



City of Kenora Official Plan Review 2020-2022



Final Policy Directions and Recommendations Report January 2021

Lake of the Woods
KENORA





Image Sources:

WSP (2020)

Ne-Chee Friendship Centre

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([ps://www.northernontario.travel/sunset-country/kenora-christmas-tree-on-main-street](https://www.northernontario.travel/sunset-country/kenora-christmas-tree-on-main-street))

Prepared For:
City of Kenora

Kevan Sumner, City Planner
60 Fourteenth Street North
Kenora, ON P9N 4M9
T: 807.467.2059
www.kenora.ca

Prepared By:
WSP Canada Inc.

2611 Queensview Drive, Suite 300
Ottawa, ON K2B 8K2
T: 613.829.2800
www.wsp.com

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1.0 Introduction

The City of Kenora is undertaking the legislated review of its Official Plan pursuant to Sections 17 and 26 of the Planning Act, RSO 1990, as amended. The current Official Plan was adopted in May 2015. This Policy Directions and Recommendations Report (the “Report”) has been prepared to identify key policy changes that will need to be addressed as part of the Official Plan review. This Report was prepared in conjunction with a Background Report, December 2020, that contains information on key matters related to:

- The new 2020 Provincial Policy Statement;
- Local municipal plans and policies completed since 2015;
- Other Acts that have come into effect since the existing Official Plan was approved;
- Information provided through the One Window consultation meeting with the Ministry of Municipal Affairs and Housing and other Provincial ministries held in October 2020; and
- The online Community Survey results related to the online Public Open House held in November to December 2020.

Furthermore, local matters relevant to the Official Plan Review have been identified in consultation with City staff and community members through the online Public Open House. Key local issues have been identified in this Report, and recommendations are provided for the proposed approach to address policy changes in a way that protects local and provincial interests, while being sensitive to the existing context and the community’s future.

2.0 Policy Directions and Recommendations

Proposed preliminary policy directions and recommendations are identified in this report in bold text, and are intended to foster discussion. This Report does not address the technical changes to the Zoning By-law, which will be addressed through the concurrent Zoning By-law review.

2.1 Implementation and Interpretation (Bills 73, 108, 138 and 139)

The Smart Growth for Our Communities Act, 2014, (Bill 73) received Royal Assent on December 3, 2015 and introduced changes to the Planning Act and Development

Charges Act. It is noted that the City of Kenora does not have a Development Charge By-law. Revisions to the Official Plan will address the following legislative changes:

- The list of matters of Provincial interest is expanded to include built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe accessible, attractive and vibrant;
- The required contents of an Official Plan (Section 16(1)) are expanded to include a description of the measures and procedures for informing and obtaining the views of the public in regard to Official Plans/Amendments, Zoning By-laws, Plans of Subdivisions and Consents; and
- Where a municipality has adopted a new Official Plan, the review timeframe is modified to ten (10) years after the new Official Plan has come into effect, but a five (5) year review cycle continues to apply in situation where an Official Plan is being updated and not replaced in its entirety.

In addition, the following provincial Acts came into force since the City's last Official Plan Review in 2015: The More Homes, More Choices Act, 2019 (Bill 108) received Royal Assent on June 6, 2019 and the Plan to Build Ontario Together Act (Bill 138) received Royal Assent on December 10, 2019. The Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139) has been enacted as Chapter 23 of the Statutes of Ontario, 2017. The new Act continues the Ontario Municipal Board (OMB) under the name the Local Planning Appeal Tribunal (LPAT) and repeals the Ontario Municipal Board Act. The new Act lists types of rules that the Tribunal may make regarding its practices and procedures and specifies certain powers of the Tribunal regarding proceedings.

Consequently, significant amendments were made to the Planning Act. In broad terms, Bill 108 introduced legislative changes to provide new tools to support new development in communities, and Bill 138 added changed Section 27 of the Planning Act, which created an appeal process for Community Benefit Charges with alternate parkland provisions. The new Official Plan for the City of Kenora will comply with the amendments made to the Planning Act as a result of the new Bills.

Recommendation 1 – Update Official Plan policies to reflect the legislative changes associated with the new Bills and changes to the Planning Act. It is recommended that the City repeal its existing Official Plan and adopt a new 10-year Official Plan. Moreover, it should be considered to add new policies to enable potential tools to support new development in the



community, such as a Community Planning Permit System, if desired by the City.

2.2 Goals and Vision

The Official Plan will establish goals and vision to guide development in the community over the next 20 years. A vision is an aspirational statement that identifies what is important to the community, now and in the future. Goals establish more detailed targets based on a vision.

Through the online Community Survey, survey respondents generally expressed a vision for Kenora which offers more variety, choice, and opportunities in all facets of life, such as housing, employment, transportation, and recreation. In other words, community members envision Kenora as a healthy inclusive community. Key words provided through the survey to describe the future of the community are illustrated below:



Recommendation 2 – Establish a vision and a series of goals based on community input received through the online survey as well as the existing

OP and Strategic Plan visions. The goals and vision should be centered on the theme of a healthy inclusive community which offers opportunities and options for everyone at all stages of life. The goals and vision should also be consistent with the goals and vision of existing municipal documents created with public input, and the 2021 Strategic Plan.

2.3 Growth Management and Vacant Land Supply

As part of the City's Official Plan review process, the City retained Urban Systems to conduct a Vacant Lands and Growth Strategy report (March 2020) ("Urban System report") for a planning horizon of 20 years to the year 2039. The report states that the population of the City will increase to between 16,986 (low) and 17,371 (high) by 2039. Based on an average household size of 2.2 persons, this is projected to result in a need for 456 (low), 539 (medium), or 623 (high) additional dwelling units, depending on the growth scenario applied, to accommodate the projected growth in the community. These units do not account for the existing shortage of housing needs. The estimated land required to accommodate the forecasted residential dwelling development is 31.4 ha (81.2 ac) (low), 40.4 ha (99.7 ac) (medium), or 46.7 ha (115.3 ac) (high), depending on the growth scenario applied.

Regarding employment projections, the 2016 Census identified a total employed labour force of 7,510 in 2016, or 1.16 employed individuals per household. Assuming there are no changes to the participation, employment, or unemployment rates, and employment growth matches the projected population growth, the City has estimated that up to 130 jobs will be added by 2024, 287 jobs by 2029, and 625 jobs by 2039. The Urban Systems report projected employment growth to the year 2026, with between 84 and 130 jobs being added, which is slightly more conservative.

The City conducted a vacant land supply analysis to determine if sufficient lands are available to accommodate future residential and employment growth, using the medium growth scenario used by Urban Systems. The detailed analysis can be found in the Background Report, which is available under separate cover. In summary, the City has a total of 227.2 ha (561 ac) of vacant land available for development within the settlement area, with 80.3 ha currently available for future residential uses and 146.9 ha available for future employment uses. As such, the City has determined that there is enough vacant land supply to accommodate the projected population, housing and employment growth to the year 2039, with



surplus lands available to address existing housing shortages. Therefore, a settlement area boundary expansion is not required at this time.

Recommendation 3 – Review designated residential lands to ensure projected residential growth over the next 20 years is directed to the most appropriate locations. In addition, opportunities to re-designate some ‘Industrial’ lands to ‘Commercial’ should be considered to accommodate the projected commercial employment growth.

2.4 Active Transportation and Non-motorized Recreational Trails

The City recognizes the importance of its beaches, parks and trails throughout the municipality. Council has adopted the City of Kenora Beaches, Parks and Trails Plan (2016) to guide the municipality in enhancing a network of on-road cycling facilities, trails and pathways that will help turn the City into a destination community. The Plan illustrates concept plans for the beaches, parks, and trails that will be implemented over time. Moreover, through the online survey, community members expressed the importance of recreational trails for active transportation (e.g. cycling). Therefore, the policies of the Official Plan should reflect the City of Kenora Beaches, Parks and Trails Plan.

Recommendation 4 – To incorporate the existing and potential future non-motorized recreational trails in the Official Plan, it is recommended that the City consider the implementation of an Active Transportation Plan as an Official Plan policy.

2.5 Age-Friendly

The City's Official Plan should be developed through the application of an age-friendly lens to ensure that quality of life can be achieved for all ages and abilities. The Official Plan policies need to be supportive of age-friendly initiatives, infrastructure, and facilities, with a specific focus on implementing the actions / recommendations of the City's Age-Friendly Strategic Plan (2016). The Plan's key opportunities include areas for outdoor spaces/building; transportation; and housing. Planning for an age-friendly community helps municipalities make informed future decisions regarding land development, parks and open space, transportation, and social services, and ensure that community investments and adaptations in age-friendly infrastructure and services are implemented as needed. The City endeavors to be a leader in age-friendly community planning.

The following policy in the City's Age-Friendly Strategic Plan (2016) was considered in the online Community Survey, with respect to parking issues:

- Implement special policies for Age-Friendly Priority Zones, such as:
 - One drop-off / loading spot shall be provided in an Age-Friendly Priority Zone (e.g. a drop-off spot should replace a few of the street parking stalls in Harbourtown Centre).

Recommendation 5 – Official Plan policies, such as housing, transportation, and parks and open space, should be updated to reflect age-friendly considerations, as appropriate.

2.6 Agricultural / Rural Policies

While there are no prime agricultural areas identified in the City, the Official Plan Review will include an analysis of agricultural and rural land use policies. Policies will be updated to reflect the 2020 PPS and the Ontario Ministry of Agriculture, Food and Rural Affairs Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2016), with respect to agriculture-related uses and on-farm diversified uses. As part of the One Window pre-consultation meeting, the Province confirmed that Kenora does not have any prime agricultural land (i.e. Class 1, 2 or 3 soil types).

While agricultural and rural land uses policies will be updated, the online Community Survey demonstrated that members of the community are in favor of urban agricultural uses, as well as the keeping of animals (e.g. backyard chickens, beekeeping). Although these new uses are desired, there are some concerns about associated noise, odour, safety and animal wellbeing.

Recommendation 6 – Update Official Plan policies to support the establishment of agricultural uses, agriculture-related uses, and on-farm diversified uses in rural areas.

2.7 Climate Change

Climate change is expected to result in more variable and extreme weather patterns and events such as flooding, droughts, and wildland fires, placing communities at risk for property and infrastructure damage, as well as posing public health and safety hazards. The PPS mandates local planning authorities to support climate change adaptation through land use and development decisions.



Recommendation 7 – The City has adopted several plans and studies that support climate change adaptation. Policies should be added to the Official Plan in alignment with the Sustainability Action Plan (2021), the 5-Year Corporate Energy Conservation, the Demand Management Plan (2019), the Community Energy Plan (2019) and the Climate Change Adaptation as well as the Resilience Study (2018). A new Wildland Fire Hazard Schedule is recommended to be added to implement Provincial direction and to illustrate the presence of hazardous forest types.

2.8 Community Improvement Policies

A Community Improvement Plan (CIP) is a planning and economic development tool that enables a municipality to promote community revitalization. In 2017, the City adopted three (3) Community Improvement Plans:

- Former Mill Site Community Improvement Plan;
- Harbourtown Centre Community Improvement Plan; and
- Keewatin Community Improvement Plan.

Through CIPs, municipalities can promote reinvestment and redevelopment by establishing financial incentive programs. These financial incentive programs may support affordable housing, brownfield redevelopment, façade and signage improvements, landscaping, and gateway features, among other initiatives. CIPs can also include municipal leadership strategies (e.g. streetscape improvements). CIPs are required to conform to the Official Plan. Before a CIP may be adopted, a CIP Project Area must be identified and designated through a municipal By-law.

Under Section 8.2 of the existing Official Plan, the future candidate areas for Community Improvement Plans include Railway Street (from the CPR to Tenth Avenue South) and Highway 17 East (from Whitehead Road to Second Street). It is planned in the existing Official Plan to have several CIPs. As part of the Official Plan Review, the City could designate the entire municipality as one CIP area by consolidating the existing Community Improvement Plans and create a City-wide CIP.

Recommendation 8 - The Official Plan policies should be revised to allow for the consideration of one City-wide CIP. The new CIP should include specific project areas. This would allow the City to integrate the rural area to potentially support rural economic development opportunities such as

resource-based recreation, tourism, and agriculture. The development of a new City-wide CIP would be required to follow the prescribed Planning Act process.

2.9 Cultural Heritage and Archaeological Resources

There are designated cultural heritage and archaeological resources in the City, such as Tunnel Island. The Official Plan policies will be updated to provide policy direction on the studies that may be required for development applications, including cultural heritage assessments and archaeological assessments. The need for any studies would be determined by the City through a pre-consultation meeting with a proponent.

Recommendation 9 – The cultural heritage and archaeological resources policies should be updated to reflect the 2020 PPS, and to include the required studies that are to be submitted at the time of a development application.

2.10 Harbourtown Centre

The Harbourtown Centre is an important economic, cultural and touristic area for the City of Kenora. The Official Plan should have policies that reflect the Harbourfront Business Development Plan (2019).

Recommendation 10 – The Official Plan policies should be revised to encourage a vibrant economy, business opportunities, and improvements to the public realm in the Harbourtown Centre, by reflecting the recommendations of the Harbourfront Business Development Plan (2019).

2.11 Housing

Through the online Community Survey, community members generally expressed support for more housing options in the City, with a prominent focus on increasing the supply of housing. The recommendations in this section are intended to meet the requirements of the Planning Act (e.g. to authorize additional residential units) and PPS direction to accommodate an appropriate range and mix of residential uses (including additional residential units, affordable housing, and housing for older persons).



Recommendation 11 – Revise Official Plan policies to encourage the construction of affordable housing, as well as to provide more opportunities for intensification of housing developments in low-density residential zones and promote medium density residential uses as infill in the settlement area, in appropriate locations.

2.11.1 Affordable Housing

The City of Kenora adopted the 'Enabling Affordable Housing Action Plan' in 2018. Affordable housing has been recognized by the City as a key priority in guiding community development in the future. The outcome of this Plan should be reflected in the new Official Plan. In addition, the City is to establish and implement minimum targets for the provision of housing which is affordable to low and moderate-income households, and which aligns with applicable housing and homelessness plans.

Recommendation 12 – Update Official Plan policies to reflect the 2020 PPS as well as the City's Enabling Affordable Housing Action Plan (2018). Develop policies to direct development and promote the availability of a full range of housing types to meet a range of identified needs, and add enabling policies needed to use planning and financial tools.

2.11.2 Garden Suites

Section 39.1 of the Planning Act allows a municipality to pass a temporary by-law to permit Garden Suites (often referred to as coach houses or 'granny flats'). Temporary Garden Suites are single-unit detached residential structures containing bathroom and kitchen facilities that are ancillary to existing residential dwellings and designed to be portable. The portable unit is permitted for a period not exceeding 20 years. This form of housing contributes to the affordable housing supply to provide residents with an opportunity to age in place.

Recommendation 13 – Add Official Plan policies to permit garden suites in the settlement area where full municipal services are available, and in the Rural Area, subject to appropriate servicing and other relevant planning considerations.

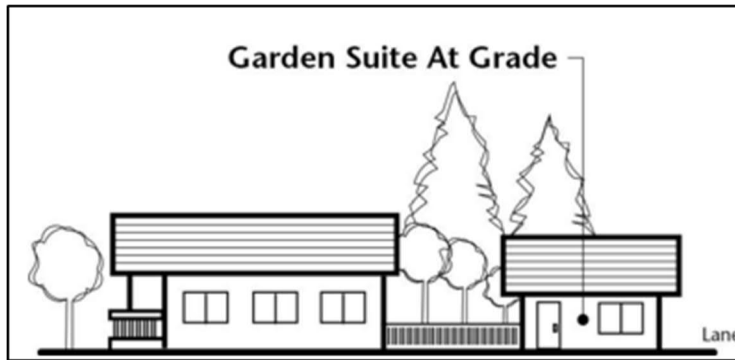


Image Source: Ministry of Municipal Affairs and Housing (2014)

2.11.3 Additional Residential Units

Additional residential units (formerly referred to as second units) are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas, within dwellings or within structures ancillary to a dwelling. Examples include basement apartments, in-law flats, and suites contained within a separate ancillary structure, such as above a detached garage. In order to comply with the provisions of the Planning Act regarding additional residential units, the Official Plan and Zoning By-law will need to be updated to include policies permitting additional residential units in detached, semi-detached and row houses, in both the primary dwelling and ancillary buildings or structures. In effect, this permits a total of three (3) residential units: two (2) residential units in a detached, semi-detached or row house (e.g. the main dwelling unit and a basement apartment), as well as one (1) additional residential unit in an ancillary building or structure (e.g. a garage).

The associated Regulations (Ontario Regulation 299/19) sets out requirements and standards to remove barriers to the establishment of additional residential units, as follows:

- One (1) parking space for each of the additional residential units which may be provided through tandem parking;
- Where a Zoning By-law requires no parking spaces for the primary residential unit, no parking spaces would be required for the additional residential units; and
- Where a Zoning By-law is passed that sets a parking standard lower than a standard of one (1) parking space for each of the additional residential units, the municipal Zoning By-law parking standard would prevail.

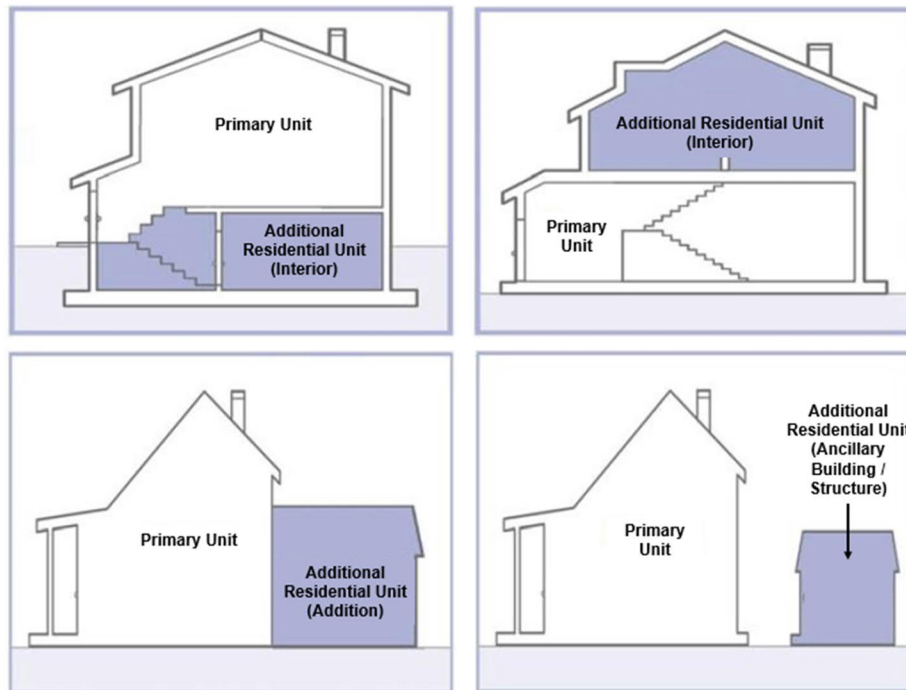


Image Source: Adapted from Ministry of Municipal Affairs and Housing (2019)

Additional residential units should be permitted in accordance with the Planning Act, subject to appropriate servicing and other relevant planning considerations. Official Plan policies and Zoning By-law provisions which are supportive of additional residential units were widely supported by community members in the online Community Survey.

Recommendation 14 – Add Official Plan policies to allow additional residential units in the settlement area where full municipal services are available, and in the rural area where adequate private services can be provided, subject to relevant planning considerations.

2.11.4 Short-term Accommodations

Short-term accommodations refer to private rentals of a dwelling (e.g. house, townhouse, condominium, apartment and secondary suites) for less than 30 days (e.g. through online platforms like Airbnb). The outcome of the online Community Survey indicated that short-term accommodations should be regulated to minimize the loss of housing supply and the impact on the neighborhood character.

Recommendation 15 – Policies concerning potential regulation of short-term accommodations may be considered for inclusion in the Official Plan,

related to impacts on loss of housing supply, neighbourhood character, and nuisances.

2.12 Natural Hazards

The existing Official Plan identifies certain lands along the Winnipeg River and Lake of the Woods as 'Hazard Lands'. The same wording is used to identify contaminated lands. In order, to appropriately identify these lands that are subject to flooding and/or slope hazards, it is recommended to consider designating / renaming these lands as 'Natural Hazards'. The terminology of the Official Plan and Zoning By-law should be updated to refer to these lands as 'Natural Hazards', as the term 'Hazard Lands' can be misinterpreted as meaning contaminated lands. Consequently, the term 'Hazard Lands' should only be used to identify contaminated lands.

Recommendation 16 – Update terminology in the Official Plan to use 'Natural Hazards' to describe lands prone to flooding and/or slope hazards and update the Official Plan Schedules with up-to-date floodplain and slope stability mapping, as required.

2.13 Natural Heritage

Updates to the natural heritage policies in the Official Plan are required to ensure consistency with the 2020 PPS and the Province's Natural Heritage Reference Manual, Second Edition (2010). The Official Plan policies should reflect the community's desire for protection and celebration of the natural heritage features and areas.

Recommendation 17 – Natural heritage features and areas policies should be revised in accordance with the PPS.

2.14 Schedules (Mapping)

Four (4) new land use schedules should be updated with an Annex / developed as follows:

- Schedule A – Settlement Area: Indicating land use designations within the Settlement Area;
- Schedule B – Rural Area: Indicating land use designations outside of the Settlement Area;
- Schedule C – Natural Heritage and Development Constraints: Indicating natural features such as wetlands, watercourses, and development constraints such as



abandoned mine sites, mineral aggregate resources, and natural hazard lands throughout the City; and

- Schedule D – Potential Wildland Fire Hazards: Indicating areas of high and extreme potential for wildland fires throughout the City, based on forest types and Provincial data.

Recommendation 18 – The Official Plan should include updated Schedules with the most current mapping information available.

2.15 Waterfront Development

There is need to ensure that appropriate Official Plan policies are in place to protect the City's waterfront area's unique physical and environmental character. Concerns have been expressed regarding the scale, height, and setbacks of new development and the redevelopment of waterfront properties. Furthermore, the same concerns apply to accessory buildings and the impacts on adjacent properties and on the natural environment, natural and built heritage, and visual impacts. The existing Official Plan contains general policies which should be clarified. Given the importance of the natural environment, and the scale of development that has been occurring, the development of an urban design framework in the Official Plan would be an important step for the City to establish design guidelines for waterfront development that could consider:

- Appearance of waterfront development from the land and from the water;
- Dwelling size relative to island and lot size and lot frontage;
- Boathouse and dock guidelines;
- Protection of views;
- Built form, massing, and building materials; and
- Limiting hardened shorelines in development / redevelopment of waterfront properties, and encouraging shoreline naturalization, where feasible.

The establishment of waterfront development design guidelines would be a tool that could assist the City with evaluating development applications to ensure that a proposed development respects and blends into the natural environment. The guidelines would also inform the implementing Zoning By-law. The guidelines would be developed to ensure that the ecological integrity of shorelines and protection of water quality are maintained, while recognizing the importance of protecting shorelines and islands from overdevelopment and restoring shorelines to a

naturalized state. The guidelines could also address boathouses in terms of establishing size, visual impact, height, lift mechanisms to clear water and ice, building materials, and water protection.

Recommendation 19 – Update the Official Plan policies to protect the unique physical and environmental character of the waterfront.

2.16 Wildland Fire Hazards

The updated Official Plan is required to address the risks associated with development near the presence of hazardous forest types for wildland fire, in order to be consistent with the PPS.

Recommendation 20 – Address wildland fire hazards by:

- Including a Schedule illustrating lands within the City which are at high risk for wildland fire; and
- Include policies which generally direct development away from lands that are unsafe for development due to the presence of hazardous forest types, unless mitigation is undertaken.

3.0 Proposed Official Plan Format

The new Official Plan format is proposed to be revised to include modern design, user friendly and accessible best practices, and updated policies and sections as required. Appendix A contains a draft Table of Contents for the new Official Plan.

4.0 Conclusion

In conclusion, the preliminary policy directions and recommendations outlined in this Report provide the foundation for revisions to existing Official Plan policies, and the inclusion of new policies based on Provincial direction and input from the community. The new Official Plan policies will be implemented through the Zoning By-law Review, which will be undertaken concurrently with the Official Plan Review.



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Appendix A:
Draft Official Plan Table of Contents



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(Note: New proposed sections are highlighted in yellow; other changes are in grey)

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- 1.2 Community Context ~~Basis of the Plan~~
- 1.3 Growth Management ~~The Challenge Ahead – Kenora’s Growth Strategy~~
- 1.4 Vacant Lands
- 1.5 Effect of the Official Plan
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- 1.7 Interpretation of the Plan ~~How to Read the Official Plan~~

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Section 3: General Land Use Policies (~~General Development Policies~~)

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- 3.18 Residential Densities
- 3.19 Stormwater Management (~~Surface and Groundwater Water Quality~~)
- 3.20 Private Water and Sewer services (~~Private sewage Disposal and Water Systems~~)
- 3.21 Public Uses
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- 3.23 Rural and Urban Agriculture
- 3.24 Short-term Accommodations
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 - 4.3.3 Harbourtown Centre Policies
 - 4.3.4 Parking
 - 4.3.5 Physical Development
 - 4.3.6 Community Improvement Area
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 - 4.4.1 Permitted Uses
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 - 4.5.1 Permitted Uses
 - 4.5.2 Industrial Development Area Polices
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- 4.7 Railyard
- 4.8 Rural Area
- 4.9 Airport (~~Development in the Vicinity of the Kenora Airport~~)
- 4.10 Waste Disposal Site

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- 5.2 Natural Heritage
 - 5.2.1 Deer Winter Habitat
 - 5.2.2 Endangered and Threatened Species
 - 5.2.3 Environmental Protection
 - 5.2.4 Fish Spawning and Nursery Area
 - 5.2.5 Nesting Site
 - 5.2.6 Waterfowl Habitat



- 5.2.7 Wetlands (~~Wetlands and Provincially Significant Wetlands~~)
- 5.2.8 Wildlife Habitat
- 5.3 Cultural Heritage Resources
 - 5.3.1 Cultural Heritage Policies
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 - 5.3.3 Black Sturgeon Lake (~~Restricted Development Area~~)
- 5.4 Future Development Area
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 - 6.1 Municipal Services
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- Section 7 Transportation
 - 7.1 Active Transportation and Non-motorized Recreational Trails (~~Trail Pathway System~~)
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 - 8.2 Community Benefits Charges (~~Section 37~~)
 - 8.3 Development Charges
 - 8.4 Environmental Impact Statements
 - 8.4.1 Scoped Environmental Impact Statement
 - 8.4.2 Full Site Environmental Impact Statement
 - 8.5 Hazard Lands (~~Potential Contaminated Sites~~)
 - 8.6 Implementation and Interpretation (~~General~~)
 - 8.5 Indigenous Engagement
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 - 8.7.1 Consents
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 - 8.9 Pre-consultation and Prescribed Information (~~Pre-application Consultation and prescribed information for planning applications~~)
 - 8.10 Property Maintenance and Occupancy By-law



8.11 Public Engagement (~~Public Meetings~~)

8.12 Site Plan Control

8.13 Zoning By-law

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8.13.2 Non-conforming Uses

8.13.3 Temporary Uses

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9.2 Review of the Official Plan

9.3 Technical and Minor Amendments (~~Land Use Designations~~)

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- Schedule B – Rural Area
- Schedule C – Natural Heritage and Development Constraints
- Schedule D – Potential Wildland Fire Hazards

Appendix – Design Guidelines for Waterfront Development



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