from industrial or major commercial operations in accordance with MOECP D-Series Guidelines (D-1 and D-6);
- (iii) Be directed to areas that are provided with school bus service;
- (iv) Have suitable access to a public road, on the basis of one individual well and sewage disposal system per lot/unit. The plans shall be subject to Township design criteria indicated in the Armour Township Zoning By-law;
- (v) Have an internal road system constructed to the standards established by the Township;
- (vi) Blend with and be in close proximity to scenic natural areas, such as prominent stream valleys, or wooded areas topographic variation;
- (vii) Be sufficiently separated from any extractive industrial operation;
- (viii) Cultural heritage resources and archaeological resources shall be conserved;
- (ix) Have regard for the effects of existing or proposed utility or transportation corridors;
- (x) Have regard for existing vegetation and prominent physical features;
- (xi) Be discouraged from locating within commercially viable woodlots;
- (xii) Development is permitted within 1,000m of an identified abandoned mine hazard only if it has been demonstrated (e.g., through a technical study) to the Ministry of Northern Development and Mines that the site no longer presents a hazard. Early consultation with the Ministry of Northern Development and Mines on development proposals within 1,000m of a known mine hazard is advisable.

- (f) In addition to the requirements of the **Planning Act** and the policies of Section 5.1.2 of this Plan, proposals for Rural Residential developments should be accompanied by the following documentation:
- (i) Detailed site plan including existing uses in the area, topography, wooded areas, watercourses, wetlands, roads and utilities;
 - (ii) Proposed development plan including lots/units, building envelopes, relationship to all natural features, roads, utilities and drainage features;
 - (iii) Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:
 - That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and
 - That suitable conditions exist for an individual on-site sewage disposal system; and
 - That sufficient off-site reserve sewage system capacity exists to accept hauled sewage from individual on-site sewage systems proposed for development.
 - (iv) Preliminary engineering report prepared by a qualified engineer to establish the feasibility of an adequate grading and drainage system and the means by which siltation and erosion will be prevented from adversely affecting water quality and fisheries habitat;
 - (v) Acoustical noise study and ground-born vibration transmission tests setting out restrictions for development near any railway or Provincial highway.
 - (vi) An archaeological assessment shall be required for development on lands with archaeological potential in accordance with Section 4.3. For any development that may impact cultural heritage resources, a heritage impact assessment or heritage conservation plan, prepared by a qualified heritage consultant, will be required

3.1.7 FINANCIAL CONSIDERATIONS - DEVELOPMENT AGREEMENTS

No new development shall be recommended for approval if in the opinion of Council such development would result in an undue financial burden to the Township. Proponents of any development shall therefore be required to enter into a development agreement and possibly additional agreements in order to protect the stable financial position of the Township.

3.2 ROAD TRANSPORTATION

3.2.1 INTRODUCTION

It is the intent of Council to encourage the development and maintenance of a safe and efficient public transportation system within Armour Township. This system consists of two Provincial highways and the local road network.

3.2.2 OBJECTIVES

- (a) To develop and maintain a public road network within the Township.
- (b) To maintain a road system under the Township's jurisdiction in accordance with a Road Management Study.

3.2.3 PUBLIC ROAD NETWORK

- (a) The road network within the Township shall consist of two Provincial highways (Highways 11 and 520), and the local road system. Provincial policies, including optimum right-of-way widths, shall prevail over the policies of this Plan for roads within the Township jurisdiction.
- (b) The road network shall be planned and implemented in accordance with the following functional classification:

- (i) **Provincial Highways**

- Highway 11 is a Provincial highway which serves as the main north-south transportation route, entirely bisecting the Township. It is classified as a controlled access roadway. Highway 520 functions to enable through traffic and to provide local access in some instances.

Approval of the Ministry of Transportation will be required for any development located within the permit control jurisdiction of Highway 11 as a Controlled Access Highway, or of Highway 520 as a King's Highway, as per the **Public Transportation and Highway Improvement Act**. Prospective developers should consult with the Ministry of Transportation early in the planning stage to ascertain permit requirements and areas of interest to the Ministry

All access to Highway 11 will be via the interchanges identified on Schedule 'A' Land Use Plan, and no other direct access will be permitted.

Permits from the Ministry of Transportation are required for any new buildings, site alterations or entrances within 46 metres (150 feet) of the highway property line and within a radius of 395 metres (1,300 feet) of the centre point of the intersection of a road and Highway 11, or within a radius of 180 metres (600 feet) of the centre point of the intersection of a road and Highway 520. Permits from the Ministry of Transportation may also be required for certain uses located within 800 metres (½ mile) of any limit of any provincial highway that cause people to congregate in large numbers.

Areas of interest that may need to be satisfied before permits are issued include, but not necessarily limited thereto, geometric and safety requirements, traffic impacts, grading and stormwater management, site layout, site servicing, exterior illumination, and signage.

(ii) **Local Roads**

Local roads provide direct access to abutting properties and complete the road network within the Township. The right-of-way width of local roads shall be 20 metres.

- (c) To ensure the structural and functional integrity of the local road system, Council shall maintain an up-to-date Road Management Study in order to plan for necessary road improvements.
- (d) Access locations and designs shall be controlled by the Ministry of Transportation and the Township of Armour.

3.3 NON-CONFORMING USES

- (a) A land use which was lawfully in existence prior to the passage of the Armour Township Zoning By-law and which continues to be utilized for such purpose may continue as a legal non-conforming use and may be deemed to conform to the intent of this Plan. In the latter case, such uses may be zoned in accordance with their present use and performance standards provided:
 - (i) The zoning does not permit any significant change of use or performance standards that will aggravate any situation detrimental to adjoining land uses; and
 - (ii) The use does not constitute a danger to surrounding uses by its hazardous nature or the traffic which it generates; and
 - (iii) The criteria of subsection (b) following are satisfied.
- (b) In accordance with Section 34(10) of the **Planning Act**, and notwithstanding the Flood Plain policies of the Plan, Council may amend a By-law passed under Section 34 to permit the extension or enlargement of any land, building or structure prohibited by the Zoning By-law provided the following requirements are met. The Committee of Adjustment will be similarly guided in considering applications under Section 45 of the **Planning Act**:
 - (i) It is not possible to relocate such a use to a place where it will conform to the By-law;
 - (ii) The proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use and should, if possible, be designed to alleviate adverse effects of the use;
 - (iii) The abutting uses will be afforded reasonable protection by appropriate buffering and setbacks;
 - (iv) The proposed extension or enlargement will be in appropriate proportion to the size of the non-conforming use;
 - (v) Adequate provision will be made for safe access and adequate off-street parking and loading facilities; and
 - (vi) All services, including private sewage disposal and water supply systems, shall be or can be made adequate.

3.4 RAILWAY CORRIDOR

Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to rail rights-of-way having a passive recreation or residential component. Sensitive areas for noise include within 500 meters of a principal rail line, 250 metres of a secondary rail line and 100 metres of other rail lines. In accordance with the province's Environmental Noise Guideline NPC-300 - studies should be required.

Specific land use controls respecting rail impacts shall be exercised on lands abutting or adjacent to rail rights-of-way and the following policies shall apply:

- (a) Prior to approval of applications for official plan amendments, zoning by-law amendments or plans of subdivision or condominium that permit the creation of new residential units or lots;
 - (i) Said applications shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures; and
 - (ii) The municipality may require that the owner/developer engage a consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to achieve the maximum noise limits set by the MECP to the satisfaction of the Township and in consultation with the appropriate rail company.
- (b) As a condition of approval of applications detailed in (a) preceding, provision shall be made where possible, for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to potential impacts of rail operations;
- (c) As a condition of approval of applications as detailed in (a) above preceding and as outlined hereafter, setbacks to address rail safety concerns shall be required for any new residential structure or place of public assemblage from the railway right-of-way. The appropriate safety setback will be determined in consultation with the railway company and will take into account provision for safety berms, topography and intervening structures between the railway right-of-way and the new residential dwelling or building, addition to an existing residential structure or place of public assemblage.
- (d) As a condition of approval of applications as detailed in (a) above preceding, the developer may be required to install and maintain combined security and acoustical fencing of a minimum height necessary to prevent trespass onto the adjacent railway right-of-way and attenuate noise to acceptable levels. As a

minimum requirement, chain link security fencing or 1.83 metres height will be required along the common property boundary with the railway right-of-way.

3.5 UTILITY CORRIDORS

Major transmission corridors of Hydro One and TransCanada Pipelines are not given specific land use designations on Schedule "A" Land Use Plan. Any new development which is proposed in the vicinity of Hydro One facilities shall be designed in consultation with Hydro One. In general, any structural development proposed near the right-of-way of TransCanada Pipelines shall be set back at least 10 metres from the lands containing the pipeline right-of-way and all such development shall be subject to the detailed development guidelines ("*Urban Development Adjacent to Pipeline Facilities*") provided by TransCanada Pipelines Limited.

3.6 PARKS AND RECREATION

(a) Land Conveyances:

Where an approval by Armour Township is required for the division of land or for the development or redevelopment of any land, the municipality shall request that the Planning Board require the owner to convey 5 per cent of such lands for park purposes. Lands having environmental problems may not be acceptable. All lands conveyed for parks purposes shall be approved by the Township. Where a waterbody adjoins such lands, adequate space shall be provided for maintenance of the park and its operation.

(b) Alternative Conveyances:

Where the size, shape, location or condition of the lands to be divided, developed or redeveloped is unsuitable for parkland acquisition, the Township, with the approval of the Planning Board, may require the owner to convey cash in lieu of such lands. The cash value of such lands will be determined by an appraisal authorized by the municipality. All such monies collected by the municipality shall be used in accordance with the provisions of the **Planning Act**.

3.7 PITS AND QUARRIES

- (a) The extractive industrial uses permitted in the Rural Community may include quarrying and the extraction of sand, gravel and other aggregates. Associated operations such as crushing, screening, aggregate storage, concrete batching and asphalt making may also be permitted.
- (b) The location of extractive operations shall be controlled by the Zoning By-law. When considering new operations, Council will ensure that the extractive use can be well separated from any neighbouring residential or recreational development. Legally existing pits and quarries will be protected from new or proposed expansions to existing sensitive adjacent land uses.
- (c) Wayside pits and quarries and portable asphalt plants and portable concrete plant used on public authority contracts will be permitted without the need for an Official Plan amendment, Zoning By-law amendment, or development permit under the **Planning Act** in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
- (d) Extractive operations shall be licensed by the Ministry of Natural Resources & Forestry under the Regulations of the **Aggregate Resources Act**.
- (e) Sensitive land uses and activities (e.g. severances and rural subdivisions) shall not be permitted on site or adjacent to existing pits and quarries, except in accordance with MOECP Guidelines D-1-2 and D-6. For new operations, the influence area is to be determined by appropriate studies carried out in support of land use approvals. For the encroachment of sensitive land uses on existing operations and undeveloped resource areas, in the absence of specific substantiating information (e.g. obtained through technical studies), a potential influence area of 1,000m shall apply. The recommended minimum separation distance is 300m.

3.8 MOBILE HOME PARKS

- (a) Mobile home parks may be permitted in the Rural Community by amendment to this Official Plan. Uses permitted in such developments will be primarily year-round dwellings comprising factory assembled single or double wide mobile homes or modular homes.
- (b) Planned retirement communities designed as mobile home parks with lease-back agreements shall also be permitted in the Rural Community by amendment to the Official Plan.

- (c) Other permitted uses within the mobile home park may include an accessory dwelling, a home occupation or profession, accessory services such as a laundromat, management office, recreation facility, open space uses and public uses and similar accessory uses which are considered necessary to serve the residents of the mobile home park. Travel trailers and any other recreational vehicles shall not be permitted in a mobile home park as dwellings.
- (d) Any application for the development or expansion of a mobile home park shall be subject to the following policies:
 - (i) All development proposals shall include a site plan which shows park design, lot size, road layout and surfacing, drainage, parking, topography, existing landscaping, walkways, buffering and common facilities.
 - (ii) Water supply and sewage disposal systems shall be designed and constructed in accordance with legislated requirements.
 - (iii) The proposed park shall be designed so as to preserve natural features and existing vegetation, especially trees, to the greatest possible extent.
 - (iv) The proposed site shall be compatible with adjacent land uses. An adequate open space area should be included around the perimeter of the mobile home park, to provide a noise and visual buffer more specifically, where adjacent land uses are commercial or industrial, regard should be had for the Ministry of Environment Conservation & Parks guidelines D1 and D6.
 - (v) Mobile home parks should not locate in close proximity to a water body, or where it would constitute backlot development.
 - (vi) Access to mobile home parks shall be from a public road maintained on a year round basis. Access to the individual sites within the mobile home park shall be from an internal private road that is maintained year round by the developer and/or operator. The internal road shall be built to the fire access route specifications of the Ontario Building Code.
 - (vii) All mobile home park proposals should include underground hydro and street lighting. The design and installation of these services is to be approved by the municipality and Ontario Hydro.
 - (viii) Mobile home parks shall be subject to a site plan agreement under Section 41 of the **Planning Act** and the Township shall require the owner to enter

into a development agreement to ensure the provision of proposed facilities, works or matters.

- (e) Hydrogeology, storm water drainage, grading, servicing and other technical analyses shall be required by Council when considering development applications for mobile home parks.

3.9 PUBLIC USES

Uses such as public parks and similar recreational facilities, and the installation of facilities essential to the operation of a public utility, with the exception of landfill and/or waste disposal sites, shall be permitted within the Rural and Waterfront Communities of this Plan, provided that such uses will be compatible with surrounding uses.

3.10 ACCESS TO PUBLIC ROADS

All uses should have safe and adequate vehicular access from a permanently maintained public road at a standard appropriate to that use. New development should only be permitted fronting onto an open public roadway or with access to such a roadway in the case of condominium developments. The roadway must be able to accommodate any increased traffic that may result from the proposed development.

The Township is responsible for providing a wide range of infrastructure and public service facilities and has established the 2017 Asset Management Plan in order to understand capital investments and long-term lifecycle costs of infrastructure provided by the municipality. Decisions related to the prioritization of investment in infrastructure will consider factors such as timing, capital budget, infrastructure risks and vulnerabilities including those caused by climate change, and consideration of the long term operational costs in the context of levels of service required.

New development on private roads is not permitted in Armour Township with the exception of internal roads in common element plans of condominium where the internal road is owned by the condominium corporation and the road is built to the fire access route specifications set out in the Ontario Building Code.

3.11 HOME OCCUPATIONS

Home occupations are permitted in the Rural and Waterfront Communities. A wide range of activities may be permitted, provided that the use is accessory and incidental to

the principal residential use and the area occupied by such a use shall be limited to a maximum of 25 per cent of the gross floor area of the dwelling.

Uses that would impact negatively on a provincial highway will not be permitted. Home occupations located on a provincial highway shall ensure that there is safe access and shall require access permits from the Ministry of Transportation when appropriate.

3.12 HOME INDUSTRIES

Home industries are permitted in the Rural Community. The activities permitted as home industries shall be established in the Zoning By-law provided that the uses are accessory and incidental to the principal rural residential use. Home industries located on King's Highway 520 West shall require access permits from the Ministry of Transportation to ensure the safety of the travelling public. Uses that would impact negatively on a provincial highway will not be permitted.

3.13 BED & BREAKFASTS

Bed and Breakfast establishments are permitted in the Rural Community based upon the following criteria:

- (a) A Bed and Breakfast establishment shall be located in areas where there is convenient access to a public road;
- (b) A Bed and Breakfast establishment shall have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking and provide adequate buffering for adjacent uses; and
- (c) A Bed and Breakfast establishment shall be located in an existing residential building which requires no significant external modifications to accommodate it.

3.14 TRAILER PARKS

- (a) Trailer parks for seasonal use only are permitted in the Rural Community by amendment to the Armour Township Zoning By-law.
- (b) Trailer Park areas and regulations for such uses shall be set forth in appropriate sections of the Zoning By-law and in By-laws passed pursuant to the provisions of **The Municipal Act** which permit the Municipality to control and licence trailers and trailer camps. Provisions will therefore be made for adequate

setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances and control of outside storage.

- (c) The implementing amendment to the Zoning By-law and a site plan agreement under Section 41 of the **Planning Act** shall include regulations and provisions addressing the following matters:
 - (i) The true shape, topography, contours, dimensions, area and location of property to be developed;
 - (ii) The location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the property;
 - (iii) Existing and anticipated final grades shown by contours where necessary;
 - (iv) Drainage provisions;
 - (v) All entrances and exits; and
 - (vi) The layout of the internal vehicular and pedestrian circulation system and the location and layout of proposed trailer sites.
- (d) An applicant who wishes to establish a Trailer Park must enter into a development agreement with the Township. This agreement shall be entered into prior to Council's enactment of the implementing Zoning By-law. Such an agreement should include:
 - (i) A guarantee that the operation of the park will continue to be conducted in accordance with the latest standards of the Canadian Mobile Home and Travel Trailer Association of Ontario, the Canadian Standards Association, The Tourist Establishment Act, and any other governing or regulating agency concerned with the establishment or conduct of seasonal trailer parks; and
 - (ii) The posting of a performance bond to assure that development takes place in accordance with the approved development plan.

3.15 GARDEN SUITES

Garden Suites are temporary self-contained portable dwelling units for elderly, sick or disabled family members designed to meet the housing needs of aging parents, a

handicapped family member or other similar individual(s) who may require nearby support from the occupants of the primary dwelling unit on the lot.

3.15.1 TEMPORARY USE

Zoning By-laws may be enacted pursuant to the **Planning Act** to permit the temporary use of self-contained portable dwelling units (garden suites) within yards of existing dwellings as a form of temporary accommodation.

3.15.2 EVALUATION CRITERIA

The following criteria shall be considered when evaluating proposals for garden suites:

- (i) The lot size and layout in terms of accommodating the garden suite without unreasonable loss of private outdoor amenity area;
- (ii) The compatibility of the garden suite with adjacent properties and the surrounding land uses in terms of aesthetics, privacy, sun-shadowing, noise and odours;
- (iii) Adequacy of services to accommodate the electricity, sewage treatment and potable water supply needs of the garden suite; and
- (iv) Adequacy of on-site parking.

3.15.3 AGREEMENT REQUIRED

As a condition of approval of a garden suite, Armour Township Council shall require an agreement between the Township and the owner and/or tenant addressing such matters as the installation, maintenance and removal of the suite; the period of occupancy of the suite; and the monetary or other form of security that Council may require for actual or potential costs to the municipality related to the suite.

3.16 SPECIAL NEEDS HOUSING AND GROUP HOMES

Council recognizes that group homes provide care for people with physical, social or mental handicaps. Group homes shall be permitted within those designations that permit residential uses. A group home may be defined as a single housekeeping unit in a residential dwelling in which up to six residents (excluding

staff or receiving family) live as a family under responsible supervision consistent with the needs of its residents. The home must be licensed and/or approved under Provincial statutes and in compliance with municipal by-laws.

3.17 HOUSING AFFORDABILITY

The 2016 Canada Census reports that of the 600 non-farm households occupied full time in Armour Township, one quarter (25%) spent at least 30% of their household income on shelter costs. For purposes of monitoring progress towards achieving the municipality's goal for affordable housing, as set out in Part 1 of the Official Plan, affordability is defined as follows.

In the case of ownership housing, 'affordable' means the least expensive of: (1) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual income for households with incomes in the lowest 60% of the income distribution for Parry Sound District; or (2) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District.

In the case of rental housing, 'affordable' means the least expensive of: (1) a unit for which the rent does not exceed 30% of gross annual household income for households with incomes in the lowest 60% of the income distribution for the regional market area; or: (2) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

It is therefore a policy of this Plan to communicate with the Parry Sound District Social Services Advisory Board (DSSAB) and make sure existing and new residents have access to diverse and affordable housing choices. Given that all residential development in Armour is privately serviced, it is acknowledged that there are limitations to providing a diversity of housing types for affordable ownership tenure.

This Plan therefore provides for a diversity of housing types geared to affordable rental tenure, such as additional residential units, semi-detached and rowhouse units, and garden suites in the interests of meeting Provincial objectives for affordable housing.

PART IV

COMMUNITY DESIGN POLICIES

4.1 COMMUNITY IMPROVEMENT AREAS

4.1.1 INTRODUCTION

Community improvement includes all those activities both public and private, which maintain, rehabilitate and redevelop the existing physical environment of the community in order to create a more pleasant community in which to live. Part IV of the **Planning Act** shall apply to all community improvement projects.

4.1.2 OBJECTIVES

- (a) To maintain and improve the rural character of all areas of Armour Township.
- (b) To reduce or eliminate any deficiencies in municipal hard services.
- (c) To provide an atmosphere in which private maintenance, rehabilitation and renewal can be undertaken to the advantage of the municipality as a whole.
- (d) To provide improved opportunities for recreational and social interaction within the municipality.

4.1.3 POLICIES

- (a) Community improvement may include:
 - (i) Upgrading or providing municipal hard services such as roads to existing developed areas of the community;

- (ii) Upgrading or providing additional recreational facilities and lands where it is considered advantageous to serve the residents of the municipality and surrounding areas;
 - (iii) Providing and expanding upon facilities required for social interaction;
 - (iv) Rehabilitation and renewal of existing buildings and structures;
 - (v) Elimination or reduction of the impact of non-conforming uses and uses having negative impact upon surrounding uses; and
 - (vi) Stimulation of the awareness of the potential for commercial and industrial development in the community.
 - (vii) Development of seniors housing and other forms of affordable housing.
- (b) The selection of specific renewal programs or works must be undertaken in a logical and concise manner in order to ensure that the Township's objectives can be met within budgetary and manpower constraints. Selection of the community improvement project shall be based on the following:
- (i) The condition and/or appearance of buildings, landscaping or other site features indicates that physical improvements are necessary to meet community standards;
 - (ii) Municipal hard services such as roads are substandard or inadequate in providing for a specific area;
 - (iii) There are inadequacies in the municipal circulation system creating conflicts and/or dangerous conditions for vehicular and pedestrian movement;
 - (iv) Municipal recreational services and facilities do not serve their intended function, due to deterioration, inadequate size or non-existence;
 - (vii) The size, location or type of signage is inappropriate or is in a state of disrepair and requiring maintenance;

- (viii) Pedestrian accessibility and circulation is considered inadequate or disorganized.
- (c) Council may, by by-law, designate the whole or any part of an area covered by this Official Plan as a community improvement project area.
- (d) In addition to the criteria used in the selection of community improvements, the following shall be considered when identifying priorities for the phasing of community improvements:
 - (i) Prior to undertaking any community improvement, Council shall be satisfied that it can reasonable finance and afford the Township's share of costs associated with the required improvement;
 - (ii) The improvements which will most substantially increase the well-being, safety, stability and aesthetic quality of the community shall be undertaken first;
 - (iii) The importance of the improvements shall be determined with reference to comments received from the landowners/residents at advertised public meetings under Section 17 of the Planning Act; and,
 - (iv) Community improvements shall be undertaken so as to minimize disruption or negative impact upon surrounding neighbourhoods and properties.
- (e) The Township of Armour has a variety of means available in which to implement the goals and projects of Community Improvement. The following detail a few of these methods:
 - (i) Participation and support in federal and provincial community improvement programs;
 - (ii) Use of municipal authority granted by the **Planning Act** to designate by By-law, community improvement project areas, adopt community improvement plans, and acquire and service land, which are approved by the Ministry of Municipal Affairs and Housing where applicable;
 - (iii) Encouragement of infill development;

- (iv) Enforcement of property standards by-law;
- (v) Continued support for historical preservation through the application of the **Ontario Heritage Act**;
- (vi) Co-operation with school boards, service clubs, businessmen, industrialists, etc. to provide new facilities, redevelopment projects or new services in the Township; and
- (vii) Encouragement of the rehabilitation or private buildings by advising owners of government incentives and programs.

4.3 CULTURAL AND ARCHEOLOGICAL RESOURCES

4.3.1 INTRODUCTION

For the purposes of this Plan, cultural and heritage resources include buildings, structures, archaeological and historical sites, landscapes (including the rural character of the municipality) and landmarks, either individually or in groups, which are considered by the Township of Armour to be of heritage significance.

Consideration shall be given to the impacts on buildings and areas of historical, archaeological, scenic or architectural importance prior to the approval of public works or development projects.

Council encourages the identification, recognition, enhancement, promotion and proper management of heritage resources and may use the Ontario Heritage Act to conserve, protect and enhance the cultural heritage resources in the municipality through the designation, by by-law, of individual properties, conservation districts, landscapes and archaeological sites.

4.3.2 POLICIES

- (a) When necessary, Council will require satisfactory measures to mitigate negative impacts on significant heritage resources and landscapes such as known archaeological sites, historic trails, portages and burials located within the Township. Council may require a heritage impact assessment to evaluate the impact of a proposed development on a cultural heritage resource.

- (b) Council shall participate, wherever feasible, in the conservation of cultural heritage resources by:
- conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
 - conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
 - respecting the heritage resources recognized or designated by federal and provincial agencies and ensuring that development must not result in the loss of any significant heritage resources.
- (c) Council shall require archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the Ontario Heritage Act. Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act.

Council views the preservation of archaeological sites in situ as the preferred means for the mitigation of impacts to archaeological sites. Archaeological excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.

Council may maintain the integrity of archaeological resources by adopting zoning by-laws under section 34(1) 3.3 of the Ontario Planning Act, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

The Township will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Tourism, Culture & Sport under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning. The Township will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing

agreement, as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.

Council shall ensure archaeological assessment by a licensed consultant archaeologist when a known or suspected cemetery or burial site is affected by development. Provisions under both the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply.

- (d) Council may use the **Ontario Heritage Act** to conserve and protect significant cultural heritage resources through the designation, by by-law, of individual properties, conservation districts, and landscapes, and archaeological sites, and to establish a Municipal Heritage Committee, if desired.
- (e) When an identified human cemetery or a marked or unmarked human burial is affected by development, Council shall ensure that an archaeological assessment is carried out and that the Ministry of Culture and the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services are notified. The provisions under the **Ontario Heritage Act** and **Cemeteries Act** shall apply.
- (f) Council will require a heritage impact assessment or heritage conservation plan to be conducted by a qualified professional whenever a development has the potential to affect a protected heritage property / cultural heritage resource.

Council will not permit development and site alteration on adjacent lands to a protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the significant heritage property will be conserved.

- (g) Council shall consider the interests of Indigenous communities in conserving cultural heritage and archaeological resources. If where, through development, a site is identified as containing new archaeological features related to Indigenous heritage, the Township will contact potentially interested Indigenous communities for purposes of sharing information about the discovery.

4.4 ENERGY CONSERVATION AND CLIMATE CHANGE

4.4.1 INTRODUCTION

It is the intent of this Plan to promote energy conservation in all areas of the Township of Armour. Accordingly, development which minimizes energy consumption and emphasizes the use of renewable energy sources will be encouraged to the extent practicable and feasible.

This Plan recognizes the need for climate change mitigation and adaptation, which is of particular importance in the north. Average temperatures are rising more quickly in the north than in the rest of Ontario. It threatens the region's biodiversity, increases the risk of storms and wildland fires and shortens the recreation season for businesses who depend on safe ice and deep snow cover.

4.4.2 POLICIES

To promote energy efficiency in the growth and management of the Township, Council will endeavour to achieve the following:

- (i) Reduce energy consumption and dependency on non-renewable energy sources, particularly in all Township-owned and operated facilities and equipment;
- (ii) Encourage the use of wind energy, solar panels and the production of crops for biodiesel and ethanol fuels;
- (iii) Co-operate with the appropriate public and private agencies to inform the public of recycling plans and fossil fuel alternatives;
- (iv) Require, where practicable, the use of topography and landscaping in the design of residential, commercial and industrial developments and the siting of buildings for proper sun and wind orientation.

In reviewing new development applications under the Planning Act, climate change mitigation shall be considered through:

- (i) Designing to reduce greenhouse emissions;
- (ii) Designing to improve air quality;
- (iii) Designing for compact development; and
- (iv) Designing for energy conservation including renewable energy systems.

4.5 BUFFERING BETWEEN INCOMPATIBLE USES

Appropriate buffering shall be required between land uses which are incompatible. In considering buffering requirements Council shall ensure that such buffering is sufficient to minimize the land use conflict, and is appropriate to the particular conditions encountered. Reference shall be made to the Ministry of Environment Conservation & Parks D-Series Guidelines for Land Use Compatibility. Buffering may include appropriate combinations of the following:

- (a) Vegetation in the form of landscaped strips, rows of trees and bushes, and grassed areas;
- (b) Architectural screening such as perforated or solid walls, fences, trellis work or other appropriate structures;
- (c) Extra distance separation;
- (d) Prohibition of parking, loading and unloading, and outside storage adjacent to residential uses;
- (e) Regulation of lighting and signs so that they are deflected away or shielded from adjacent residential uses; and
- (f) Earth berms.

4.6 RURAL DESIGN PRINCIPLES

The natural environment is the dominant landscape feature in the Rural Community area of Armour Township. It shall therefore be the policy of Council to ensure, wherever possible, that trees and other existing landscape amenities are preserved and enhanced. This shall be a major factor in the review of all development proposals.

The following design principles should be implemented for development in the Rural Community as is appropriate for the use proposed:

- (a) Built form should not dominate the natural landscape and its visual impact should be minimized;
- (b) Rock faces, vistas and panoramas should be preserved;
- (c) Roads and driveways should, where possible, follow the contours of the land and fit into the landscape;

- (d) Lot lines should follow existing natural features and terrain;
- (e) Buildings and structures should fit into the natural landscape, be low profile and should not exceed the height of the tree canopy;
- (f) The maximum amount of vegetation should be retained on a lot - in particular, vegetation should be maintained on ridge lines or adjacent to the top of rock faces or cuts;
- (g) Dwellings should be set back from roads a sufficient distance to provide a buffer and to address noise and visual impacts.

4.7 DARK SKY POLICY

Night time lighting associated with commercial uses, and in particular with any development in the waterfront areas, is of special concern to Armour Township Council because it reduces the ability of people to see features of the night sky.

Unshielded night lighting contributes to light pollution which makes it harder to see stars in the night sky, thus interfering with astronomical observations and simple enjoyment of the view. Studies have revealed that about one-fifth of the world population, involving more than two-thirds of the United States and more than half of the European Union population, have lost naked eye visibility of our Milky Way Galaxy. The Greater Toronto Area (GTA) is now suffering from the same problem.

Armour Township Council intends to protect the spectacular views of clear night skies in this municipality. It is therefore the intent of Council, pursuant to Section 129 of the **Municipal Act**, to pass a lighting by-law to regulate new lighting fixtures through a permit process.

Directing light more accurately onto areas intended for illumination prevents the waste of energy, reduces energy costs, and lowers emissions from facilities that produce this excess energy. The lighting by-law will therefore include provisions for shielded light fixtures, mounting height specifications, use of automatic timing devices, hours of operation and state of the art guidelines for illuminating horizontal and vertical surfaces to minimize light pollution in the night skies of Armour Township.

Until the lighting by-law is passed, new or replacement outdoor lighting fixtures purchased and installed by the Township of Armour, on Township-owned facilities, shall all be fixtures designed to reduce and prevent light pollution in the night sky.

PART V

IMPLEMENTATION AND ADMINISTRATION

5.1 IMPLEMENTATION

5.1.1 INTRODUCTION

The policies of this Plan shall be implemented by the municipality through the powers conferred upon it by the **Planning Act**, the **Municipal Act**, the **Ontario Building Code Act** and other applicable statutes of the Province of Ontario. In particular, this Plan shall be implemented through the Zoning By-law, development agreements and through site plan agreements.

5.1.2 COMPLETE APPLICATION REQUIREMENTS

- (a) Pre-consultation between the applicant and the Township of Armour is voluntary but recommended prior to the submission of an application for an Official Plan amendment, zoning by-law amendment, draft plan of subdivision, draft plan of condominium, consent or site plan approval. Pre-consultation helps to determine what is required to be submitted for a complete application and will provide the opportunity to discuss the nature of the application, development and planning issues, the need for additional information to be submitted with the application; and the approval process including the appropriateness of concurrent applications, where applicable.
- (b) In order to ensure that all possible information is available to the Township, the public, and agencies involved in reviewing an application under the **Planning Act**, the prescribed information required under the **Planning Act** shall be provided along with additional information and/or reports that may be requested by the Township.

- (c) Information and/or reports shall be prepared by qualified professionals and submitted in electronic format along with hard copies to the Township to make the information readily available to the public and commenting agencies. Should there be a request for a peer review of any information and/or report submitted, the applicant shall be responsible for paying all costs of such review.
- (d) The Armour Township Clerk or designate shall be responsible for determining whether a planning application is complete. If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the Township or any other public agency, the application may be deemed to be incomplete.

(e) **Public Consultation Strategy**

For applications for an official plan amendment, zoning by-law amendment, or plan of subdivision, the applicant shall provide a proposed strategy for consulting with the public with respect to the application, in accordance with the applicable regulation under the Planning Act.

(f) **Schedule For Complete Application**

Planning Justification Report

Any proposal for development or site alteration should demonstrate that it conforms with the goals, objectives and policies of Provincial plans and policy statements, the Township of Armour Official Plan and provide an indication of whether it is consistent with the Provincial Planning Statement.

Land Use/Market Needs Study

Any proposal for major commercial or residential development should consider the existing supply of available land and future land use needs of the Township.

Urban Design/Landscape Plans

Any proposal for infill development, redevelopment or intensification or where a site plan agreement is required should include plans illustrating how the proposal will be compatible with the character of adjacent uses

and the surrounding area. These plans and related descriptive details may include building elevations, shadow/wind impacts and streetscaping.

Archaeological Assessment

Any development or site alteration proposed in proximity to lands that contain known archaeological resources or areas of archaeological potential.

Heritage Impact Analysis

Any development or site alteration proposed on or adjacent to lands, structures or buildings designated under the Ontario Heritage Act or listed on a heritage resource inventory approved by Council.

Site Assessment and/or Environmental Impact Study

A preliminary site assessment may be required for certain types of development proposals as outlined in OP Section 2.4.3(c)(iii). Such an assessment would determine whether more detailed assessment is warranted by a specialist. Any proposal for development or site alteration within or adjacent to any environmental constraint area identified in the Official Plan of the Township of Armour or through a preliminary site assessment shall provide an inventory and assessment of sensitive features and functions to determine areas to be protected and any mitigation measures necessary.

Tree Preservation Plan

Any development or site alteration that may have adverse effects on a significant tree or group of trees, including a woodlot. A significant tree may be one that because of its size, age or species is considered to be of significance to the local area, streetscape or cultural heritage landscape.

Flood Plain Lands

For any development or site alteration proposed adjacent to the regulatory flood elevation as defined in Section 2.3.3 of the Official Plan, an Ontario Land Surveyor should provide spot elevations to determine the boundaries of the Flood Plain on the ground. Where development or site alteration is proposed adjacent to the Flood Plain as estimated by another method (e.g., aerial photograph interpretation), an applicant may be required to obtain a

flood plain study by a qualified hydrological engineer to determine the elevation and boundaries of the regulatory flood.

Environmental Contamination Report

Any development or site alteration on lands or adjacent to lands that were previously used for a purpose that may have caused contamination of the property should be accompanied by one or more reports to assess existing conditions and address the need for any further environmental testing or remediation in accordance with Provincial regulations and guidelines.

Air Quality/Noise & Vibration Study

Any development of a sensitive land use that is located near a major facility such as a transportation corridor, industrial use, sewage treatment facility, railway or landfill operation should provide a noise/vibration study.

Minimum Distance Separations I & II

Any non-agricultural use proposed within 300 metres of an active or potential livestock facility shall include a review of these facilities and calculations to determine conformity with MDS requirements.

Mineral Aggregate Resources

Where development or site alteration is proposed on lands within or adjacent to an area of known mineral aggregate resources, it shall be demonstrated that the resource use will not be hindered in the future, that the resource use is not feasible, or that the proposed development or use serves a greater long term public interest, and that other impacts have been evaluated.

Stormwater Management Plans

Any major development or site alteration proposed should address how stormwater runoff will be handled in terms of water quality and quantity, lot grading and drainage controls, and erosion and sedimentation measures.

Traffic/Parking Impact Analysis

Any development or site alteration that may have a significant impact on traffic flow and safety, which may include an analysis of parking standards.

Hydrogeological Study and Private Servicing Plans

Any development where private sewage disposal and water systems are proposed should provide an assessment of soil and groundwater conditions, an evaluation of the ability of the site to accommodate private services and a plan illustrating the location of the services, drainage and lot grading.

Financial Impact Assessment

To address financial implications of a proposed development on the provision of municipal services and utilities that may cause a financial, environmental or economic hardship for the Township and the surrounding municipalities that share in the cost of providing local services.

5.2 INTERPRETATION

- 5.2.1 Boundaries of land use designations, as shown on Schedule "A", shall be considered as general and approximate, and are not intended to define the exact limits of such areas, unless they coincide with a road, lot or concession line, railway, watercourse or prominent physical feature. Where boundaries do not coincide in this manner, they may be adjusted to the nearest such feature without requiring an amendment to this Plan, providing the general intent of this Plan is maintained. Similarly, minor adjustments may be made in the boundaries in the Armour Township Zoning By-laws without amending the Official Plan, providing the By-law conforms to the general intent of this Plan.
- 5.2.2 Whenever an objective or policy of this Plan is changed, added or deleted, an amendment to this Plan shall be required, however, it is not intended to amend the plan unless substantial evidence can be presented which will justify such an amendment. All decisions to amend this Official Plan shall also be consistent with the 2024 Provincial Planning Statement.

5.3 CROWN LAND

The policies of this Plan are not binding on undertakings carried out on Crown Land by the Crown or its agents.

5.4 PUBLIC PARTICIPATION

- 5.4.1 Council intends that all amendments to the Official Plan and Zoning By-law will be subject to a program of Public Participation. It is intended that Council shall notify, inform and seek the input of interested citizens regarding the Official Plan, Zoning By-laws and Amendments thereto. The procedure regarding Public Participation is as follows:
- (a) To obtain input from the public regarding a proposal, at least one public meeting shall be held. Depending on the nature of the proposal, Council may convene an open house, have public displays, hold workshops or use other appropriate forums.
 - (b) Every owner and tenant of land within 120 metres of the proposed site shall receive, via personal service or prepaid first class mail, notification of such meeting(s) and a summary of the application a minimum of 20 days prior to the date of the meeting(s).
 - (c) Where an Amendment application is considered generally applicable to the Township, a notice of the public meeting may be placed online and in a local newspaper having a general circulation in the Township, a minimum of 20 days prior to the date of the meeting(s).
 - (d) In addition, any person who has requested to be notified of any meetings on a particular amendment application shall be notified of the public meeting by personal service or prepaid first class mail.
 - (e) A copy of the proposed amendments shall be circulated prior to the public meeting and to all agencies considered to have an interest in the matter and their comments will be requested prior to the public meeting.
- 5.4.2 Minor housekeeping changes may be made to the Official Plan without public notice or public meetings so long as such changes do not affect the purpose and intent of the approved Plan. Such changes would include revised section numbering, spelling errors, re-illustrating Official Plan schedules, and consolidation of approved amendments or modifications.

5.5 AMENDING THE OFFICIAL PLAN SCHEDULE "A" AND IMPLEMENTING ZONING BY-LAW

Council shall ensure that any proposed amendment is consistent with the 2024 Provincial Planning Statement.

5.5.1 An amendment to Schedule "A" is required to permit the establishment of areas for uses other than those included in the Land Use Plan, Schedule "A". In considering an amendment to the Land Use Plan, Schedule "A", to designate additional areas for a particular use or to change the designated use of a particular area, Council shall have due regard to the criteria set out in paragraphs (a) to (f) inclusive of this subsection which are in addition to those specified in the remainder of the Section. These criteria shall also be considered when reviewing an application to amend the implementing Zoning By-law to permit a development that is in conformity with this Official Plan.

- (a) The need for the proposed use;
- (b) The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;
- (c) The physical suitability of the land for such proposed use;
- (d) The location of the area under consideration with respect to:
 - (i) The adequacy of the existing and proposed highway system in relation to the development of such proposed areas;
 - (ii) The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto; and
 - (iii) The adequacy of the potable water supply, sewage disposal facilities, and other services in view of the policies contained in this Plan and in accordance with technical reports or recommendations which the Council shall request from any authority deemed advisable, such as the Ministry of Environment Conservation & Parks.
- (e) The compatibility of the proposed use with uses in adjoining and surrounding areas; and

- (f) The potential effect of the proposed use on the financial position of the municipality.
- (g) The potential effect of the proposed use upon the natural environment, including areas of wildlife and fisheries habitat.

5.6 MINOR VARIANCES - COMMITTEE OF ADJUSTMENT

It is the intent of Council pursuant to Section 44 of the **Planning Act**, to appoint a Committee of Adjustment to assist in the administration of the Zoning By-law. The key function of the Committee of Adjustment is to process applications relating to minor variance(s) to the Zoning By-law, or applications regarding extensions or enlargements of non-conforming uses, pursuant to Section 45 of the **Planning Act**. The Committee of Adjustment shall consider the policies and general intent of this Plan and the Zoning By-law when dealing with such applications.

5.7 SITE PLAN CONTROL

5.7.1 All of the area of the Township of Armour affected by the Official Plan shall be deemed to be a site plan control area, and shall be subject to the provisions stipulated under Section 41 of the **Planning Act**. Council shall, under Section 41(3) of the Planning Act, pass a by-law describing a Site Plan Area by reference to one or more zones contained in the Township's Zoning By-law. See also Section 2.2.17 of this Plan for additional site plan control policies for Waterfront Developments.

The following uses will not be subject to site plan control provided they comply with Armour Township's Zoning By-law regulations:

- (a) Single detached dwellings in the Rural Community and additions thereto, except locations in the flood plain.
- (b) Any building or structure accessory to the uses stated above with the exception of any rural guest sleeping cabin on any lot fronting a navigable waterway.
- (c) An in-ground or above-ground swimming pool.
- (d) Any agricultural building.

5.7.2 The need to implement Site Plan Control shall be based on the following principles:

- (a) The need to minimize inconsistency and incompatibility between new and existing uses;
- (b) The need to ensure safety and efficiency of vehicular and pedestrian uses;
- (c) The need to control placement and provision of required driveways, parking, loading facilities, garbage collection, walkways, emergency access, etc.;
- (d) The need to ensure the provision of functional and attractive on-site landscaping, buffering and lighting facilities;
- (e) The need to ensure that development is built and maintained as approved by Council and;
- (f) The need and opportunity to ensure the safe and environmentally sound development of the subject lands.

5.7.3. In accordance with Section 41(4) of the Planning Act, Council shall amend the Armour Township Site Plan Control By-law for areas zoned Commercial (C), Recreational Commercial (RC), Public (P) and Institutional (I) in the Armour Township Comprehensive Zoning By-law, to require the owner of land proposed for development in the areas so zoned to submit plans, drawings, and any necessary elevations, cross-sections, shadow studies, conservation studies and other technical aspects as reasonably required for approval, and to enter into one or more agreements to address among other matters:

- (a) sustainable and accessible design elements within an adjoining municipal right-of-way, including without limitations, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
- (b) facilities designed to have regard for accessibility for persons with disabilities.

5.7.4 No Building Permit shall be issued in respect of any development in the Site Plan Control Area until the plans required have been approved by Armour Township and any agreements required to be entered into have been executed by the Township and the owners, mortgagees or other encumbrancers of the land.

5.8 ZONING BY-LAW

- (a) It is intended that Council amend the comprehensive Zoning By-law to establish regulations for the use of land and development standards within Armour Township in conformity with the relevant provisions of this Plan and the **Planning Act**. Any application to amend the Zoning By-law shall be in conformity with the policies of this Plan.
- (b) In areas where the existing use is in conformity with this Plan or where a future use can be anticipated in accordance with the relevant provisions of this Plan, then such use may be appropriately zoned in the implementing Zoning By-law.

5.9 INTERIM CONTROL BY-LAW

In areas where Council wishes to review the existing land uses or establish new policies, and where a study of land use planning policies for the area has been directed, Council may adopt an Interim Control By-law. The Interim Control By-law restricts the land use to its present use until the required studies are completed, at which time the Zoning By-law may be amended to reflect the desired use.

5.10 TEMPORARY USE BY-LAW

Council may adopt Temporary Use By-laws to allow for temporary use of lands, buildings or structures. Timing and extensions for such uses will be subject to the provisions of the **Planning Act**. Temporary uses not allowed by the applicable policies of this Plan may be permitted if the proposed use is compatible with the adjacent use; buildings and structures are of a temporary nature and can easily be removed at the expiry date; the size of the parcel of land and the buildings and structures are appropriate for the area; and services are sufficient to accommodate the use.

Upon expiry of a Temporary Use By-law, uses permitted by that By-law must cease and shall not be considered as non-conforming uses.

5.11 HOLDING PROVISIONS

- (a) In situations where the ultimate use of land is precisely known, but where Council wishes to delay development, a Holding Zone may be applied by using the Symbol "H" in conjunction with a land use zoning category under any of the following circumstances:

- (i) When development or redevelopment is anticipated in accordance with the provisions of this Plan, but where the details of such development have not been determined;
 - (ii) When land assembly is required to permit orderly development or redevelopment;
 - (iii) When the level of engineering and/or community services is not adequate to support the ultimate use, but such services are to be provided at a later date in accordance with the relevant provisions of this Plan.
- (b) The objective of the Holding Zone is to identify the ultimate use of land and to limit or prevent the ultimate use in order to achieve orderly, phased development and to ensure that the servicing and design criteria established in this Plan have been met prior to the removal of the "H" symbol.
- (c) The Holding By-law shall clearly specify the land uses permitted in the interim, the conditions for removal of the holding provision and any regulations applying to the lands during the period of time the holding provision is in place. Interim uses shall be limited to uses that are compatible with the ultimate use of the subject lands.

The timing of the removal of the holding provision shall be dependent upon the applicant meeting the conditions identified in the Holding By-law. When all conditions specified in the Holding By-law are met, Council may consider passing a by-law to remove the holding symbol and allow development to take place in accordance with the zoning category assigned.

5.12 OFFICIAL PLAN REVIEW PROCEDURE

- 5.12.1 Council shall undertake a review at five year intervals commencing from the date of Ministerial approval of this Plan.
- 5.12.2 The Plan will be reviewed on an on-going basis as deemed necessary by Council, to incorporate Plan amendments and new information as it becomes available.