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Township of Chisholm Official Plan Review Draft Background Report



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Township of Chisholm

Draft Background Report

Table of Contents

- 1.0 Introduction..... 1**
- 1.1 Background..... 1
- 1.2 Project Overview..... 2
- 1.3 Purpose of the Background Report 4
- 2.0 Planning Context 4**
- 2.1 Planning Act..... 5
- 2.2 Provincial Planning Statement 2024 6
- 2.3 Growth Plan for Northern Ontario 7
- 2.4 Algonquins of Ontario Land Claim 7
- 2.5 North Bay-Mattawa Source Protection Plan 8
- 3.0 Climate Change..... 8**
- 3.1 Background..... 8
- 3.2 Current Official Plan..... 9
- 3.3 Recommendations 10
- 4.0 Growth and Settlement 10**
- 4.1 Background..... 10
- 4.2 Population..... 10
- 4.3 Land Supply..... 11
- 4.4 Municipal Property Assessment Corporation (MPAC) Assessment 15
- 4.5 Recommendations 16
- 5.0 Housing 16**
- 5.1 Background..... 16
- 5.2 Current Official Plan..... 17
- 5.3 Recommendations 18
- 6.0 Economic Development and Employment 18**
- 6.1 Background..... 18
- 6.2 Current Official Plan..... 20
- 6.3 Recommendations 20
- 7.0 Rural Areas and Agricultural Areas 21**
- 7.1 Background..... 21
- 7.2 Current Official Plan..... 22
- 7.3 Recommendations 22
- 8.0 Protecting the Natural Environment 23**
- 8.1 Background..... 23
- 8.2 Source Water Protection – NBMCA..... 26
- 8.3 Current Official Plan..... 28
- 8.4 Recommendations 28
- 9.0 Cultural Heritage 30**
- 9.1 Background..... 30
- 9.2 Current Official Plan..... 30
- 9.3 Recommendations 31
- 10.0 Protecting Public Health and Safety 31**
- 10.1 Background..... 31

Township of Chisholm Draft Background Report

10.2	Current Official Plan.....	33
10.3	Recommendations	33
11.0	Additional Considerations	34
11.1	Implementation	34
11.2	Relationships with Indigenous Communities	35
12.0	Conclusion and Next Steps	35

List of Appendices

Appendix A – Relevant Planning Policies

Township of Chisholm

Draft Background Report

1.0 Introduction

1.1 Background

The Township of Chisholm was established in 1880 and comprises a geographic territory north of Algonquin Park, east of the Municipality of Powassan and south of the Municipalities of East Ferris and Bonfield.

The Township is largely comprised of large land parcels developed as farms or hobby farms with portions of large tracts of Crown land and an increasing amount of smaller residential parcels. The population of 1,312 (2021 census) is projected to increase and will require adequate housing and employment opportunities that align with the vision and strategic goals of the community. The increasing pressures of a changing climate, the need for affordable housing options, agricultural land-use pressures, and source water protection for the Wasi Lake watershed are viewed as opportunities and challenges for the community.

The Official Plan is a policy document that municipalities and planning authorities maintain which describes how land in a community should be used and is prepared with input from the public to ensure that future planning and development will meet the specific needs of a community. The purpose of the Official Plan is to manage and direct physical change and the effects on the social, economic, built, and natural environments of a community over a twenty-to-thirty year planning horizon. The Township's current Official Plan 2013 establishes guiding principles for the community and a comprehensive set of policies based on the following themes:

- Part A – The Vision and Land Use Concept
 - Community Vision
 - Sustainability
 - Goals and Strategic Objectives
 - Land Use Concepts
- Part B – Land Use Designation
 - Rural
 - Agriculture
 - Shoreline
 - Crown Land
 - Environmental Protection
- Part C – General Environmental Policies
 - a) Environmental Features (Lakes, Rivers, Streams, Fish Habitat, Woodlands and Valleylands, Significant Wildlife Habitat and Other Areas)
 - b) Water Resource Management
 - c) Stormwater Management

Township of Chisholm

Draft Background Report

- d) Hazard Land Policies
- e) Waste Disposal Areas
- f) Land Use Compatibility
- g) Contaminated Sites
- Part D – General Development Policies
 - a) Water and Sewer Servicing Strategy
 - b) Transportation
 - c) Cultural Heritage and Archaeological Resources
 - d) Subdivision of Land
 - e) Technical Studies and Peer Review
- Part E – Plan Implementation and Administration
 - a) Plan Implementation
 - b) Non-Conforming Uses
 - c) Non-Complying Buildings, Structures or Lots
 - d) Pre-Consultation and Complete Applications
 - e) Administration (Public Notices, Boundary Interpretation, Definitions and Official Plan Reviews)

The current Official Plan (OP) was adopted in 2013 to be consistent with the 2005 Provincial Policy Statement. There have been two amendments to the OP since then to include the North Bay-Mattawa Source Water Protection Plan and By-law 2021-07.

1.2 Project Overview

Given the long-term nature of an Official Plan, consistent change in the external environment, and a continuously evolving legislative, policy, and regulatory framework for land use planning, it is a standard practice to periodically review an Official Plan to ensure that it reflects the best available information, continues to reflect the vision and goals of the community, and balances the vision and goals with matters of provincial interest in local land use planning.

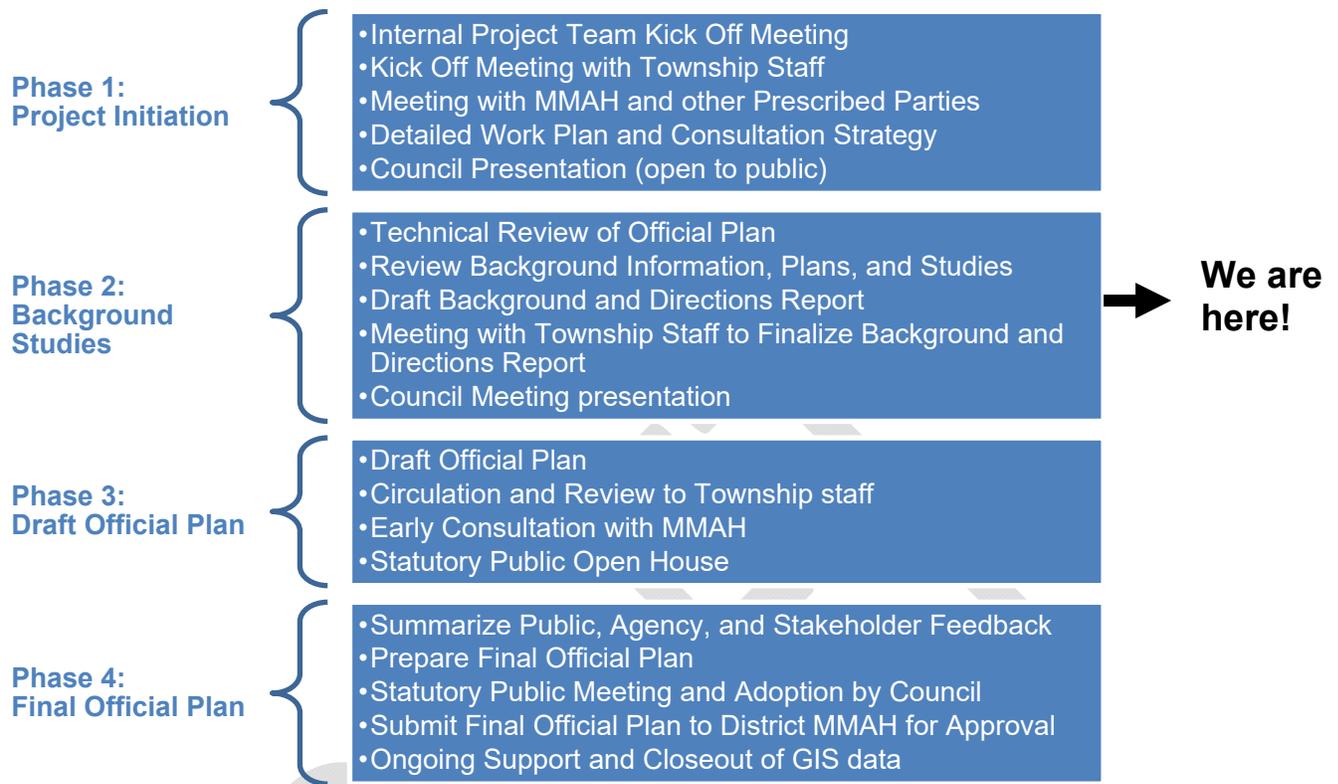
This practice is enshrined in the *Planning Act* under Section 26 which requires that planning authorities revise their Official Plan no less frequently than ten years after it comes into effect as a new Official Plan and every five years thereafter, unless replaced by a new Official Plan. The purpose of this regular review and update is to ensure that the Official Plan has regard to matters of provincial interest in land use planning as per Section 2 of the *Planning Act*, is consistent with policy statements issued under Section 3 of the *Planning Act*, and that it conforms, or does not conflict with, provincial plans.

Since 2013, there have been numerous changes to legislation and policy at the provincial level which are not reflected in the current Official Plan. Given the extensive changes that have occurred in the planning framework, a review and update of the Official Plan is imperative to support planning in the Township for the next twenty-to-thirty years.

Township of Chisholm

Draft Background Report

The project is structured in a series of phases, as outlined below:



Phase 1 of the Project is complete. This report is a presentation of the background research of existing Township reports and plans to be considered and included in the updated Official Plan as part of the review process. To date we have completed a review of:

- Current Official Plan (2013)
- Strategic Goals (2023-2027)
- Annual Operational Plan (2024 and 2025)
- Multi Year Accessibility Plan (2014-2018)
- Asset Management Plan (supplemental document January 2025)
- Bridge Management Study (2024)
- Emergency Plan (2024)
- Conservation and Management Energy Plan (2024-2028)
- Roads Needs Study (2022)
- North Bay-Mattawa Source Protection Plan (Draft Update 2024)
- Ministry of Municipal Affairs and Housing (MMAH) consultation notes
- Ministry of Agriculture, Food and Rural Affairs consultation notes
- Ministry of the Environment, Conservation and Parks consultation (summary notes pending)

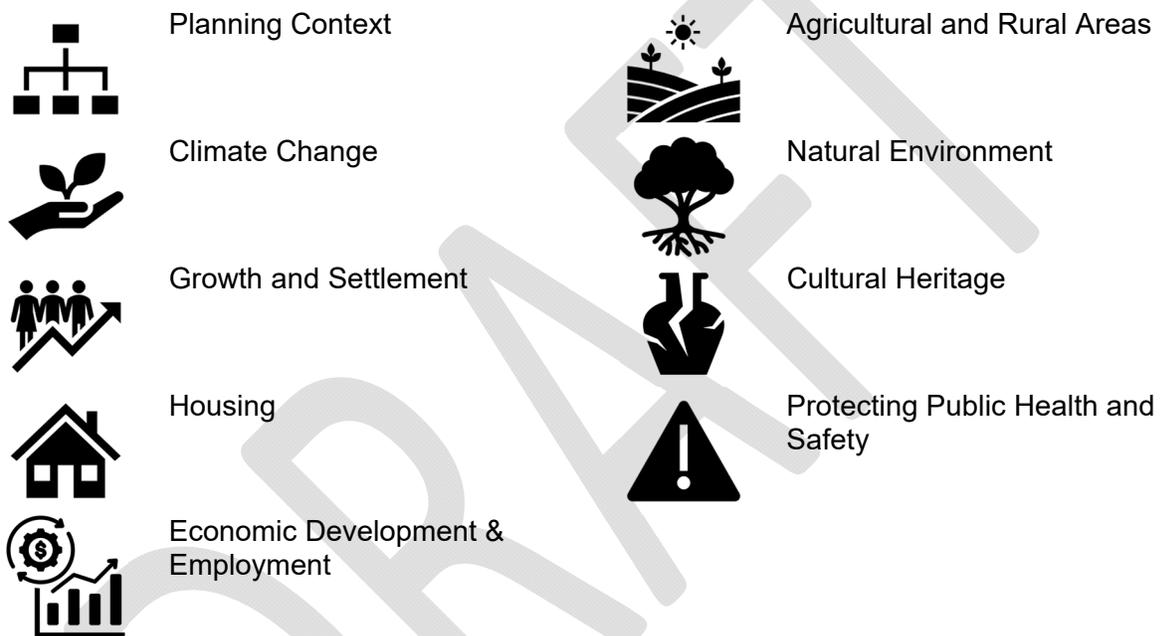
Township of Chisholm

Draft Background Report

- Ministry of Natural Resources and Forestry consultation notes
- Ministry of Mines consultation notes
- Ministry of Citizenship and Multiculturalism consultation notes
- Ministry of Transportation consultation notes

1.3 Purpose of the Background Report

This report summarizes key information from several sources, describes the existing provincial policy framework for land use planning and development, and discusses how policies will affect the existing Official Plan. The report is organized thematically to address the following key topics for change:



Please note that while not specifically addressed in this background report, minor changes to ensure consistency with the PPS and reflect updated terminology will be made to the draft Official Plan.

The Background report is intended to be a 'working document' that is updated throughout the Official Plan review process and will be used as the rationale for submission of the Draft Official Plan to the Ministry of Municipal Affairs and Housing for approval. Changes will be noted using the date of the change being noted in the text.

2.0 Planning Context

The planning policy framework for updating an Official Plan is comprised of the *Planning Act*, the Provincial Planning Statement (2024), and the Growth Plan for Northern Ontario (2011), the Algonquins of Ontario Land Claim, and the North Bay-Mattawa Source Protection Plan - each of which is discussed in this section.

Township of Chisholm

Draft Background Report

2.1 Planning Act

The *Planning Act* is the Province's legislation for land use planning and provides the basis for planning authorities to prepare and review Official Plans to guide growth and development in their communities over a twenty-five year planning period. Under the *Planning Act*, planning authorities must have regard to matters of provincial interest as listed in Section 2, and decisions affecting land use planning must be consistent with policy statements issued under Section 3 of the Act and conform to, or not conflict with, provincial plans.

Since 2013, when the Official Plan came into effect, the *Planning Act* has been the subject of numerous amendments, including:

- *Smart Growth for our Communities Act*, 2015 (Bill 73)
- *Promoting Affordable Housing Act*, 2016 (Bill 7)
- *Aggregate Resources and Mining Modernization Act*, 2017 (Bill 39)
- *Building Better Communities and Conserving Watersheds Act*, 2017 (Bill 139)
- *More Homes, More Choice Act*, 2019 (Bill 108)
- *Covid-19 Economic Recovery Act*, 2020 (Bill 197)
- *Supporting Recovery and Competitiveness Act*, 2021 (Bill 276)
- *More Homes for Everyone Act*, 2022 (Bill 109)
- *Build More Homes Faster Act*, 2022 (Bill 23)
- *Cutting Red Tape to Build More Homes Act*, 2024 (Bill 185)
- *Homeowner Protection Act*, 2024 (Bill 200)

The key updates pertinent to the Official Plan, among other matters, include:

- Requirements for planning authorities to consider the adequate provision of a full range of housing, including affordable housing, as a matter of provincial interest.
- Requirements for planning authorities to include a description of measures and procedures in their Official Plan for informing and obtaining the views of the public with respect to various planning act approvals.
- Requirements for Official Plans to include climate change policies.
- Modified parkland dedication requirements.
- Modified timelines for appeals of non-decisions for certain types of development applications.
- Changes to types of matters and reasons for appeal of decisions, as well as changes to persons who may file appeals, accompanied by transformation of the Ontario Municipal Board to the now Ontario Land Tribunal.
- Modifications to the types of development and the matters relating to building that are subject to site plan control. For example, residential development with 10 residential

Township of Chisholm

Draft Background Report

units or fewer are exempt from site plan control unless the property is located within 120 metres of a water features (wetland, stream etc.) or 300 metres of a railway.

- Requirements for site plan approval to be delegated to staff.

2.2 Provincial Planning Statement 2024

The Provincial Planning Statement (PPS) is issued under Section 3 of the *Planning Act* and provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment, while integrating the principles of strong communities, a clean and healthy environment, and economic growth for the long term.

The current Official Plan was adopted in 2013 when the 2005 Provincial Policy Statement was in force and effect. Since then, a new Provincial Policy Statement was issued in 2014, which was updated in 2020 and replaced with the new Provincial Planning Statement effective October 20, 2024.

The policies of an Official Plan are to be consistent with the intent of the PPS.

In 2014 and 2020, changes to the Provincial Policy Statement were made to:

- Encourage planning for communities that are strong, sustainable, and resilient to the impacts of a changing climate.
- Promote development that minimizes or avoids negative impacts or adverse effects on the natural environment.
- Encourage the development of an increased mix and supply of housing.
- Protect the environment and public safety.
- Reduce barriers and costs for development.
- Provide greater predictability.
- Support rural, northern, and Indigenous communities.
- Support the economy and job creation.

The 2024 PPS builds on the changes reflected in the 2014 and 2020 Provincial Policy Statement to:

- Increase housing and mix of housing options.
- Address housing affordability needs.
- Support investment ready communities.
- Optimize investments in infrastructure and public service facilities.
- Prioritize growth and development within urban and rural settlements.
- Support viability of rural areas and local food production and the agri-food network.
- Protect natural areas, local food production and the agri-food network.

Township of Chisholm Draft Background Report

- Further recognize the role of indigenous communities in land use planning and development.

2.3 Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (GPNO) was issued in 2011 and provides guidance to align provincial decision-making and investment for economic and population growth in Northern Ontario. The key growth management goals for the Growth Plan include:

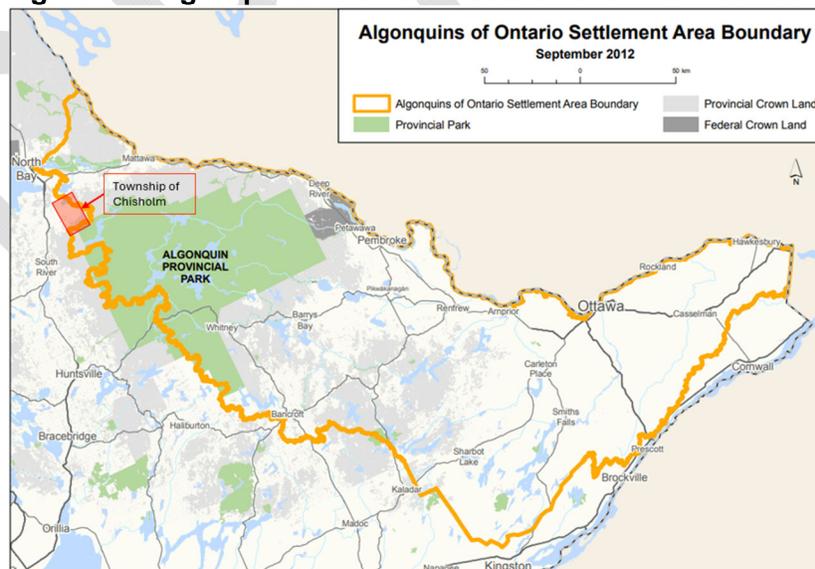
- To enable growth that sustains a robust economy, builds strong communities, promotes a healthy environment and a culture of conservation
- Promotes the efficient use of infrastructure building on community priorities, strengths and opportunities
- Planning for growth that reflects the broad geographical challenges in the North and integrates natural and municipal boundaries
- Long-term goals and visions are guiding decision making amongst all levels of governments

The Township's decision-making that affects land use planning, including the update of the Official Plan, must conform or not conflict with the Growth Plan.

2.4 Algonquins of Ontario Land Claim

The Algonquins of Ontario are working together with the Province of Ontario and the Government of Canada to resolve land claims within the province that includes, in part, sections within the Township of Chisholm (see Figure 1).

Figure 1 – Algonquins of Ontario Settlement Area Boundary

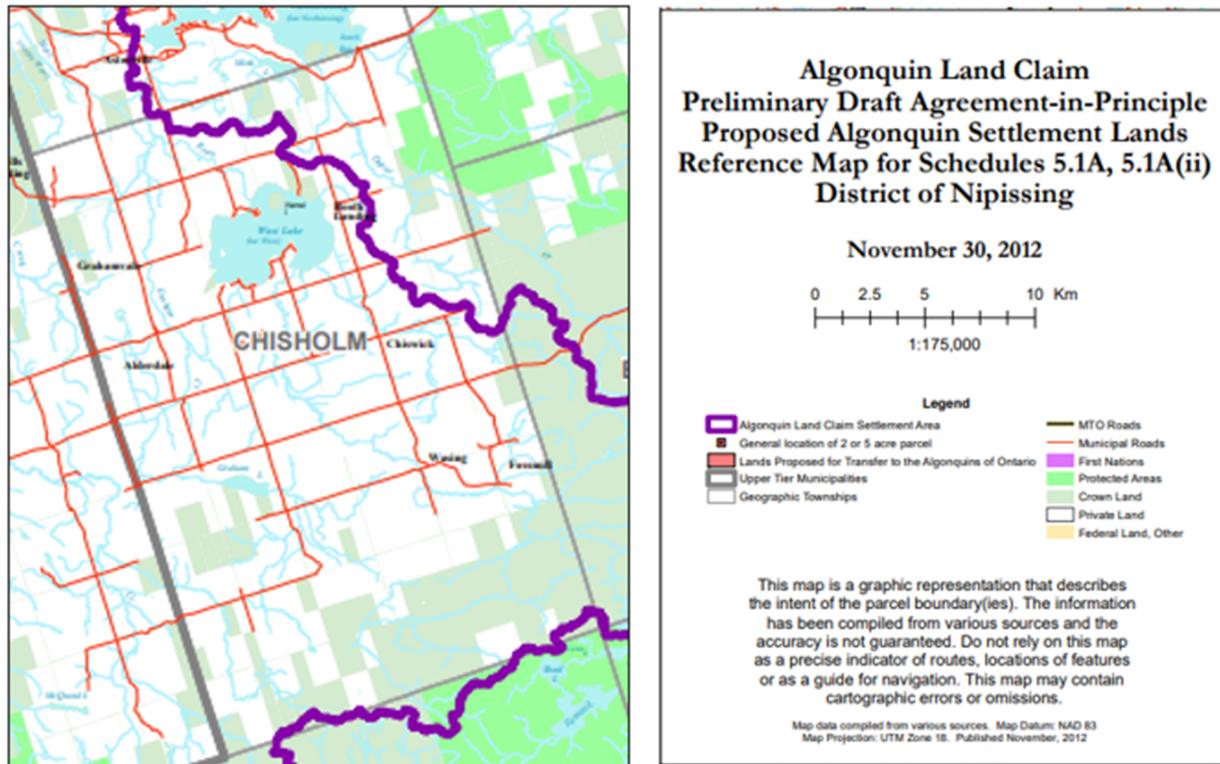


Source: Government of Canada (<https://www.rcaanc-cirnac.gc.ca/eng/1355436558998/1539789262384>)

There are currently no proposed impacts to private or public lands within the Township of Chisholm as a result of the ongoing negotiations (see Figure 2).

Township of Chisholm Draft Background Report

Figure 2 – Algonquin Land Claim in Chisholm Township



Source: Algonquins of Ontario (www.tanakiwin.com/our-treaty-negotiations/preliminary-draft-agreement-in-principle/)

2.5 North Bay-Mattawa Source Protection Plan

The Township of Chisholm is under the jurisdiction of the North Bay-Mattawa Conservation Authority (NBMCA). Under the *Conservation Authorities Act 1990*, the *Clean Water Act 2006* and Section 8 of the Ontario Building Code, the NBMCA manages the area's watersheds, conservation areas, drinking water source protection and septic system permitting. The CA is currently administering the approved SPP (Appendix A for link).

3.0 Climate Change

3.1 Background

Climate change is described as "long-term shifts in temperatures and weather patterns" by the United Nations (UN). These changes occur naturally on the planet but have been accelerated since the 1800's by human activities that contribute excess greenhouse gases (which warm the Earth's atmosphere and disrupt natural weather patterns).

The UN is the intergovernmental organization that works collaboratively with member states to collectively coordinate global initiatives. Climate change was discussed in an assessment report in 1990 that led to the establishment of the United Nations Framework Convention of Climate

Township of Chisholm

Draft Background Report

Change (UNFCCC) in 1992. The primary objective of the UNFCCC is to negotiate global agreements to address and mitigate greenhouse gas concentrations in the atmosphere to prevent human-caused interference with the world's climate systems.

Canada, as a member of the UNFCCC, has committed to reduce our greenhouse gas emissions by promoting renewable energy, increasing energy efficiency, protecting our natural systems, and by innovating clean technology.

Canadians are already experiencing climate change impacts that include increased flooding events, increased number and intensity of forest fires, extreme weather events (rainfall, snowfall, droughts), and changes to the natural environment (affecting plant and animal cycles).

According to the Canadian Centre for Climate Services, annual mean temperature and total precipitation are projected to increase over the next 30 years in the Township area. Available data for Wasi Lake shows ([Location — ClimateData.ca](#)):

- Annual average temperature for the 1971-2000 period was 4.3 °C.
- Under a high emissions scenario, annual average temperatures are projected to increase to 7.1 °C for the 2021-2050 period, 9.2 °C for the 2051-2080 period and 11 °C for the last 30 years of this century.
- Average annual precipitation for the 1971-2000 period was 963 mm.
- Under a high emissions scenario, this is projected to be 13% higher for the 2051-2080 period and 18% higher for the last 30 years of this century.

Recent years have seen unpredictable flooding and erosion events within the community that impact the roads infrastructure, accessibility and the agricultural economy.

The PPS (Section 2.9) requires that planning authorities plan to reduce greenhouse gas emissions and prepare for the impacts of climate change through approaches that:

- Support the achievement of compact, transit-supportive, and complete communities;
- Incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;
- Support energy conservation and efficiency;
- Promote green infrastructure, low impact development, and active transportation;
- Protect the environment and improve air quality; and,
- Take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

3.2 Current Official Plan

The existing Official Plan refers to Environmental Sustainability in Section A2.1 and that the Township will “support innovative and sustainable development policies and practices to protect the natural environment and help reduce greenhouse gas emissions”.

The *Planning Act* states that “an official plan shall contain policies that identify goals, objectives and actions to mitigate greenhouse gas emissions and to provide for the adaptation to a

Township of Chisholm

Draft Background Report

changing climate, including through increasing resiliency” (Section 16(14)). Being a predominantly rural township, the Official Plan will need to consider some of the implications of predicted increasing regional temperatures and precipitation with regards to the *Planning Act* requirements and detail these into policy.

3.3 Recommendations

It is recommended that the Official Plan be updated to contain Climate Change policies which:

- Identify Climate Change as a priority for the Township in their “Sustainability” section (A2).
- Section A2.1 should be updated to include Goals, Objectives and Actions to mitigate greenhouse gas emissions. It should include specific reference to adaptations that will increase resiliency within the Township.
- Encourage energy conservation and the use of alternative and renewable energy systems.
- Encourage tree planting and the use of native and non-native non-invasive species.
- Consider the potential impacts of a changing climate on water resources.
- Promote designs which maximize energy efficiency and conservation and consider the mitigating impacts of vegetation and green infrastructure.
- Promote green infrastructure, including low impact development, to complement traditional infrastructure.
- Require stormwater management to consider the impacts of a changing climate through the effective management of stormwater including the use of green infrastructure.
- Continue to direct development away from natural and human-made hazards in order to protect public health and safety from the risks posed by a changing climate.

4.0 Growth and Settlement

4.1 Background

Understanding the future development needs of the community is important to ensuring there is adequate land supply, servicing, and infrastructure availability, and a framework in place to ensure development meets the needs of the community. This section provides an overview of the population projections for the Township, and the current approach to growth management in the Official Plan. This information will be used to determine vacant land supply needs of the Township. Population estimates form the foundation and greatly influence the shape of community planning.

4.2 Population

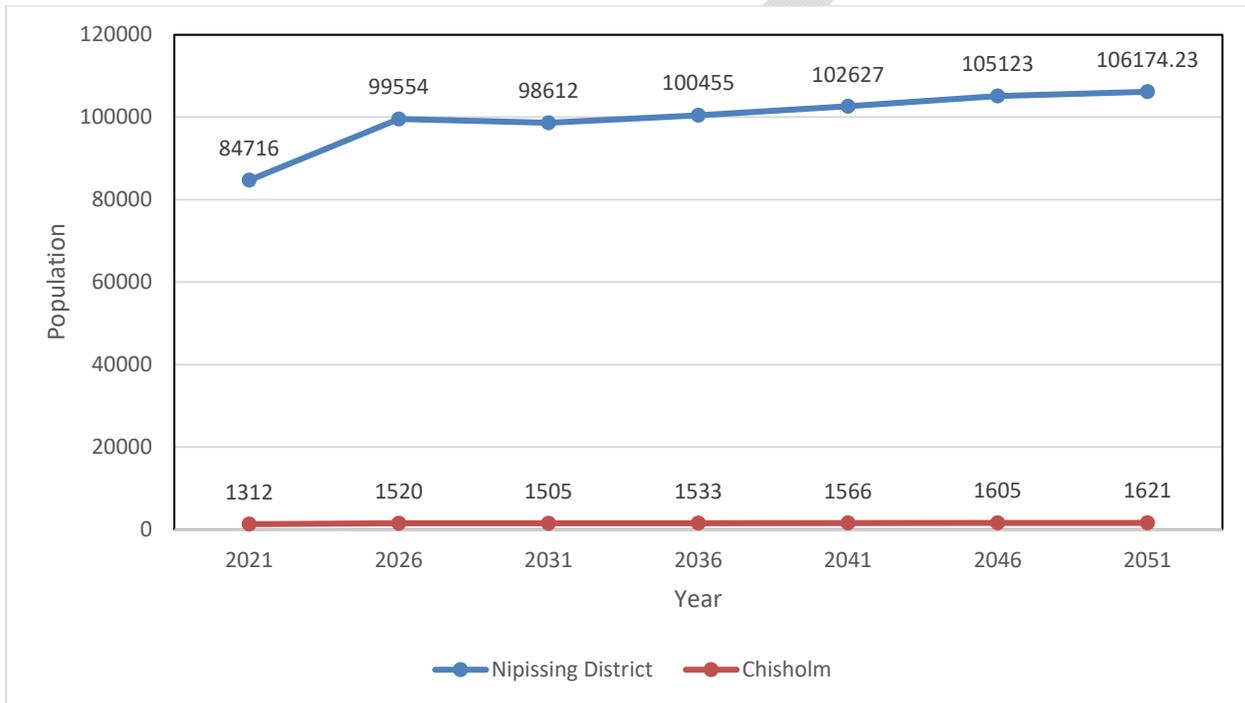
Section 2.1 of the PPS, Planning for People and Homes, states that at the time of an Official Plan update, sufficient land must be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning authorities are directed to base

Township of Chisholm Draft Background Report

population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance.

Based on available census data for 2021, Chisholm had an estimate population of 1,312 and overall Township area of 205.66 square kilometres (20,577 hectares). Using Ministry of Finance projections for Nipissing District and assuming a consistent 1.53% share of the District's population growth for 2021 to 2051, it is estimated that the Township's population will increase to 1,621 by 2051, a growth rate of approximately 1.48% (Figure 3).

Figure 3 Actual and projected population for Nipissing District and the Township of Chisholm (2021-2051) (Data source: Statistics Canada, Ontario Ministry of Finance)



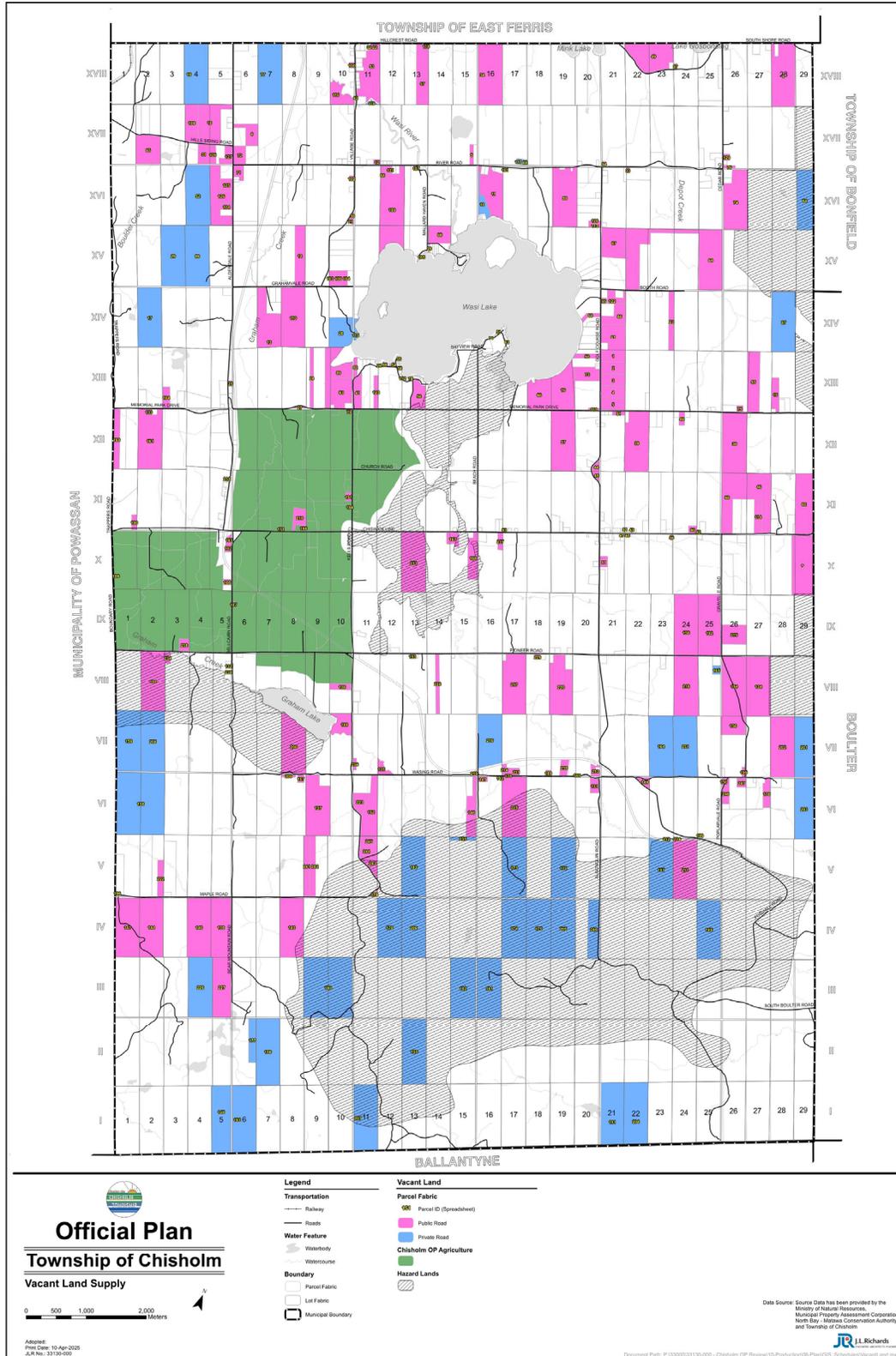
4.3 Land Supply

Using the projected population estimates for the Township, the next step in determining whether there is sufficient land supply to meet projected needs over the next 20 to 30 years is to examine the current supply of vacant land within the Township which may accommodate future residential development. In addition to ensuring an adequate land supply over this time horizon, the PPS further requires that planning authorities maintain at all times the ability to accommodate residential growth for at least 15 years through lands which are designated and available for residential development, as well as ensuring adequate land is available with servicing capacity which is sufficient to provide at least a three-year supply of residential units (i.e., lands suitably zoned for residential use, including units in draft approved or registered plans).

Reviewing MPAC vacant land property codes for the Township gives an estimation of the current supply of land. Figure 4 illustrates the vacant lots within the Township based on MPAC codes and which are not impeded by development constraints or natural heritage features.

Township of Chisholm Draft Background Report

Figure 4 Township of Chisholm Vacant Lands by MPAC Code



Township of Chisholm

Draft Background Report

Criteria to consider the potential land supply for future residential development include the MPAC property code, the minimum lot area prescribed for that land use type (i.e. rural and shoreline) and properties unconstrained by natural heritage features or other development constraints¹. In addition, considerations for the potential land supply for future residential development also include factoring in the severance potential of larger properties based on the existing Official Plan's policies for lot creation.² Table 1 identifies vacant parcels meeting the minimum lot size requirements and properties with severance potential.

Table 1 Vacant residential land supply by MPAC property code

MPAC Property Code	Count of vacant parcels meeting minimum lot area	Count of potential vacant lots created by severance	Total lot area of all vacant lots (ha)
Vacant residential land not on water	149	301	2,773.22
Vacant residential/recreational land on water	12	16	187.04
Total	161	317	2,960.26

Based on this, there are 161 vacant residential parcels in the Township which meet the minimum lot area prescribed by the Official Plan and which could accommodate future residential development. When considering the severance potential of these parcels, this number increases to a total of 317 potential vacant residential parcels which could accommodate future residential development.

We understand that the Township's current severance policies only permit up to 3 consents to sever applications on a 40 hectare (100 acre) on an original Township lot provided the property is on a municipally maintained road and no other constraints exist. Staff have raised the desire from Council to permit a greater number of consents to sever application on properties which are outside of the prime agricultural area. Typically, where an applicant seeks to sever more than 3 lots from the original property, a plan of subdivision is a more appropriate land division tool and is reflective a good planning practices across Ontario. However, we understand that there are scenarios where an original lot was severed 3 times but still contains large lot sizes. In this scenario, we would recommend a "reset" where the consent policies continue to apply however the clock is to lots which existed the day that the Official Plan is adopted.

The next step to understanding the land supply needed to accommodate projected population growth includes consideration of the average household size to determine the number of households anticipated in 2051. Census data from 2006 to 2021 for the Township of Chisholm was reviewed to understand how the average household size has changed over time, calculating the average change, minimum change, and maximum change in household size over this time period. As shown in Table 2 below, the average household size for the Township has remained relatively constant, with the average household size remaining at 2.6 people per

¹ In this context, vacant land parcels where 95% of the lot area is covered by natural features are deemed unsuitable for residential development. Parcels with 50% to 95% natural feature coverage are considered to have limited potential for lot division.

² Section B1.4.1 of the Official Plan provides lot creation policies for rural residential uses and B3.4 provides the lot creation policies for shoreline properties.

Township of Chisholm Draft Background Report

household between 2006 and 2011 and decreasing to 2.5 people per household in 2016 before increasing back to the 2006/2011 average.

Table 2 Change in average household size from 2006 to 2021 in the Township of Chisholm

Geography	Census Year			
	2006	2011	2016	2021
Chisholm CSD Household Size	2.6	2.6	2.5	2.6
Chisholm % change household size		0.0%	-3.8%	4.0%

Using this information, we can estimate that the average household size will likely remain the same from 2021 to 2051, applying a 5-year change in average household size in three scenarios:

- Maximum growth, increase in average household size: 4.0% increase in average household size in each 5-year increment;
- Minimal growth, decrease in average household size: 3.85% decline in average household size each 5-year increment; or,
- Average (0.04%): average household size remains at 2.6 people per household to 2046.

Table 3 shows the projected change in average household size in each of these scenarios, with an average household size estimated at 3.2 people per household in the increase scenario, 2.1 people per household in the decrease scenario, and remaining at 2.6 people per household in the average scenario.

Table 3 Projected average household size from 2026 to 2046 in the Township of Chisholm

	2026	2031	2036	2041	2046	2051
Maximum Growth Average Household Size (+4.0% change)	2.7	2.7	2.8	2.9	3.0	3.2
Minimal Growth Average Household Size (-3.85% change)	2.5	2.4	2.3	2.2	2.1	2.1
Moderate Growth Average Household Size (0.04%)	2.6	2.6	2.6	2.6	2.6	2.6

Using this information and the number of households data for the Township of Chisholm from statistics, we can estimate the total number of households expected for the Township to the year 2051. Planning Area based on the population growth projections estimated to 2046. Table 4 shows the total number of households expected in the Township in 5-year increments under each scenario.

Township of Chisholm

Draft Background Report

Table 4 Projected number of households from 2026 to 2051 in the Township

	2026	2031	2036	2041	2046	2051
# Households in Maximum Growth Scenario (+4.0% change in Average Household Size)	612	623	653	685	722	749
# Households in Minimal Growth Scenario (-3.85% change in Average Household Size)	584	594	622	653	688	714
# Households in Moderate Growth Scenario (0.04% change in Average Household Size)	601	611	640	672	708	735

It is estimated that by 2051, there will be 735 households in the Township (0.04% change). This is an estimated increase of 134 households from 2021.

4.4 Municipal Property Assessment Corporation (MPAC) Assessment

Section E8 of the Official Plan contains criteria that must be addressed as part of the 5-year Official Plan Review including:

- d) *whether the Township has increased its commercial and industrial assessment in relation to residential assessment;*

The intent of this criterion is to better understand economic growth in the Township and determine whether updated policies are needed to further support its local economy. To address this criterion, MPAC data must be reviewed between 2013 and 2024 to determine the rate of change. MPAC assesses the value of all properties in the Township and provides an analysis of the total value of properties within the Township against the different tax categories. Table 5 shows the differences in assessment percentage between 2013 and 2024.

Table 5 Total MPAC Assessment (%) for Properties in the Township between 2013 and 2024

	2013	2024	% of Change
Commercial	0.64	0.57	-11%
Exempt	1.39	1.47	6%
Farmland	5.41	6.62	22%
Industrial	0.31	0.19	-39%
Residential	92.03	90.64	-2%
Managed Forest	0.22	0.51	132%
Total	100.00	100.00	N/A

Township of Chisholm

Draft Background Report

The proportion of commercial and industrial properties in the Township has decreased between 2013 and 2024. However, the Township has seen an increase in farmland (which are actively farmed parcels), exempt and managed forest properties. Exempt properties may include crown land, municipal property, and certain institutional uses (i.e. place of worship, cemetery). This suggests that some formerly residential, industrial and commercial properties contained managed forests and received the associated tax code through MPAC. Further, it appears that more land is now being actively farmed which continues to stimulate the rural economy. When we compare the total assessment values of the commercial, farmland and industrial tax codes, understanding that these uses play a key role in economic growth in the Township, we see an increase between 2013 and 2024 (6.26% vs. 7.58%).

The current Official Plan establishes strategic goals relating to encouraging the development of tourism commercial uses, agricultural-related uses, agriculture and rural services businesses and home-based businesses. To further support growth in the commercial and industrial sectors, it is recommended that updated policies to stimulate economic investment and growth in the Township be included in the Official Plan. Primarily as it relates to tourist commercial and agriculture uses, which are promoted in the Official Plan but are not captured under the top 3 industries of employed workers in the Township. This data is further described in Section 6.0. This may include providing clearer policy direction regarding agriculture-related uses and on-farm diversified uses (formally secondary farm uses) to stimulate the rural economy. This would support the revised agricultural policies found in the PPS.

4.5 Recommendations

Comparing the projected number of households in the Township to 2051 it is estimated that there will be 134 additional households by 2051 in an average growth scenario. When comparing this estimate to the existing vacant residential land supply (161 lots), there appears to be sufficient land to accommodate growth. Based on this, it is our opinion that sufficient vacant land is available to accommodate future population growth in the Township and meets the tests of the PPS with respect to growth management.

To address local concerns regarding lot division, we are recommending that Section B1.4.1 be revised to “reset the clock” to have the policies apply to lots which existed the day the Official Plan is adopted.

5.0 Housing

5.1 Background

Housing is a basic human right. According to the Ontario Human Rights Commission, international law requires that Canada work towards having access to adequate and affordable housing. There is ample evidence that demonstrates that attainable and affordable housing is central to achieving positive economic and social outcomes. It is becoming increasingly evident that Canada’s housing market has become more competitive in recent years, placing upward pressure on housing costs, both ownership and rental.

The PPS requires that planning authorities provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area.

Township of Chisholm

Draft Background Report

To achieve this goal the PPS requires the development of policy that is consistent with the following:

- Municipalities establish minimum targets for affordable and attainable housing (2.2.2a) and coordinate land use planning and planning for housing with Service Managers.
- Permit a range of housing types and densities including additional needs housing (2.2.2b) and facilitate opportunities for all types of residential intensification.
- Promote densities that efficiently use land, resources and infrastructure (2.2.2.c) and support active transportation.

Municipalities can support the delivery of new housing by identifying a sufficient supply of residential lands, permitting a range of housing types and densities and creating effective and flexible development standards. Official Plans can promote the provision of affordable and attainable housing through the establishment of affordable housing targets and enabling policies and through permitting a range of different housing types and sizes. Often municipalities will establish these policies in coordination with housing service providers such as the District of Nipissing Social Services Administration Board (DNSSAB). The DNSSAB published its Housing Needs and Supply Study which outlines seven (7) strategies to address the housing needs and gaps in the area. Strategy 2 is to provide diverse housing forms/options throughout Nipissing for all stages of life which includes actions such as working with local municipalities to establish affordable housing targets and create consistent policy language and guidelines for alternative housing forms. At this time DNSSAB has not established any targets but will be circulated as part of this Official Plan Review to provide direction.

Given that the Township is a rural municipality without a settlement area or municipal services, there are limitations to the variety of housing types and options that may be permitted. For example, the Planning Act permits the creation of two additional residential units as-of-right on a parcel of urban land (i.e. land within a settlement area with municipal services) which permits a single detached, semi-detached or rowhouse dwelling, which is not applicable in the case of the Township. However, this is not to say that additional residential units cannot be permitted in rural areas. The PPS permits two additional residential units on prime-agricultural properties, where a residential dwelling is permitted, subject to specific criteria such a sufficient servicing capacity, MDS compliance and are a limited size. By permitting additional residential units subject to specific criteria in the rural and prime agricultural areas, municipalities can support the creation of a variety of housing options and sizes to meet the needs of different households.

To support climate change mitigation and adaption, the PPS requires that municipalities support energy conservation, promote green infrastructure and take into consideration any additional approaches that help reduce greenhouse gas emissions. This could include the development of policies which encourage the use of local construction materials, net zero development, passive home standards and the use of small-scale renewable energy resources such as solar panels.

5.2 Current Official Plan

Housing policies within the Official Plan speak to the need to communicate with DNSSAB on matters relating affordable housing and permit a limited amount of rural residential development in appropriate locations. Within the Rural Area, single detached dwelling units with internal accessory dwelling units and garden suites are permitted whereas in the Shoreline and

Township of Chisholm

Draft Background Report

Agricultural areas, residential uses are limited to single detached dwellings. There are no specific housing goals within the existing Official Plan.

5.3 Recommendations

It is recommended that the municipality permit two (2) additional residential units on a lot in a prime agricultural area, subject to the criteria established in policy 4.3.2.5 of the PPS.

Although not required by the Planning Act, nor the PPS, the Township could introduce permissions for additional residential units within the Rural areas subject to specific criteria such as requiring the demonstration of adequate water and sewage servicing, compliance with MDS requirements and establishing limitations on size. This would mirror the criteria established in policy 4.3.2.5 of the PPS.

In light of changes to provincial legislation and policy requiring consideration of an appropriate affordable and market-based range of residential types, it is recommended that the new Official Plan include policies related to:

- Minimum targets for the provision of housing affordable to low and moderate income households and attainable housing in consultation with DNSSAB.
- Permissions for additional residential units, where they can be demonstrated to be appropriate.
- Ensuring safe human habitation standards for residential dwellings (i.e., prohibiting human habitation in non-residential buildings).
- Adherence to Ontario's Human Rights Code as it related to group homes and supportive housing.
- Encouraging passive home design, green infrastructure and the use of small-scale renewable energy as it relates to new and existing housing.

Please see Appendix A, for relevant policies relating to the above recommendations.

6.0 Economic Development and Employment

6.1 Background

A strong economy is central to a healthy and sustainable community. The economic base of the Township is diverse ranging from construction and tourism to agriculture and home-based businesses. The need for expanded economic opportunities within the Township relies partly on the economies of neighbouring municipalities (Powassan, East Ferris, Callander, North Bay) and their ability to provide services or identify economic opportunities.

The 2021 Census (Statistics Canada) provides details for commuting destination for the employed labour force. Over 70% of people living within the Township commute to work within the local region, 20% of people commute to work outside of the region, while only 7% of workers stay within the Township to work.

Township of Chisholm Draft Background Report

The primary industries of employed workers within the Township include Health Care and Social Assistance (20%), Construction (16%) and Accommodation and Food Services (10%). See Table 6 below for a breakdown by industry.

Table 6 Statistics Canada 2021 Employment Industries for Chisholm Township

INDUSTRY	Total Employed	Percentage
Agriculture, forestry, fishing and hunting	35	6%
Mining, quarrying, and oil and gas extraction	15	3%
Utilities	10	2%
Construction	95	16%
Manufacturing	40	7%
Wholesale trade	30	5%
Retail trade	30	5%
Transportation and warehousing	40	7%
Information and cultural industries	0	0%
Finance and insurance	20	3%
Real estate and rental and leasing	10	2%
Professional, scientific and technical services	15	3%
Management of companies and enterprises	0	0%
Administrative and support, waste management and remediation services	10	2%
Educational services	15	3%
Health care and social assistance	120	20%
Arts, entertainment and recreation	0	0%
Accommodation and food services	60	10%
Other services (except public administration)	15	3%
Public administration	35	6%
Total	595	100%

The PPS directs municipalities to promote a strong economy and economic development opportunities by (Section 2.8.1):

- providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;

Township of Chisholm

Draft Background Report

- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities;
- addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

The PPS also directs municipalities with rural lands to support a diversified rural economy by protecting agricultural and other resource-related uses and by directing non-related development to areas where it will minimize constraints on these uses (Section 2.6.4). Since the Township does not supply municipal water or wastewater services, development needs to consider compatibility with private servicing and impacts upon natural heritage features and waterways, when considering economic areas and development to avoid uneconomical expansion of municipal infrastructure.

6.2 Current Official Plan

The Official Plan lists economic sustainability as one of its principal goals. It recognizes the need to meet today's needs without unreasonably compromising opportunities for future generations. It recognizes that a strong, diversified and resilient economy is necessary to provide for the Township's strong fiscal position. The Township encourages entrepreneurial spirit and diverse employment opportunities based in agriculture and rural development (including recreation and tourism).

Section A3.3.2.1 states that one of the strategic objectives of the rural and agricultural character is to permit agri-business and secondary uses that support local producers and contribute to the local economy.

Section A3.4 details how the Township will encourage economic growth and provide opportunities for economic development. This includes development of tourist commercial uses in rural areas; development and expansion of agriculture and agricultural and rural related services; development of compatible home-based businesses and home industries; support and maintain the existing road networks to support growth, and to encourage the protection of the Township's natural attributes to support these economic development opportunities.

6.3 Recommendations

We recommend the Township examine their policies for the potential to expand and support sites for investment and economic growth. To align with the PPS, encouraging mixed-use development for the long-term economic stability of the community may also provide residents opportunities to stay in in the Township for employment and reduce the need to commute for work. We recommend looking at the long term vision for economic development in the

Township of Chisholm

Draft Background Report

Township, where the focus of these opportunities would be located or preferred, and how to plan for potential designated growth areas and future settlement areas with municipal infrastructure and services.

7.0 Rural Areas and Agricultural Areas

7.1 Background

The Township of Chisholm is predominantly rural in character, with no settlement areas, the Township relies on its ample land, water and resources to sustain economic development in the Township. There is a small portion of the Township to the southwest of Wasi Lake that is designated Agricultural and are considered “prime agricultural lands”, which is land to be protected over the long term for agricultural purposes per the PPS.

As it relates to Prime Agricultural uses, the PPS limits permitted uses to agricultural uses, agriculture-related uses and on-farm diversified uses. On-farm diversified use is a relatively new term and is defined as:

“uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include but are not limited to, home occupations, home-industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.”

Where a residential dwelling is permitted on an agricultural lot, the PPS now permits the development of 2 additional residential units subject to specific criteria such as compliance with the minimum distance separation formulae, compatibility with the agricultural system, limited size and sufficient servicing capacity. This is intended to support gentle density in the agricultural area, accommodate multigenerational living and provide for a greater range of housing options to support the agricultural economy.

Limited non-agricultural uses, which are non-residential in nature, may be permitted in prime agricultural areas, provided a specific set of criteria is satisfied such as the proposed use complies with the Minimum Distance Separation formulae, there is an identified need for the use and alternative locations have been evaluated and are not feasible. Extraction of minerals, mineral aggregates and petroleum may be permitted in prime agricultural areas but are required to demonstrate through an agricultural impact study that they will not negatively impact the agricultural system or where impacts cannot be avoided, how impacts will be minimized and mitigated.

The PPS requires that Planning Authorities follow an agricultural system approach, which is to ensure that there is a continuous and connected agricultural land base which supports long-term economic prosperity and the improved capacity of the agri-food network. This is supported through the PPS’s stringent lot creation policies.

Outside of Prime Agricultural areas, rural lands in the PPS provide for a greater range of uses to support a diversified rural economy while protecting agricultural land and resource-related uses by directing incompatible uses away from these areas. Lot creation on rural lands is more flexible with the requirement that the lot is a sufficient size to support private services and complies within minimum distance separation requirements.

Township of Chisholm

Draft Background Report

7.2 Current Official Plan

The Official Plan provides direction to protect the rural and agricultural character of the Township by permitting compatible uses, regulating lot creation and encouraging agri-business, secondary farm uses and eco-tourism to support to the local economy.

As it relates to the Rural designation in the Official Plan, permitted uses and lot creation policies are in general alignment with the PPS. Updated policies are required in respect to alternative energy systems in light of the repeal of the Green Energy Act, which empowers Council's to refuse certain renewable energy projects where demand has not been demonstrated and allows for their regulation through Official Plans. With the intent to create private supply of electricity to support the goals to reduce GHG emissions, policy related to the IESO procurement policy and the need for Municipal Support for projects should be examined.

Within the Agricultural designation, permitted uses are generally in alignment with the PPS but reference outdated terminology and could benefit from additional direction and criteria to ensure consistency with the PPS. Updated policies are required for alternative energy systems, on-farm diversified uses (formally secondary farm uses), agriculture-related uses and additional residential units. It may be beneficial to include policy direction for the consideration of non-agricultural uses to provide clear direction for applicants and discourage those uses.

Lot creation policies in the Agricultural designation are generally consistent with the PPS and the Ontario Ministry of Agriculture, Food and Agribusiness guidelines (i.e. for new and retained lots a minimum lot size of 40 hectares is required for agricultural lots, permissions for surplus farm dwelling severances etc.).

7.3 Recommendations

The Ministry of Agriculture, Food, and Agribusiness and the Ministry of Rural Affairs (formerly OMAFRA) provided preliminary comments on the Ministry's interests in protecting agriculture in Ontario following one-window consultation with partner ministries. Through our review and in receipt of their comments it is recommended that the agricultural policies in the Official Plan be updated to:

- Replace references to secondary uses with On-Farm Diversified Uses and update regulations regarding these uses (i.e. that they must be limited in scale, must be located on a property with an existing agricultural use, must be compatible with agricultural uses).
- Include permissions for additional residential units subject to specific criteria (i.e. must be limited in scale, must be located on a property with an existing residential dwelling, must comply with minimum distance separation formulae requirements, have adequate servicing).
- Update policies pertaining to agriculture-related uses to include the requirement that they must provide direct products and/or services to farm operations as a primary activity.
- Include policy direction for the consideration of non-agricultural uses within the prime agricultural designation including the requirement for an agricultural impact assessment.

Township of Chisholm

Draft Background Report

- Update policies for alternative and renewable energy systems given the repeal of the Green Energy Act.
- Strengthen policy language as it relates to supporting an agricultural system approach and agri-food network.
- Update policy language to clarify that all new uses must comply with the minimum distance separation formulae requirements.

Within the Rural area, it is recommended that the Official Plan be updated to:

- Update policies for alternative and renewable energy systems given the repeal of the Green Energy Act.
- Replace references to accessory apartments with additional residential units and include additional criteria to ensure they are limited in size, have adequate servicing and are compatible with the surrounding area.

While not specifically mentioned in this report, minor updates to terminology are recommended to ensure consistency with the PPS.

8.0 Protecting the Natural Environment

8.1 Background

The natural environment in the Township of Chisholm is a large part of the overall character of the community. A local source of pride for the large expanses of undeveloped lands and the rural ‘feel’ of the majority of the municipality including Wasi and Graham Lakes. It is imperative for all communities to consider the natural features in their jurisdictions and to manage the wise use of these resources.

The protection of ecological systems, including natural areas, features, and functions, is a matter of provincial interest in land use planning which the Official Plan must consider. The PPS states that natural features and areas shall be protected for the long term. The two concepts to consider are significance and adjacent lands. This includes not permitting development in areas identified in the Township as significant wetlands, significant woodlands, significant wildlife habitat and significant areas of natural and scientific interest, fish habitat, and the habitat of endangered and threatened species, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The PPS also directs that development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

In determining the scope of what constitutes “adjacent lands” to the above-referenced natural heritage features and areas, the Natural Heritage Reference Manual prepared by the Ministry of Natural Resources (updated 2010) provides the following recommendations:

Township of Chisholm

Draft Background Report

Table 7 - Width of adjacent lands by natural heritage feature or area

Natural Heritage Feature / Area	Adjacent Lands
Habitat of endangered and threatened species	120 m
Significant wetlands and significant coastal wetlands	120 m
Significant woodlands	120 m
Significant valleylands	120 m
Significant wildlife habitat	120 m
Significant areas of natural and scientific interest – life science	120 m
Significant areas of natural and scientific interest – earth science	50 m
Fish habitat – inland lake trout lake (at capacity) on Canadian shield	300 m*
Fish habitat – all other fish habitat	120 m*

* *To be measured from the seasonal high water mark*

The PPS also indicates that water quality and quantity shall be protected, improved or restored in consideration of the entire watershed as the scale for long-term planning.

As it relates to shoreline development, the Lakeshore Capacity Assessment Handbook was developed to assist in the achievement of the policy outcomes of section 2.2 (housing) of the PPS. The MECP recommends that policies should reference the handbook for shoreline development. The Wasi Lake Capacity Assessment should be kept on file with the Township for reference (to be reviewed by JLR once received and updates made to this background report as necessary).

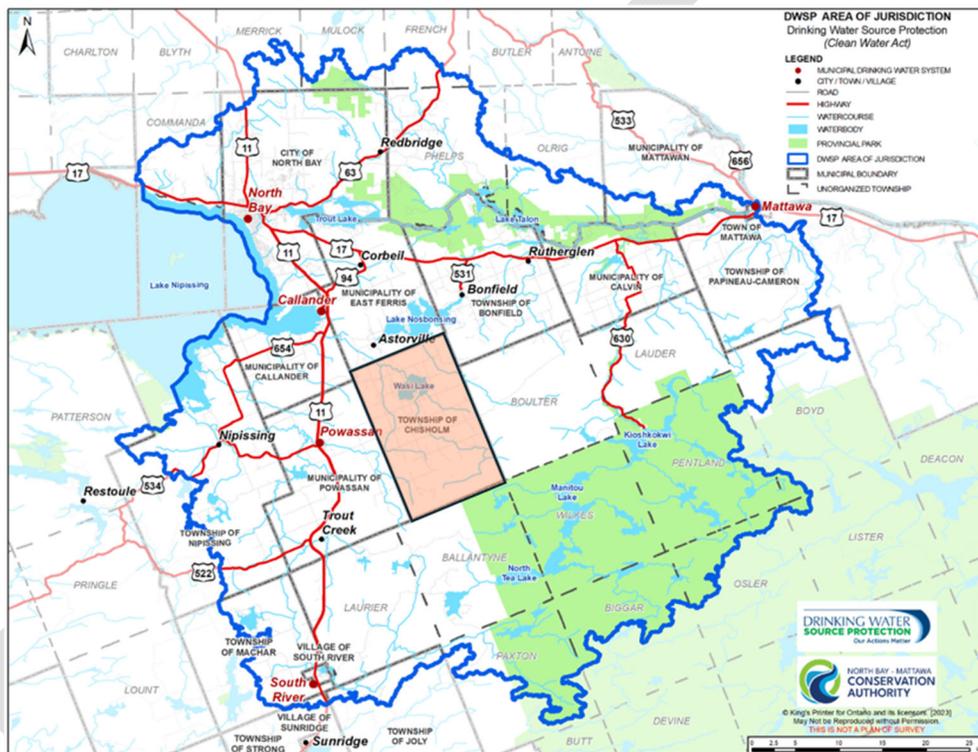
As illustrated on Figure 5, the Township contains a variety of natural features and areas including Provincially Significant Wetlands, Areas of Natural and Scientific Interest (ANSI), Wildlife and Fish Habitat.

Township of Chisholm Draft Background Report

8.2 Source Water Protection – NBMCA

The Township does not have any municipal infrastructure for drinking water, and therefore residents rely on individual wells for drinking water. The Township is part of an integrated watershed system that does not recognize municipal boundaries. Within this watershed are other municipal drinking water sources that depend on good practices and standards from everyone within the upstream regions of their supply source. Governed by the North Bay-Mattawa Conservation Authority, a Source Protection Area follows a Source Protection Plan that sets out policies to be implemented by the contributing municipalities (see Figure 8).

Figure 8 – North Bay-Mattawa Source Protection Area



The goal of the Source Protection Plan is to protect the sources of drinking water for five municipal systems in the NBMCA watershed. As illustrated on Figure 9, Chisholm is located within the Calendar Issue Contributing Area (ICA) which is further identified as Intake Protection Zone 3 in Chisholm, which are areas where phosphorous loadings are of concern in the water and pose a threat to drinking water quality. In the ICA, certain waste disposal uses are prohibited, only if they are related to a circumstance containing phosphorus.

Township of Chisholm Draft Background Report

Figure 9 Callander Issue Contributing Area within Chisholm Township and Unorganized Townships



Township of Chisholm

Draft Background Report

The NBMCA has released a draft updated Source Protection Plan and it further updates are forthcoming related to the boundaries of IPZ-3 within Chisholm.

8.3 Current Official Plan

The current Official Plan recognizes the importance of natural heritage and states objectives for maintaining, protecting, and enhancing the natural environment. Natural heritage features are identified on Schedule B of the current Official Plan, including areas of natural and scientific interest, tertiary watershed boundaries, spawning areas, moose wintering areas, conservation reserves and wetlands (provincially significant and other wetlands). Occurrences of species at risk habitat is not identified on Schedule B to the Official Plan, though policies encourage applicants to exercise due diligence to ensure that land use activities do not contravene the *Endangered Species Act*.

Policies within the Official Plan address provincially significant wetlands, evaluated and unevaluated wetlands, as well as significant habitat of endangered and threatened species, significant wildlife habitat, significant areas of natural and scientific interest, and fish habitat. It should be noted that the Wasi Wetland is a Provincially Significant Wetland, and two ANSI's include Graham Lake Moraine and Genesee Moraine as outlined on Schedule B.

Policies generally mirror those of the PPS and do not permit development or site alteration on, or adjacent to, lands containing significant natural heritage features and allow development or site alteration on adjacent lands only where Council approves a zoning by-law amendment, site plan, development permit or other appropriate planning approval. Council may require an Environmental Impact Study, subwatershed study, and/or a geotechnical study to be completed and approved in association with appropriate agencies.

Wasi Lake is an at-capacity lake within the Township where no new lot creation is permitted unless it is demonstrated that the septic system can be setback 300 metres from the waters edge and the lot can satisfy the minimum lot size requirements (see B3.4.1). However, the Official Plan does not require that proponents submit a lake capacity assessment for the development of new lots along Wasi Lake or Wasi River, which is a best practice supported by the MECP.

The current Official Plan was prepared prior to the completion of the North Bay-Mattawa Source Protection Plan and as such speaks to the potential need for an Official Plan Amendment to address the policies of the Source Protection Plan. As such, updates are required to include make reference to the Source Protection Pla and prohibit specific uses within IPZ-3.

8.4 Recommendations

It is recommended that the Official Plan Schedules be updated to clearly identify any new or expanded natural heritage features are present in the Township and where they are located. Policies should be updated to specify what (if any) development can occur on or adjacent to these features in line with provincial guidance. In particular, it is recommended that policies regarding the protection of natural heritage features and areas be incorporated in the new Official Plan which:

- Recognize the importance of sensitive environmental features in general and support their protection.

Township of Chisholm

Draft Background Report

- Recognize that fish habitat includes all lakes, rivers, streams, ponds, intermittent and seasonally flooded, unless demonstrated to be otherwise by a study completed by a qualified professional.
- Direct that should new provincially significant wetlands (PSW) be identified, policies related to significant wetlands are to apply and the schedules may be updated to reflect the new PSW without amendment to the plan.
- Require assessment of ecological features and functions and the consideration of impacts, to be undertaken by a qualified professional, where development or site alteration is proposed on lands adjacent to significant natural heritage features, as outlined in the table above.
- Require that wetland evaluation be undertaken for any unevaluated wetlands in accordance with provincial standards prior to granting any planning approvals.
- Require that site-specific assessment is undertaken to identify the potential of significant wildlife habitat when lands are in the rural or shoreline areas and are subject to one or more of the following:
 - creation of more than three lots through either consent or plan of subdivision.
 - change in land use, not including the creation of a lot, that requires approval under the Planning Act.
 - shoreline consent along a large inland lake, small inland lake or large river that is within 120 metres along the shoreline of an existing lot of record or a lot described in an application for subdivision or consent.
 - construction for recreational uses (e.g., golf courses, serviced playing fields, serviced campgrounds, and ski hills) that require large-scale modification of terrain, vegetation, or both.
- Require setbacks of at least 30 metres for new development along watercourses which should remain undisturbed and naturally vegetated.
- Introduce mechanisms to minimize and control the removal of vegetation and ensure the protection of naturally vegetated buffers adjacent to any provincially significant areas of natural and scientific interest when identified.
- Areas of Natural and Scientific Interest (ANSI) should be recognized for their value, require an assessment that demonstrates there will be no negative impacts before any development applications are considered in or adjacent to ANSIs, and to retain natural vegetated buffers beside ANSIs.
- Reference requirements and recommendations from the Source Protection Act (pending final document from NBMCA), including reference to the Risk Management Officer as the person that provides approvals in areas subject to protection.
- Require that applications for the development of any new lot along Wasi Lake or River be supported by a Lake Capacity Assessment, demonstrating no negative impacts.
- Include policies which reference the current Source Protection Plan and prohibit specific waste disposal activities within IPZ-3.
- Include a new schedule which illustrates the boundaries of IPZ-3 in the Township.

Township of Chisholm

Draft Background Report

9.0 Cultural Heritage

9.1 Background

Cultural heritage landscapes are defined in the PPS as “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community.” These areas may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Built heritage also falls under the realm of cultural heritage and is an important component of responsible land use planning. Built heritage resources refers to buildings, structures, monuments, installations or any manufactured or constructed parts or remnants that contribute to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Policy direction in the PPS requires that protected heritage property, which may contain built heritage resources or cultural heritage landscapes, must be conserved and The Township is encouraged to develop and implement archaeological management plans and strategies to do so.

Archaeological resources and areas of archaeological potential comprise the final component of cultural heritage contemplated by the PPS. Archaeological resources include “artifacts, archaeological sites, and marine archaeological sites as defined under the *Ontario Heritage Act*” as administered by the Ministry of Citizenship and Multiculturalism (MCM). Areas which are likely to contain archaeological resources are deemed to hold archaeological potential and require confirmation by a licensed archaeologist where development or site alteration is proposed. The Province has an established set of criteria to identify whether a property may hold archaeological potential which considers factors such as the presence of known archaeological sites on adjacent lands, proximity to present or past water sources, or evidence of early historic settlement, among other factors.³ Policy direction in the PPS prohibits development and site alteration on lands containing archaeological resources or in areas of archaeological potential unless significant archaeological resources have been conserved.

The PPS also requires that planning authorities engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources, and cultural heritage landscapes.

JLR has connected with the Dokis First Nation and the Nipissing First Nation with regards to the Official Plan review process and both are interested in receiving more information as the project progresses to be able to provide input. JLR also reached out to the Mattawa/North Bay Algonquins and the North Bay and Ontario Metis Councils with no response received to date.

9.2 Current Official Plan

Section D3 of the Official Plan contains objectives to guide the preservation of cultural heritage, built heritage, and archaeological resources. Existing policies in the Official Plan recognize the importance of cultural heritage, landscapes, built heritage resources, and archaeological

³ Refer to “Criteria for Evaluating Archaeological Potential” (Form 021-0478) available on the Province’s Central Forms Repository: <https://forms.mgcs.gov.on.ca/en/dataset/021-0478>

Township of Chisholm

Draft Background Report

resources and provide for the identification, restoration, protection, maintenance, and enhancement of these resources.

Official Plan policies include; public authorities shall have regard to the retention and protection of identified cultural heritage resources; to encourage the restoration, rehabilitation, or relocation of identified resources; maintaining a register of all heritage properties, landscapes and/or districts; identify and designate cultural heritage buildings by by-law; and document for archival purposes any demolition of heritage buildings or structures.

Archaeological assessments shall be required in accordance with provincial regulations through provincial screening criteria for development applications. Where it has been determined that shoreline archaeological resources possess high potential, Council shall require the submission of an archaeological assessment for all development applications. Significant archaeological resources may require Council to adopt a zoning by-law to prohibit land use activities in these areas.

9.3 Recommendations

Comments from Ministry of Citizenship and Multiculturalism (MCM) following One Window consultation provide direction for the Official Plan to be updated with respect to the preservation of cultural heritage resources to be consistent with the 2024 PPS. Their recommendations address such matters as suggestions for a new format of subsections to delineate policy respecting each of the three prongs of cultural heritage, and overall, to improve consistency with the terminology and policy directions of the PPS, the *Ontario Heritage Act*, and other relevant provincial legislation. Recommendations include:

- Updating any references to Ministry of Tourism, Culture and Sport (MTCS) to MCM in line with their responsibility to administer the *Ontario Heritage Act*.
- Utilizing cultural heritage terminology from the PPS throughout the Official Plan.
- Updating references to the 2005 PPS to the 2024 PPS throughout the document (including the Definitions section).
- Include policy that will encourage the identification, conservation, protection, restoration, maintenance, and enhancement of cultural heritage resources. This should include the requirement of a heritage assessment or conservation plan conducted by a qualified professional for development applications on or near sites with heritage potential or significance.
- Include a policy which allows council to designate cultural heritage landscapes and identify properties of cultural heritage value or interest.

10.0 Protecting Public Health and Safety

10.1 Background

A key element of land use planning is ensuring that development does not occur in locations that are not appropriate due to the risk of public health and safety and property damage/loss. These areas fall within two categories – natural hazards and human made hazards.

Township of Chisholm

Draft Background Report

Natural hazards include hazardous lands, hazardous sites and hazardous forest types for wildland fire. These hazard types are influenced by climate change. The PPS defines hazardous lands as property or lands that could be unsafe for development due to naturally occurring processes. Policies concerning natural hazards in the 2024 PPS direct development to generally occur in areas outside of hazardous lands adjacent to the shorelines of large inland lakes, rivers, streams, and small inland lakes impacted by flooding hazards, erosion hazards, and/or dynamic beach hazards and in areas outside of hazardous sites (i.e., property or lands that could be unsafe for development and site alteration due to naturally occurring hazards, including unstable soils or unstable bedrock, steep slopes which may be associated with slope instability, erosion, or access constraints).

The PPS expressly prohibits development and site alteration within the dynamic beach hazard and floodways, regardless of whether the area of inundation contains high points of land not subject to flooding. Natural hazard policies in the PPS further prohibit development and site alteration within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

New policies in the 2024 PPS require that planning authorities prepare for the impacts of a changing climate that may increase the risk associated with natural hazards. Only limited permissions are included in the PPS for development and site alteration in certain areas associated with the flooding hazard along river, stream, and small inland lake systems, for example, where development is limited to uses which by their nature must locate within the floodway, in those exceptional circumstances where a special policy area has been approved by the Province, and where effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and meets defined criteria.

As for other types of natural hazards, the PPS further requires that development be generally directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire – that is, forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the province and amended from time to time. The PPS permits development on lands with hazardous forest types for wildland fire only where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

The last category of hazards contemplated by the PPS are human made hazards – that is, those places where human activity on the landscape has occurred and the activity has created a risk to further development. Human made hazards include mine hazards, oil, gas and salt hazards, or former mineral mining operations, mineral aggregate operations or petroleum resource operations. Policies regarding human-made hazards in the PPS permit development on, abutting, or adjacent to lands affected by human-made hazards only if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed. These policies also require contaminated sites to be assessed and remediated as needed prior to any activity on the site associated with a proposed use such that there will be no adverse effects.

Township of Chisholm

Draft Background Report

10.2 Current Official Plan

The current Official Plan contains policies for Hazardous Lands and prohibits development within the floodplain or land subject to erosion or slope stability hazards, however it does not contain policies which prohibit development in areas that would be rendered inaccessible to people and vehicles during time of flooding. The Official Plan directs development away from hazards associated with the floodplain but does not speak to wildfire hazards and lacks policy considerations when development must locate in these areas. The Official Plan prohibits uses associated with the handling of hazardous substances on hazard lands but does not identify other land uses identified by the PPS that would be explicitly prohibited in these hazard lands such as schools, hospitals and emergency service stations. Unlike with Natural features and areas, hazard lands are not identified on a schedule within the Official Plan and rather are identified through local policies such as the regulatory floodplain elevation.

Policies regarding human-made hazards are not specifically identified in the hazard lands section but rather through the waste disposal area, land use compatibility, contaminated sites and rural areas sections. Within the Rural Areas section, there are policies which speak to considerations for development in proximity to abandoned mine sites and existing extractive operations, which include technical studies.

10.3 Recommendations

The Official Plan policies related to public health and safety should be reviewed and expanded to include the full range of hazards identified in the PPS, including new provincial requirements for wildland fires. Specific recommendations for the new or updated policies or schedules in the Official Plan include:

- A new hazard land schedule which identifies sites that may be subject to flooding, erosion or human made hazards. Should we be adding the others like wildfire risk – you have policies suggested below
- An appendix which identifies lands subject wildland fire risk.
- Policies that support conservative planning around natural hazards.
- Policy which strictly prohibits development in areas that would be rendered inaccessible to people and vehicles during times of erosion hazards, unless it has been demonstrated by a study completed by a qualified individual that the site has safe access appropriate for the nature of the development and the hazard.
- Policy which strictly prohibits specific uses in hazardous lands and sites.
- Policies which address the criteria defined by the 2024 PPS by which development and site alteration may be permitted in portions of hazardous lands and hazardous sites where the effects to public safety are minor.
- Policies provide guidance on accepted floodproofing standards, protection works standards, and access standards that must be applied where development is proposed on portions of hazardous lands where risk to public safety is minor; and,

Township of Chisholm

Draft Background Report

- Policies which require proponents and the Township to consider the impacts on natural hazards posed by a changing climate, as discussed in previous sections of this report.
- Policies which direct development away from lands subject to the wildland fire risk and includes criteria for when development may be permitted.
- Include a specific policy under the hazard lands section which prohibits development on or adjacent to lands affected by human-made hazards unless specific criteria is satisfied such as the submission of a Record of Site Condition (RSC).

11.0 Additional Considerations

11.1 Implementation

Since the Official Plan was last comprehensively updated, there have been a number of updates to the Planning Act which impact the implementation policies of the existing Official Plan. This includes updates related to site plan control, public consultation, review periods for official plans, new matters of provincial interest and appeal procedures. In addition, the Township may benefit from new criteria to apply when reviewing Official Plan and Zoning By-law Amendment applications and when considering future comprehensive Official Plan and Zoning By-law Reviews.

It is recommended that the implementation policies to address the following Planning Act changes:

1. Site Plan Control:

- a. Municipalities are required to exempt residential development with 10 or fewer units from site plan control unless the property is within 120 metres a wetland, inland lake or river/stream valley or within 300 metres of a railway line.
 - b. Municipalities are no longer able to regulate external design through site plan control unless it relates to external access for affordable housing, accessibility, safety or sustainability.
 - c. Municipalities are required to delegate site plan approval to a member of staff. This means that the approval and review of site plan approval applications are no longer under Council's authority.
2. **Public Consultation:** In accordance with Section 16(b) Official Plans must contain policies which outline the process for informing and obtaining views of the public in relation to various Planning Act applications such as official plan amendments, zoning by-law and draft plan of subdivisions.
 3. **New Matters of Provincial Interest:** to update goals and objectives to address matters of provincial interest relating to built form such as creating a sense of place, a well-designed built form and provides for safe and accessible public spaces.
 4. **Pre-Consultation Meeting:** municipalities may no longer require applicants to attend a pre-consultation meeting prior to submitting a formal development application.

To improve the application review process and to ensure provincial plan conformity it is recommended that:

Township of Chisholm

Draft Background Report

- The Official Plan Review policies be updated to require that plans are consistent with the PPS.
- That criteria be developed for Council to consider when reviewing Official Plan Amendments.
- Include a subsection, which clarifies the usage of the auxiliary verbs “shall”, “should” and “may” to assist with interpretation of specific policies.

11.2 Relationships with Indigenous Communities

Equitable land use planning requires recognition of the rights and values of all people living on the land, historically, currently, and in the future. In 2015 the Truth and Reconciliation Commission of Canada prepared 94 calls to action for Canadians and all levels of government to recognize and amend the history of systemic mistreatment, subjugation, and the removal of Indigenous people from their lands and culture. At the local level, municipalities have a role to play in establishing land use policies and practices which work to reconcile relationships with Indigenous Communities and recognize the value of Indigenous knowledge and practice in regard to land stewardship and cultural heritage.

Further, the PPS requires that Planning Authorities engage and coordinate with Indigenous Communities on land use planning matters and matters relating to archaeological resources, built heritage resources and cultural heritage landscapes.

It is recommended that the Official Plan be updated to:

- include a land acknowledgement which recognizes the historical and ongoing relationships of Indigenous Communities to the lands within and surrounding the Township;
- include policies to require that indigenous communities are properly engaged and consulted with in relation to land use planning and decision making and identifying, environmental stewardship and cultural heritage and archaeological resources.
- include any additional priorities of Council relating to ongoing efforts of the Town towards reconciliation and relationship building with indigenous communities.

12.0 Conclusion and Next Steps

The recommendations presented in this report will inform the basis for updating the Official Plan for the Township and will be presented to Council, stakeholders, and the public for their input on the background report. The presentation of the background report to Council will conclude phase 2 of this project.

JLR will use the directions of the background report to proceed to phase 3, the drafting of the updated Official Plan. Phase 3 will include the preparation of draft Official Plan policies, consultation with Township staff and MMAH and a Statutory Public Open House. The Statutory Public Open House will provide members of the public with the opportunity to review the draft Official Plan polices, ask questions and share feedback. It is anticipated that the in-person Statutory Open House will occur in late summer to early fall of 2025.

Township of Chisholm

Draft Background Report

The final draft Official Plan will be accordingly revised to incorporate input from the public and stakeholders before presenting it to Council for a decision on adoption at a statutory public meeting, and a summary of the feedback gathered throughout the project will be presented to Council in a report which will be made publicly available. Ultimately, the updated Official Plan will be subject to approval by the Ministry of Municipal Affairs and Housing upon its adoption by Council.

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