



OFFICIAL PLAN FOR THE TOWN OF MARATHON

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SECTION 1 - INTRODUCTION

1.1 PREAMBLE

The Town of Marathon is located in the District of Thunder Bay along the north shore of Lake Superior. The setting and locale of the Town is very picturesque, having a rugged terrain with surrounding forested areas and along the shoreline of Lake Superior there are several bays, coves, and islands that contribute to the scenic qualities of the Town. Marathon is recognized by the Province for being located within the Ontario Living Legacy Great Lakes Heritage Coast Signature Site.

Highway 17, north of the townsite of Marathon, traverses through the municipality in an east/west direction and connects Marathon to the City of Thunder Bay approximately 300 km to the southwest, and the City of Sault Ste. Marie approximately 400 km to the southeast. Highway 17 is part of the Trans Canada highway system. The Canadian Pacific Railway also traverses through the municipality generally following the shoreline of Lake Superior and travels through the townsite of Marathon.

The Town of Marathon is 265 square kilometres in area with the townsite of Marathon, as illustrated by Schedule 'B,' is the administrative and urban development centre of the Town where the majority of the residential, commercial, industrial and community services, facilities and uses are located. The Urban Service Area of Marathon is serviced with municipal water and sanitary sewer services and is where the majority of new growth will be directed.

The rural area of the Town is primarily undeveloped with limited areas of access. Development in the rural area is generally located along the Highway 17 corridor and consists primarily of highway commercial development catering to the travelling public, the airport north of the Highway and a number of recreational uses. Certain types of development such as tourism development, waterfront development, seasonal residential, and limited rural residential development may be considered appropriate forms of development in the rural area provided such matters as servicing, access, and environmental impacts are appropriately addressed. Mineral exploration and mining uses are also appropriate for the rural area subject to meeting environmental standards and acceptable after use plans.

The Town is located in an area of the Province that has its development and economy based historically on natural resources, specifically the forestry and mining industries. The establishment of a strong and diversified economic base which offers a range of growth and development opportunities aimed at providing economic stability, particularly to protect against the boom/bust economic impacts associated with the mining industry and the restructuring that has occurred in the forestry industry, is of importance to the Council and the residents of Marathon.



Critical to providing growth and development opportunities is the need to establish a balance between the various competing interests. For example, some of the areas that the Town wants to promote for growth are waterfront development, tourism and recreational residential opportunities in the rural area of the Town. Yet the majority of the undeveloped rural area of the Town may be considered as having potential for mineral resources and should be protected for future mining activities. The Town feels that other opportunities for development are warranted and should be considered in the rural undeveloped area of the Town at a scale that would not obstruct or deter possible future mining activities. The ability to protect mineral resources is possible with low intensity development.

Marathon has experienced first-hand the economic and social impacts mining activities can have on a community and the local economy, and the cyclic nature of those impacts. From both an economic and social perspective, there is a need to overcome the cyclic or boom/bust impact that mining has had on the community. However, there is also a strong desire to maintain and support the mining industry and continue to encourage mineral exploration activities.

Other economic opportunities that the Town is interested in developing in addition to waterfront and tourism opportunities, green industries, mining activities and the existing forestry industry, involve the expansion of value added forestry businesses, government and health services, education services, technology and communications industries.

In addition, like many northern communities, Marathon has experienced a loss in population in the 15-35 year old age groups. Many of these younger people are leaving Marathon in search of education and employment opportunities in other communities such as the Cities of Thunder Bay and Sault Ste. Marie and other urban centres in Ontario and Canada.

The planning framework in Ontario continues to be driven by a provincial policy led system, notably the 2005 Provincial Policy Statement, and the Northern Growth Plan.

The current population in the Town of Marathon is estimated at 3,500 persons. Recently, Marathon has experienced a decline in population from a peak of 5,064 persons in 1991 to the current population of 3,353, attributed primarily to declining economic opportunities during this period. However, it is anticipated that the decline in population has levelled off and with the promotion of the Town as an area for economic opportunities; sustained population is projected for the Town consistent with the overall growth projections for the District of Thunder Bay. It is noted that the establishment of one or two successful business enterprises in the Town has the potential to significantly affect the overall population. A successful business enterprise could result in an increase in population over and above what is projected. The opposite would also impact on population, the closure or decline of one or two businesses in the Town has the potential to adversely impact on the population and may result in a declining population or negative population growth.



The townsite of Marathon as identified on Schedule 'A' will continue to be the residential, commercial, recreational and administrative centre for the Town and will be the focus and centre for new development, particularly serviced development. In the rural area opportunities are available for waterfront development, tourism development and seasonal and rural residential development compatible with the rural character of the Town. Areas with scenic vistas in proximity to lakes and rivers are examples of locations in the rural area of the Town that are appropriate for seasonal residential and tourism opportunities subject to servicing, design, environmental and site specific considerations. The development of the Stillwater PGM mine site in the northeast section of the municipality is a significant economic development opportunity for the Town.

Regular 5 year reviews of the Official Plan will be undertaken to determine if the population and growth projections remain relevant and the policy guidelines and framework for development continues to reflect the needs of the Town.

Decisions regarding land use planning matters will be guided by the policies contained in this Plan. Local autonomy and empowerment in the decision making process regarding future development and land use matters is desired by the Town.

1.2 GOALS OF THE PLAN

1.2.1 The goals and objectives of this Plan form the foundation of planning principles and provide direction to manage change, guide future development and develop detailed policies and programs that stimulate economic growth, protect the environment and public health, promote the use of natural resources for the economic use and environmental benefits and reduce costs by restricting development in areas where there is risk of health, safety or property damage. The goals reflect the present and future needs and values of the Town and the residents of the Town.

1.2.2 The goals of this Official Plan are to:

- (a) protect and maintain the quality of life in the Town while at the same time provide opportunities for growth and appropriate forms of development;
- (b) establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the Town, over the next 20 years in support of a sustainable community;
- (c) secure the health, safety, convenience and welfare of the residents of the Town of Marathon, including accessibility for persons with disabilities by prohibiting development that causes environmental, health and safety concerns;
- (d) ensure the Town's resources are rationally used and that both natural and cultural heritage features are protected and conserved, while at the same time ensuring development opportunities are not impeded or discouraged;
- (e) qualify the Town for various programs funded by senior levels of government;
- (f) provide policies that encourage the expansion and diversification of the local economic base in order to be less reliant on the mineral resource and forestry industries;



- (g) provide policies that guide development that is environmentally compatible, supports sustainable development and minimizes land consumption;
- (h) inform the residents of the Town of Marathon of the policies that affect the development of land;
- (i) provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees and other authorities; and
- (j) provide policies that are consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario, and which support local conditions and circumstances.

1.3 OBJECTIVES

- 1.3.1 The Town is committed to actively seeking and encouraging new development that maintains the quality of life, maintains or improves the health of existing businesses, and diversifies the economy.
- 1.3.2 The Town shall encourage patterns of development which facilitate the provision of local services with minimal or no impact on local finances and provide for the efficient use of land, infrastructure, and public service facilities. In particular, Council shall identify opportunities for and encourage infilling in the Urban Service Area and provide for the building out of the existing Townsite.
- 1.3.3 The Town shall preserve and enhance, where possible, the environmental quality of the area, including the diversity of natural features and the natural corridors between them, minimize impacts of land uses on the natural environment, protect the integrity of ecosystems and provide for the protection groundwater resources.
- 1.3.4 The Town shall encourage commercial and industrial opportunities that are compatible with the natural environment, are economically feasible, and provide employment opportunities.
- 1.3.5 The Town shall have regard for the importance of natural resources including mineral resources, forest resources, water resources, and fisheries and wildlife resources within the Town and recognize their contribution to the economic and social well-being of its residents.
- 1.3.6 The Town shall support energy efficiency and improved air quality through, among other things:
 - (a) land use and development patterns which promote compact form and design and orientation which maximize the use of alternate or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation;
 - (b) providing opportunities for energy generation and facilities to accommodate current and projected needs and the use of renewable energy systems and alternative energy systems, where feasible;
 - (c) permitting alternate energy systems and renewable energy systems in all areas within the Town in accordance with Provincial and Federal requirements, provided they are compatible with surrounding uses and are subject to site specific zoning, if necessary.



- 1.3.7 The Town shall encourage the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Town and shall encourage that an adequate supply of land is available to meet the housing needs of its residents including opportunities for redevelopment and infill within the Urban Service Area.
- 1.3.8 With this Plan, the Town has achieved the goal of establishing a land use policy framework for the future that addresses the needs of the Town of Marathon.

1.4 PROVINCIAL POLICY CONTEXT

The original Marathon Official Plan was adopted by Council in 2006 and approved by the Province of Ontario in 2007. Over the past 5 years major changes have been made to the *Planning Act* and its Regulations in addition, the Places to Grow – Growth Plan for Northern Ontario came into force on March 3, 2011. These improvements and changes are all reflected in this updated Marathon Official Plan.

CONFORMITY WITH 2014 PROVINCIAL POLICY STATEMENT (PPS)

- 1.4.1 The PPS is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system.

The Marathon Official Plan has been prepared to meet the requirements of the PPS and to be consistent with its policies.

CONFORMITY WITH PLACES TO GROW – THE GROWTH PLAN FOR NORTHERN ONTARIO

- 1.4.2 The 2011 Growth Plan for Northern Ontario provides a broad 25 year land use vision for the communities in the north. The vision positions the northern economy to provide diverse opportunities to work, live and participate in the new economy of the twenty first century. The guiding principles of the Growth Plan are:
- (a) create a highly productive region, with a diverse, globally competitive economy that offers a range of employment opportunities for all residents;
 - (b) develop a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades;
 - (c) partner with First Nation peoples to increase educational and employment opportunities;
 - (d) deliver a complete network of transportation, energy, communications, social and learning infrastructure, to support strong, vibrant communities;
 - (e) demonstrate leadership in sustainable growth and environmental management; and
 - (f) establish innovative partnerships to maximize resources and ensure the Growth Plan achieves its ambitious vision and is fiscally sustainable.



The policies of this Official Plan are consistent with the general vision provided in the Growth Plan for Northern Ontario.

1.5 AMENDMENT AND REVIEW

1.5.1 This Official Plan is not a static document. Although it provides some degree of flexibility, the Plan's provisions will be reviewed at 5 year intervals, pursuant to Section 26 of the *Planning Act*, to ensure that the policies are relevant and appropriate, in light of changing conditions, and reflect a local application of and consistency with the Provincial Policy Statement.

1.5.2 All official plan amendments are subject to the approval of the Minister of Municipal Affairs and Housing until such time as official plan amendments are exempt from Provincial approval.

1.6 OFFICIAL PLAN

1.6.1 This document constitutes the Official Plan of the Town of Marathon and has been prepared in accordance with the provisions of the *Planning Act*.

1.7 TITLE AND SCOPE

1.7.1 This Plan shall be known as the "Official Plan for the Town of Marathon" and applies to all lands within the municipal boundary of the Town of Marathon.

1.8 PUBLIC WORKS

1.8.1 Any public works undertaken in the Town of Marathon shall conform to the policies of this Plan, in accordance with Section 24 of the *Planning Act* and where required, shall be planned and implemented in accordance to the applicable Class Environmental Assessment under the *Environmental Assessment Act*.

1.9 ZONING BY-LAWS

1.9.1 All zoning by-laws passed after this Plan is in effect shall conform to the policies of this Plan.

1.10 PRIVATE INTERESTS

1.10.1 Private interests must adhere to the policies of this Plan. The use of private lands will also be regulated in accordance with the Zoning By-laws pursuant to Section 34 of the *Planning Act*, and other By-laws passed under other relevant Provincial statutes.



SECTION 2 - GENERAL PROVISIONS

2.1 GENERAL

- 2.1.1 The following land use policies apply to all lands in the Town of Marathon unless specifically mentioned for exclusion.
- 2.1.2 The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

2.2 ZONING

- 2.2.1 The policies of this Plan and all land use designations shall be implemented through a comprehensive Zoning By-law. Any land use designation may have more than one zone category that regulates and controls the permitted uses.

2.3 SUBDIVISION OF LAND

- 2.3.1 Subdivision of land by plan of subdivision shall be permitted provided that:
- (a) the plan is considered to serve the public interest and is in conformity with the policies of this Plan;
 - (b) the plan is not deemed premature, subject to, among other things, consideration of the number of existing, vacant lots in the Urban Service Area;
 - (c) the lands can be provided with adequate services and utilities subject to the following:
 - (i) in the Urban Service Area of the townsite of Marathon sufficient reserve capacity in the water and sewage systems shall be available to service the subdivision;
 - (ii) in the area outside of the Urban Service Area, the applicant shall provide a report prepared by a qualified consultant indicating that there is adequate water quality to meet the Ontario Drinking Water Objectives and quantity available to service the subdivision. Private wells within Groundwater Protection Zones I, II and III shall be restricted; and
 - (iii) in the area outside of the Urban Service Area, with plans of subdivisions consisting of more than five (5) lots where the proposed lots are 1 hectare or less, and are privately serviced by individual on-site sewage disposal systems, the applicant shall demonstrate by a report prepared by a qualified consultant that; there will be no cross contamination of water supplies between lots or adjacent lots, will assess the ability to treat sewage effluent, assess the risk to groundwater resources from the sewage disposal systems, and verify that there is adequate capacity to accommodate the disposal of hauled sewage as per the D-5-4 Technical Guideline for Individual On-site Sewage Systems: Water



Quality Impact Risk Assessment;

- (d) the development of land on partial services is discouraged except where it is necessary to address failed services, or to allow infilling and rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no negative impacts;
- (e) the development is not likely to adversely affect the economy or financial position of the Town if such subdivision is approved;
- (f) the development is directed away from hazard lands and development and site alteration is not permitted within floodways of rivers and streams;
- (g) the development will not result in land use conflicts with surrounding land uses; and
- (h) three (3) or more lots are being created.

2.3.2 Consents shall only be granted that conform with the policies of this Plan and provided that:

- (a) consideration has been given to the number of existing, vacant lots in the Urban Service Area and the retained and severed lot(s) can be adequately and safely serviced. In areas not serviced by municipal sewage systems there must be adequate capacity to accommodate the disposal of hauled sewage and the Health Unit or designated authority shall be consulted prior to consent approval being given to obtain support for the consent proposal. In areas not serviced by the municipal water supply, proof that the retained and severed lots can be adequately and safely serviced by a private potable water supply shall be provided by the applicant. Private wells within Groundwater Protection Zones I, II and III shall be restricted;
- (b) the soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and if required, the installation of private septic disposal systems;
- (c) the lands front onto a public road that is maintained year round by the Town or the Province and is of an acceptable standard of construction. However if the proposed use of the lands is for seasonal uses the lands may front on a road that is maintained seasonally by the Town or have water access only;
- (d) where access is proposed from a provincial highway, the Ministry of Transportation shall be consulted prior to consent approval being given to obtain input and support regarding access, entrance permit and lot frontage requirements. For additional information with regards to development along Provincial Highways see Section 4.2;
- (e) no traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible;
- (f) the consent does not result in land use conflicts with existing nearby uses;
- (g) the lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
- (h) adequate protection and preventative services for persons and property are available including health, welfare, fire and police;
- (i) the consent does not result in land locked parcel(s) being created;
- (j) the proposed use can be safely located away from hazard lands and outside of floodways of



rivers and streams;

- (k) a maximum of two (2) new residential lots can be created by consent from a lot of record that existed as of July 11, 1988, exclusive of the retained part, provided all of the above matters and other policies of this Plan can be suitably addressed.

2.3.3 The following may be considered as conditions of consent by the Town:

- (a) that the Zoning By-law be amended, if required;
- (b) that it is demonstrated that the severed and retained lots can be safely and adequately serviced by private potable water supply and private sanitary sewage disposal system in areas that are not serviced by the municipal water supply or sanitary sewage system;
- (c) that any necessary land for road widening, allowances or easements be dedicated to the Town or the Province;
- (d) that the applicant improve road access, grading, drainage, etc. to a standard satisfactory to the Town and/or the Province;
- (e) that warning clauses be registered on title on those lots created in the area known to have Mineral Resource Potential, indicating the rights of mining operations to access and extract the mineral resource over the rights of other land uses to prevent such activities from occurring; and
- (f) any other condition reasonable to the granting of the consent.

2.3.4 Notwithstanding the policies of this section, consents may be granted for the following technical purposes, provided that the retained and severed portions conform with the Zoning By-law:

- (a) boundary corrections or adjustments;
- (b) lot enlargements;
- (c) discharge of mortgage;
- (d) road widening and road allowances; and
- (e) easements.

2.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

2.4.1 Where a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to the use will also be permitted.

2.4.2 Accessory dwellings above boat houses are not a permitted accessory use in any land use designation.

2.5 HOME PROFESSIONS AND HOME OCCUPATIONS

2.5.1 Home occupations and home professions shall be permitted in residential areas provided they are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means and shall not detract from the principal residential use. Only those home occupations and home professions that do not directly compete with existing commercial businesses found in the



commercial areas shall be permitted in residential areas.

- 2.5.2 To provide for a period of time for a business to establish, home occupations and home professions may be allowed to establish in residential areas. Once the home occupation or home profession has established as a viable business, it shall relocate permanently to an appropriately zoned site.
- 2.5.3 The Zoning By-law shall contain regulations with respect to home professions and home occupations. These regulations shall indicate, among other matters, the zones in which home professions and home occupations are permitted, and the types of activities which shall be considered as home professions and home occupations.
- 2.5.4 Generally, home occupations and home professions shall include occupations or professions which are conducted entirely within a dwelling unit.
- 2.5.5 The home profession or home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area. The home profession or home occupation shall relocate to an appropriately zoned site at such time when the home profession or home occupation can no longer be considered secondary to the main residential use of the property.
- 2.5.6 Access approval from the Ministry of Transportation is required for those home professions or home occupations that have access from a provincial highway as per the requirements of Section 4.2.

2.6 GROUP HOMES

- 2.6.1 The following types of Group Homes administered under Provincial legislation shall be permitted to establish in any residential zone or residence:
 - (a) approved homes;
 - (b) homes for special care;
 - (c) supportive housing programs, adult community mental health programs;
 - (d) children's residences;
 - (e) accommodation services for the developmentally disability;
 - (f) satellite residences for seniors; and
 - (g) homes for individuals who have physical disabilities, where the Province licenses, funds or approves the home.
- 2.6.2 A Group Home is defined as a housekeeping unit in a residential dwelling in which residents live under responsible supervision.
- 2.6.3 Only those group homes that can be supported by the existing level and range of community, social and medical services available in the Town shall be permitted.



2.6.4 All group homes shall be licensed or approved under provincial statute.

2.7 BED AND BREAKFAST

2.7.1 Bed and Breakfast establishments may be permitted in all areas where residential uses are permitted subject to the following criteria:

- (a) a Bed and Breakfast establishment shall be located on an open road, maintained year round by the Town or Province;
- (b) a Bed and Breakfast establishment shall have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking and provide adequate buffering for any adjacent use;
- (c) a Bed and Breakfast establishment shall be located in a single-detached residential dwelling; and
- (d) should external expansion be required to the dwelling to accommodate the proposed Bed and Breakfast, the character of the surrounding residential area shall be maintained.

2.8 MOBILE HOME PARKS

2.8.1 Mobile home parks shall be permitted in the Residential land use designation subject to an amendment to this Plan and the Zoning By-law and provided the development can be adequately serviced with municipal water and sanitary sewage services.

2.8.2 The development of mobile home parks and any future expansion of a mobile home park shall be subject to site plan control pursuant to the requirements of Section 41 of the *Planning Act*, and will include, but not be limited to, the following considerations:

- (a) entrances and exits and road widenings;
- (b) on-site parking for residents and visitors;
- (c) on-site open space and recreational activity areas;
- (d) landscaping, fencing and buffering;
- (e) size, orientation and spatial separation of the mobile home sites;
- (f) emergency access;
- (g) on-site servicing including water and sewage works, grading and storm water management; and
- (h) outside storage.

2.9 CROWN LANDS

2.9.1 The majority of the rural area of the Town is Crown lands. The Ministry of Natural Resources and Forestry is responsible for the administration of Crown lands and waters. The Ministry of Natural Resources and Forestry is encouraged to have regard for the policies and schedules of this Plan and to consult with the Town with respect to the use and disposition of Crown lands within the municipality. The Town shall also have regard for the policies of the Crown Land Use Policy Atlas



where Town lands interface with Crown lands.

- 2.9.2 Authorization for occupation or use of Crown lands is required from the Ministry of Natural Resources and Forestry.
- 2.9.3 The Town recognizes that resource management activities on Crown lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.
- 2.9.4 The release of Crown land for economic development opportunities, including seasonal residential and tourism development is supported by the Town.

2.10 DRAINAGE

- 2.10.1 The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the Province and the Town in accordance with the *Ontario Water Resources Act*, if applicable. In addition, the management and removal of storm water on properties adjacent to provincial highways requires the approval of the Ministry of Transportation.
- 2.10.2 No development shall be permitted which would interfere with or reduce the drainage capacity or flood water storage of any natural watercourse or where the watercourse represents a hazard to the proposed development.
- 2.10.3 Storm water management shall be considered a part of the development approval process, particularly for subdivisions, multiple residential development, commercial, industrial and institutional development, and shall be used to ensure that the quality of runoff is maintained at pre-development levels. Such storm water management practices shall be used to minimize storm water volumes and contaminant loads, utilize best practices for storm water management in accordance with Ministry of Environment and Climate Change guidelines, and to maintain or increase the extent of vegetative and pervious surfaces so as not to impact on groundwater resources used for domestic water supplies. A storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of groundwater resources is not adversely impacted may be required prior to approving development which impacts on these resources. Where adverse impacts are anticipated, mitigative measures during and after construction to control sedimentation, erosion and flooding will be required. The direct discharge of storm water to water bodies should be avoided where possible.
- 2.10.4 The management and removal of storm water on properties in proximity to the municipal wells shall provide adequate protection of the municipal water supply from the adverse impacts of storm water and be directed away from the municipal wells.



2.10.5 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the Province in accordance with the provisions of the *Lakes and Rivers Improvement Act* and/or the *Public Lands Act* and the *Ontario Water Resources Act*. Where required under the *Fisheries Act*, prior authorization from of Fisheries and Oceans Canada must also be obtained.

2.11 SHORELINE DEVELOPMENT AND LAKE CAPACITY

2.11.1 Any development or redevelopment which intensifies usage within 300 metres of a waterbody is deemed to have an impact on the waterbody. Therefore, development or redevelopment proposed within 300 metres of a waterbody will require consideration of the impact of development on the ability of the waterbody to sustain additional development.

2.11.2 Where significant development or redevelopment is contemplated within 300 metres of a lake, a Lakeshore Capacity Assessment, prepared in accordance with MOECC's Lake Capacity Assessment Handbook shall be completed prior to consideration of planning approvals. Planning approvals or the creation of lots/units within 300 metres of the shoreline may be considered only where the results of the Lakeshore Capacity Assessment have confirmed that there is sufficient development capacity remaining to support the completed development.

2.11.3 Where a Lakeshore Capacity Assessment is not required, development of existing lots may be permitted subject to the following policies:

- (a) the sewage disposal system is set back a minimum of 30 metres from the shoreline; and
- (b) a natural shoreline vegetation buffer is established within 20 metres of all watercourses and water bodies wherever possible, but allowing for the removal of hazardous trees and creation of a 3-metre wide pathway to the shoreline.

2.11.4 The municipality will promote the use of Best Management Practices to minimize the impacts of development on water quality. Best Management Practices shall include measures such as large lot sizes and increased frontage requirements; enhanced setbacks for buildings, structures and septic systems; protection of lakeshore vegetated buffers; avoidance of steeply graded lots; restrictions on the amount of impervious surfaces such as parking areas and patios; the use of lot-level stormwater management practices such as infiltration from roof leaders to reduce runoff; limitations on the use of fertilizers; and the use of erosion control measures during site development and construction.

2.11.5 Where development would result in a significant increase in stormwater runoff, the Town shall require the proponent to complete stormwater management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for stormwater management.



2.12 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES

- 2.12.1 All new development permitted by the land-use policies and designations of this Plan, including aggregate extraction and wayside pits and quarries, shall have regard for archaeological and cultural heritage resources including those that are of interest to Aboriginal communities and shall, wherever possible; incorporate these resources into any new development plans. In addition, all new development will be planned in a manner that preserves and enhances the context in which cultural heritage resources are situated. Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural, village, and districts or cultural landscapes of historic interest.
- 2.12.2 The *Ontario Heritage Act* and its provisions will be utilized to conserve, protect and enhance the heritage of the Town through the designation by by-law of individual properties, conservation districts and/or landscapes. A Municipal Heritage Committee may also be established pursuant to *Act* to advise and assist Council on conservation matters related to heritage resources.
- 2.12.3 Council shall maintain a cultural heritage register for land use planning purposes, resulting in inventories of, heritage buildings, heritage districts and/or cultural heritage landscapes and other properties of cultural heritage value or interest located within the Town.
- 2.12.4 Council recognizes that archaeological potential will be determined for individual development applications and building permits through the use of established provincial screening criteria, or qualified mapping developed based on the known archaeological record within the Town. Archaeological potential criteria include features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.
- 2.12.5 Council will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified from land development and on the Provincial archaeological sites database.
- 2.12.6 Council with the advice of the Ministry of Tourism, Culture, and Sports may undertake the preparation of an Archaeological Management Plan. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the municipality having archaeological potential. The Management Plan may also outline policies, programs and strategies to protect significant archaeological sites.
- 2.12.7 The Town shall require archaeological assessment by archaeologists licensed under the *Ontario Heritage Act*, in areas where there are known archaeological heritage resources and/or areas exhibiting archaeological potential within the municipal boundaries of the Town of Marathon.



Alterations to known archaeological sites must only be performed by licensed archaeologists, in accordance with the provisions of the *Ontario Heritage Act*. Any significant archaeological resource or site identified may be preserved on site, to ensure that the integrity of the resource is maintained, and/or it may be systematically removed through excavation by a licensed archaeologist. The integrity of archaeological resources can be maintained by adopting archaeological zoning by-laws under section 34 of the *Planning Act* or other similar provisions, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- 2.12.8 The Town shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport and the Ministry of Government Services, Cemeteries Regulation Unit, when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.
- 2.12.9 Council shall have regard for the conservation of all significant cultural heritage resources during the undertaking of municipal public works or environmental assessment projects. When necessary, satisfactory measures and /or heritage impact will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservation policies contained within this plan.
- 2.12.10 Council shall encourage local utility companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not have a negative impact on the architectural integrity of those resources. Council shall seek the acquisition of easements on properties with heritage significance in order to assure the preservation of these properties in perpetuity.
- 2.12.11 Council shall ensure that each municipally-owned heritage resource which is sold, leased or transferred to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation, maintenance, and use in a manner which respects its heritage restoration agreement, which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipal Heritage Committee or other accepted heritage property standard. Council shall ensure that secondary planning studies identify cultural heritage resources, which may exist in the area under study and propose means to protect and enhance any significant heritage resources.
- 2.12.12 Council recognises that, within the boundaries of the Town, especially along the Lake Superior shoreline, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years. The approval authority shall require a marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* if partially or fully submerged marine features of cultural heritage value are identified and impacted by shoreline and waterfront developments.



- 2.12.13 Any marine archaeological resource that is identified must be reported to the Ministry of Tourism, Culture and Sport immediately. The Ministry shall determine whether the resource shall be left in situ or may be removed, through excavation, by licensed marine archaeologists under the direction of the Ministry of Tourism, Culture and Sport.
- 2.12.14 Council may encourage cultural heritage mapping to identify important cultural assets in the community and document the local history of the Town.
- 2.12.15 It is the intent of the Plan that the Town will consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

2.13 LAND USE COMPATIBILITY

- 2.13.1 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with the Ministry of the Environment and Climate Change “D” Series or other applicable guidelines shall be incorporated between sensitive and industrial uses, to minimize potential adverse effects, such as noise, odour, vibration, particulate and other contaminants.
- 2.13.2 In all land use designations where noise and vibration, may be a concern with respect to railways, provincial highways, sewage treatment facilities, landfills, and any wind-based electric power generation, the following considerations will apply, in conjunction with or complementary to other separation-related policies in this Official Plan:
- (a) new development along a railway right-of-way:
 - (i) the Town acknowledges the importance of rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods. Council shall encourage the use of rail for the transport of goods and ensure the continued viability and ultimate capacity of the rail facilities is protected and shall identify and support strategic infrastructure improvements such as targeted grade separations;
 - (ii) all proposed new development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Town in consultation with the railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified;
 - (iii) all proposed new development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Town in consultation with the railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that are identified;
 - (iv) all proposed new development adjacent to the rail line shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Town in consultation with the railway;



- (v) implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Town and the railway; and
- (vi) where applicable, the Town will ensure that sightline requirements of transport Canada are addressed.
- (b) new development abutting a rail yard:
 - (i) new sensitive uses will not be permitted within 300 metres of a rail yard; and
 - (ii) all new sensitive uses located between 300 metres and 1000 metres of a rail yard will be required to undertake noise, and dust and odour studies, to the satisfaction of the Town and the railway, to support its feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- (c) new development abutting a Provincial Highway:
 - (i) all proposed new development within 150 metres of a Provincial Highway right-of-way may be required to undertake noise studies, to the satisfaction of the Town, consistent with the requirements of the Ministry of Transportation (MTO) and the Ministry of the Environment and Climate Change (MOECC), and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified.
- (d) wind-based electric power generation:
 - (i) noise studies, as applicable in accordance with all Provincial requirements and guidelines, and any resultant recommended remedial measures, will be required in association with any proposal for wind-based electrical power generation.
- (d) new development adjacent to Industrial Uses:
 - (i) the Ministry of the Environment and Climate Change “Guideline D-6 Compatibility between Industrial Facilities and Sensitive Land Uses” shall be complied with for the requirements of noise, odour, vibration and dust studies with respect to the impacts of Class I, II, and III industrial uses. Any mitigation measures required as a result of the studies to address adverse impacts will be required as part of the development of new sensitive land uses.

2.13.3 Information regarding Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) contours is not available for the Marathon Airport. New residential development and other noise sensitive uses such as hospitals, nursing homes, schools, day care centres, etc. may be permitted within 1 kilometre of the airport subject to the findings of a noise impact study and recommendations for noise abatement/mitigation measures. Transport Canada shall be consulted on development proposals adjacent to Marathon Airport.

2.13.4 Whenever a change in land use is proposed, consideration shall be given to the effect of the proposed use on existing land uses. Where there are potential compatibility concerns, consideration shall be given to the extent to which increased site plan requirements can reduce the potential



impacts. If the impacts cannot be minimized to acceptable levels the proposed development shall not proceed. Compatible development means development that, although it is not necessarily the same as or similar to existing uses in the vicinity, nonetheless enhances an established community and coexists with existing uses without causing undue adverse impact on the surrounding uses.

Compatibility can be achieved in a variety of ways, including the provision of appropriate setbacks, buffering features, and transition in building height and massing. Compatibility of new developments shall be assessed based on the following criteria:

- (a) height and massing—new buildings must have regards to the height and massing of adjacent buildings. Where variation in height or massing is proposed, a transition is desirable;
- (b) pattern of surrounding community—proposed developments must consider the character of the surrounding buildings, including scale and rhythm, massing, and architectural design;
- (c) outdoor amenity areas—the privacy of outdoor amenity areas of adjacent residential units must be respected;
- (d) shadowing—shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;
- (e) lighting—the potential for light spill over or glare onto adjacent light-sensitive areas must be minimized;
- (f) noise and air quality—the development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions;
- (g) parking—adequate on-site parking must be provided, with minimal impact on adjacent uses;
- (h) loading and service areas—the operational characteristics and visual appearance of loading and services areas (including garbage and outdoor storage areas) must be designed to mitigate adverse effects on adjacent properties and should be located away from residential uses, where possible; and
- (i) vehicular access—the location and orientation of vehicular access must take into account impact on adjacent uses including noise, glare and loss of privacy.

2.14 ENVIRONMENTAL PROTECTION

2.14.1 As certain natural heritage features (in particular, significant wildlife habitat, habitat for endangered or threatened species of fish habitat) could occur in any area within the municipality, the potential for presence of these features should be considered in the review of every development or site alternation proposal.

SIGNIFICANT WILDLIFE HABITAT

2.14.2 Where, significant wildlife habitat or other natural heritage features are designated, development and site alterations shall not be permitted:

- (a) within the feature; or



- (b) within 120 metres of the feature; unless an EIS demonstrates that there will be no negative impacts on the natural heritage features or on its ecological functions.
- 2.14.3 Where significant wildlife habitat is shown on Schedule A Land Use Plan, new development or site alteration will not be permitted until an Environmental Impact Study, prepared by a qualified professional demonstrates to the satisfaction of the Approval Authority that there will be no negative impact on the species at risk or its ecological functions.
- 2.14.4 Adjacent lands to significant wildlife habitat are defined as 120 metres from the boundary of the feature at a minimum unless there are other site specific considerations such as species habits, type of development, and/or landscape characteristics that may warrant extending (or in some cases retracting) the adjacent land boundary for the purposes of meeting the preceding policy.
- 2.14.5 Preliminary ecological assessments will be conducted when development and/or site alteration is proposed to determine if the proposed development is within or adjacent to significant wildlife habitat preliminary assessments will be based on existing mapping and reference information, existing local knowledge, and preliminary field visits.
- 2.14.6 Where preliminary assessments indicate proposed development is within or adjacent to significant wildlife habitat an environmental impact study will be required to determine whether there will be negative impacts on the natural features or their ecological functions.

THREATENED AND ENDANGERED SPECIES

- 2.14.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- 2.14.8 Development and site alteration shall not be permitted on adjacent lands to the significant habitat of threatened and endangered species 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 habitat or its ecological functions.
- 2.14.9 Where a habitat regulation under the *Endangered Species Act* is in place for a species, the regulated habitat is considered to be significant threatened or endangered species habitat for the purposes of the Provincial Policy Statement.
- 2.14.10 Where preliminary assessments indicate the potential presence of significant habitat of threatened and endangered species, the local Ministry of Natural Resources and Forestry office will be contacted for review and confirmation of the information.



- 2.14.11 Those undertaking development and site alteration should be aware that the *Endangered Species Act* prohibits the killing, harming or harassing of threatened and endangered species and, subject to transition provisions of the *Act*, prohibits the damage or destruction of the habitat of threatened and endangered species.
- 2.14.12 If proposed development is located in lands adjacent to significant habitat of threatened and endangered species an environmental impact study will be required to determine whether there will be negative impacts on the natural features or their ecological functions.
- 2.14.13 Development and site alteration shall not be permitted in or adjacent to significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- 2.14.14 The presence of Species at Risk (extirpated, endangered or threatened species) shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with Ministry of Natural Resources and Forestry staff (See Appendix A –Species at Risk within the municipal boundary).
- 2.14.15 The *Endangered Species Act* prohibits the killing, harming, harassment, capture, or taking of a species at risk, and the damaging or destroying of their habitat. As a result, an Environmental Impact Study (EIS) should be carried out during the planning of development and site alteration projects to determine whether a listed species or its habitat may be present before carrying out an activity that may contravene the *Endangered Species Act*. The EIS should demonstrate that there will be no negative impacts on the habitat of endangered and threatened species or its ecological function. The EIS must be completed by a qualified professional to address potential impacts on the habitat of endangered and threatened species. To accommodate endangered and threatened species and their habitats, and to minimize any adverse effects on these species, some activities may need to be modified and be subject to best management practices to mitigate an activity's impacts. On a case by case basis, additional actions may be required to address specific impacts on a species at a particular site or location.
- 2.14.16 Where developments or site alteration is proposed within 120 metres of the boundary of the habitat of a species at risk, the proponent shall provide the Town with an Environmental Impact Study (EIS) that demonstrates that there will be no negative impacts on the significant habitat or on its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 metres from significant portions of the habitat of endangered and threatened species may also require an Environmental Impact Study.
- 2.14.17 If impacting an endangered or threatened species cannot be avoided, a permit or agreement under the *Endangered Species Act* should be obtained before the activity proceeds. Town staff should work



directly with Ministry of Natural Resources and Forestry district staff to develop agreements or permits when required.

FISHERIES AND FISH HABITAT

2.14.18 No development shall be permitted that results in the harmful alteration, disruption or destruction of fish habitat except where it has been authorized under the federal *Fisheries Act*, or adverse degradation of the quality and integrity of an ecosystem including air, water, land and plant and animal life. Where the quality and integrity of an ecosystem has been diminished, the Town shall encourage its restoration or remediation to healthy conditions.

It is the intent of this Plan to promote the wise management and sustainable use of fisheries to provide recreational and economic benefit to Marathon and the Province of Ontario. In the absence of detailed fish habitat mapping, fish habitat is defined as all water features including permanent or intermittent streams, headwaters, seasonally flooded areas, wetlands, municipal or agricultural surface drains, lakes and ponds, unless it can be demonstrated in a report from a qualified professional that the feature does not constitute fish habitat as defined by the *Canada Fisheries Act*. In considering new development or redevelopment within or adjacent to fish habitat, Council shall consider the following:

- (a) development and site alteration may be permitted on adjacent lands to fish habitat, provided that it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the fish habitat or its ecological functions;
- (b) adjacent lands to fish habitat are defined as all lands within a minimum of 120 metres from the normal high water mark of any watercourse or waterbody defined as fish habitat above;
- (c) prior to making a final decision on new development proposals referred to above, Council may require additional studies, special engineering works or design controls to ensure that the resulting development does not adversely affect the ability of the natural habitat to sustain healthy fish populations; and
- (d) notwithstanding applicable flood-proofing elevations, all new waterfront structures except docks, uninhabited boat houses or those intended for flood or erosion control shall be set back a minimum of 30 metres horizontally from the water's edge to maintain a natural vegetative buffer to protect fish habitat.

WETLANDS

2.14.19 Wetland areas are a significant environmental resource, which contribute to the ecological well-being of the natural environment. It is the intent of this Plan to protect wetland areas within or adjacent to the Town from incompatible land uses. There are no known provincially significant wetland areas in the municipality. Nevertheless if one is identified, no development or site alteration will be permitted in it or adjacent to it provided that it will have no negative impacts. Lands adjacent to a provincially significant wetland are defined to be within 120 metres of it until further evaluation proves another



distance more appropriate.

2.15 GROUNDWATER RESOURCES

- 2.15.1 Groundwater resources are used as a source of potable water supply in the Urban Service Area of Marathon. No development shall be permitted that result in the contamination of groundwater resources. The Town has prepared a Groundwater Management Strategy which identifies a number of strategies and initiatives that provide for the protection to the groundwater resources and the municipal water supply.
- 2.15.2 The groundwater protection zones shown on Schedule “D”, derived from Marathon’s Groundwater Management Strategy, identify the groundwater aquifer source area of the municipal water supply that is sensitive to potential contamination. Groundwater Protection Zone I represent the 0-2 year capture zone and is the most sensitive to contamination. Groundwater Protection Zone II represents the primary groundwater source area and is the 2-25 year capture zone, while Groundwater Protection Zone III represents possible source areas for future wells. Within each of the wellhead capture zones certain types of land uses whose activities have the potential to adversely impact on groundwater resources shall be prohibited.
- 2.15.3 On lands within Groundwater Protection Zone I, the following land use restrictions shall apply:
- (a) those land uses which involve the handling of hazardous materials and identified as Category “A”, “B” or “C” Industrial Land Uses listed in Appendix “B” shall be prohibited;
 - (b) the use of underground fuel storage tanks shall be prohibited; and
 - (c) limitations on the use of fertilizer and pesticide applications on lawns and playgrounds/parks in accordance with the recommendations of Marathon’s Groundwater Management Strategy.
- 2.15.4 On lands within Groundwater Protection Zone II, the following land use restrictions shall apply:
- (a) those land uses identified as Category “A” or “B” Industrial Land Uses listed in Appendix “B” shall be prohibited;
 - (b) the use of underground storage tanks shall be prohibited;
 - (c) Category “C” Industrial Land Uses listed in Appendix “B” may be permitted within Groundwater Protection Zone II, provided the lands are designated and zoned for such uses, and the applicant has prepared an Environmental Management System which details the best management practices to protect against accidental spills and inappropriate disposal of hazardous waste in accordance with the recommendations of Marathon’s Groundwater Management Strategy. The Environmental Management System shall be approved by the Town; and
 - (d) limitations on the use of fertilizer and pesticide applications on lawns and playgrounds/parks in accordance with the recommendations of Marathon’s Groundwater Management Strategy.



- 2.15.5 On lands within Groundwater Protection Zone III, the following land use restrictions shall apply:
- (a) those land uses identified as Category “A” Industrial Land Uses listed in Appendix “B” shall be prohibited;
 - (b) the use of underground storage tanks shall be prohibited; and
 - (c) Category “B” and “C” Industrial Land Uses listed in Appendix “B” may be permitted within Groundwater Protection Zone III, provided the lands are designated and zoned for such uses and the applicant has prepared an Environmental Management System which details the best management practices to protect against accidental spills and inappropriate disposal of hazardous waste in accordance with the recommendations of Marathon’s Groundwater Management Strategy. The Environmental Management System shall be approved by the Town.
- 2.15.6 Existing uses that are considered to be Category “A” and “B” Industrial Land Uses as listed in Appendix “B” which are located within Groundwater Protection Zones I and II have the potential to adversely impact on groundwater resources. Accordingly, these existing uses shall develop an Environmental Management Strategy approved by the Town, which establishes best management practices to protect against accidental spills and inappropriate disposal of hazardous waste. Over the long term these existing industrial uses are encouraged to locate to appropriately designated and zoned land outside of Groundwater Protection Zones I and II.
- 2.15.7 Underground fuel storage tanks used for home heating purposes represent a significant threat to the municipal water supply since they are susceptible to leakage and are primarily located within the most sensitive groundwater protection zones. Users of existing underground fuel storage tanks shall upgrade their tanks with leak and spill prevention equipment or remove the underground tanks and convert to above ground fuel storage tanks with appropriate leak and spill prevention equipment. Alternatively, conversion to alternate energy sources is also encouraged as an option.
- 2.15.8 The Town, together with other government agencies, shall develop contingency plans to address such matters as accidental motor vehicle and rail spills, develop and conduct regular groundwater monitoring, establish a hazardous waste collection programme and encourage the use of water conservation measures.
- 2.15.9 For all development on private wells in areas not serviced by the municipal water supply, the proponent shall provide evidence that the development can be adequately and safely serviced by a private potable water supply and there is no adverse impact on groundwater resources. Private wells within Groundwater Protection Zones I, II and III shall be restricted.

2.16 WAYSIDE PITS AND QUARRIES

- 2.16.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by a public road authority or their agent, solely for the purposes of a particular road project or contract of road



construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.

2.16.2 Wayside pits and quarries shall be permitted throughout the Town except for the following:

- (a) in areas designated Residential;
- (b) within 300 metres of an existing residential or other sensitive use;
- (c) within Groundwater Protection Zones I, II and III; and
- (d) where environmental effects will occur that cannot be mitigated in accordance with Ministry of the Environment and Climate Change guidelines for Class III Industrial Facilities.

2.16.3 The opening of wayside pits and quarries shall be permitted without an amendment to this Plan or the Zoning By-law. The Province and/or the applicant will provide notice when required or practical to the Town prior to the establishment of a wayside pit or quarry.

2.16.4 New wayside pits and quarries or the expansion of existing operations, cultural heritage resources shall be considered, and are subject to the completion of archaeological assessments and appropriate mitigative measures, as required.

2.16.5 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated to the satisfaction of the Town of Marathon. Progressive and final rehabilitation of wayside pits and quarries is required.

2.17 PORTABLE ASPHALT AND CONCRETE PLANTS

2.17.1 A portable asphalt plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

A portable concrete plant means a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process. A portable concrete plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

2.17.2 Portable asphalt and concrete plants used by a public road authority or their agents shall be permitted throughout the Town, subject to the approval of the Ministry of the Environment and Climate Change, except for the following locations:

- (a) in the developed area of the townsite of Marathon;
- (b) within 400 metres of an existing residential use;
- (c) where environmental effects will occur that cannot be mitigated; and



(d) within any groundwater protection zone.

2.17.3 Portable asphalt and concrete plants shall be permitted without an amendment to this Plan or the Zoning By-law. The Province and/or the applicant will provide notice when required or practical to the Town prior to the establishment of a portable asphalt or concrete plant.

2.17.4 Portable asphalt and concrete plants shall be removed from the site and the site rehabilitated to its previous condition upon completion of the road project.

2.18 FORESTRY

2.18.1 Forest resources provide a significant economic, social and environmental benefit in the form of:

- (a) income from forest products;
- (b) recreation;
- (c) education;
- (d) soil and water conservation;
- (e) wildlife habitat;
- (f) buffers between land uses; and
- (g) natural amenities.

2.18.2 Property owners are encouraged to ensure that forest resources on their property are properly managed and may obtain information on the management of forest resources from the Ministry of Natural Resources and Forestry.

2.18.3 Due to the potential for adverse impact on groundwater resources, forestry harvesting activities shall be prohibited on land within Groundwater Protection Zones I, II and III.

2.18.4 The maintenance of forest cover and riparian vegetation along river and stream banks is required and reforestation in areas where forest resources have been depleted is encouraged.

2.18.5 Certain areas of the Town are highly susceptible to damage caused by forest, brush and/or grass fires. Forest fire prevention and hazard reduction activities are desirable for environmental, economic and social reasons.

2.18.6 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Proponents may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible) in accordance with wildfire assessment and mitigation standards, as identified by the Ministry of Natural Resources and Forestry. Development of land adjacent to or within high fire risk areas shall incorporate design measures and construction techniques which will minimize damage resulting from a forest, brush or grass fire. Such measures



may include identifying access and escape routes, layout of fire breaks, use of fire resistant construction materials and building and property maintenance.

2.19 AGGREGATE AND MINERAL RESOURCES

- 2.19.1 The 2014 Provincial Policy Statement states that minerals and petroleum resources shall be protected for long-term use. Minerals are defined by the Provincial Policy Statement as metallic minerals (e.g. gold, copper, nickel) and non-metallic minerals (e.g. mica, salt talc). Mineral aggregate resources are defined as gravel, sand, clay, rock, or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes. Areas having high aggregate or mineral resource potential are all of the rural area as designated Schedule A.
- 2.19.2 To permit continued development of the extractive industry in a logical and controlled fashion, protection of areas having high quality mineral aggregate resources for long-term use shall be considered for any development proposal. In all cases, any new development should not adversely affect the viability of the extraction industry in the future.
- 2.19.3 In the Rural area as shown on Schedule A, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
- (a) resource use would not be feasible or;
 - (b) the proposed land uses or development serves a greater long term public interest; and
 - (c) issues of public health, public safety and environmental impact are addressed.
- 2.19.4 Non-extractive land uses or developments shall be prohibited in those areas identified as having an aggregate or mineral resource potential unless it can be shown that:
- (a) extraction would not be feasible; or
 - (b) the proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
 - (c) the proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.
- 2.19.5 Progressive and final rehabilitation to accommodate subsequent land uses shall be required in order to accommodate new land uses, to promote land use compatibility, and to recognize the interim nature of extraction. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use.
- 2.19.6 Extractions of any size shall be undertaken in a manner which minimizes social and environmental impacts.



- 2.19.7 Existing mineral and aggregate operations shall be permitted to continue without the need for Official Plan Amendment, rezoning or development permit under the *Planning Act*.
- 2.19.8 Development of these areas for purposes other than resource extraction shall not be permitted in accordance with Policies 2.19.1 and 2.19.2. If such development is permitted, the underlying designation will apply.
- 2.19.9 Development in or adjacent to an area of known mineral or aggregate resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
- 2.19.10 New or expanding aggregate or mineral extraction operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded aggregate or mineral extraction operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.
- 2.19.11 Cultural heritage resources shall be considered when new areas for mineral extraction or aggregate operations are being considered and cultural heritage resources shall be conserved in accordance with the recommendations of an archaeological assessment prior to the establishment of new operations or the expansion of existing operations. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.

2.20 ABANDONED MINE HAZARDS

- 2.20.1 Progressive rehabilitation is required for any mine hazard in accordance with the requirements of the Mining Act. Input from the Town will be via the public review opportunities of a Closure Plan, if the Director appointed by the Minister of Northern Development and Mines requires a plan to be submitted should the progressive rehabilitation not meet provincial standards.
- 2.20.2 Development on lands within 1000 metres of the abandoned mine hazards as shown on Schedule C will be permitted only if rehabilitation measures to address and mitigate the hazard have been completed in accordance with the requirements of the Ministry of Northern Development and Mines. Abandoned mine hazards identified at the time of the approval of this Official Plan are illustrated on Schedule C and current information regarding the location of abandoned mine hazards is available from the Ministry of Northern Development and Mines.
- 2.20.3 Proposed development on, abutting or adjacent to lands affected by Mine Hazards to be supported by a study that:
- (a) identifies potential safety hazards;
 - (b) demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and



(c) establishes measures to address and mitigate known or suspected hazards.

2.20.4 Where rehabilitation requirements are known and are feasible, known mine hazards and adjacent lands may be zoned with a Holding Zone. In these instances, rehabilitation of the site in accordance with the requirements of the *Mining Act* shall be required prior to the removal of the holding symbol. In the interim, uses permitted on such properties will be restricted to existing land uses.

2.21 CONTAMINATED SITES

2.21.1 Prior to approving any development on lands that may have been contaminated by previous uses, a Record of Site Condition shall be required which identifies the extent of possible contamination, and summarizes information about the site including the site condition achieved through restoration. The Record of Site Condition shall be prepared by a qualified consultant in accordance with the Ministry of Environment and Climate Change Ontario Regulation 153/04 and received by the Ministry of Environment and Climate Change. If site restoration is required, it shall be completed prior to development approval being given and in accordance with a site remediation plan prepared and consistent with Ministry of Environment and Climate Change guidelines.

2.22 WASTE DISPOSAL SITES

2.22.1 Development shall be prohibited on all waste disposal sites located in the Town, including closed sites. Waste disposal sites are considered an industrial use.

2.22.2 Development proposed within 500 metres of an existing or closed waste disposal cell shall not be approved under a plan of subdivision, consent or building permit unless it can be demonstrated that there is no evidence of any adverse effects or risks to health and safety including leachate, methane gas migration or other contaminants present in the soils or ground water supply to the satisfaction of the Ministry of Environment and Climate Change and the Town of Marathon. In certain circumstances, such as areas of fractured bedrock or sand, areas beyond 500 metres may be impacted by leachate, methane gas migration or other contaminants in which case development will be restricted.

2.22.3 Due to the potential for adverse impact on groundwater resources, waste disposal sites shall be prohibited from locating on land within Groundwater Protection Zones I, II and III.

2.22.4 Waste disposal sites and facilities will be planned and maintained to ensure the sanitary, economic, efficient and most environmentally appropriate disposal of waste and in accordance with provincial regulations. New waste disposal sites shall proceed only by way of amendment to this Plan.

2.22.5 Best management practices in the area of waste diversion must be pursued in order to extend the lifespan of the existing municipal landfill site.



2.23 ENERGY EFFICIENCY AND SUSTAINABILITY

2.23.1 The Town of Marathon recognizes the importance of supporting policies aimed at reducing energy consumption and reliance on carbon-based fuels in order to develop greener, healthier, active communities and a culture of conservation. The principles of energy efficiency and energy diversity guide the energy policies. Energy efficiency refers to promoting energy efficient urban and building designs, appliances, and modes of transportation, while energy diversity refers to promoting the development and use of alternative and renewable energy systems.

2.23.2 Proposed development should incorporate the following best practices in sustainability:

- (a) buildings should be oriented in such a way as to maximize passive solar energy gain;
- (b) new developments shall consider the use of green building technologies and rating systems, such as Leadership in Energy and Environmental Design (LEED);
- (c) land use patterns should support the use of alternative modes of transportation;
- (d) development should reduce hard surfaces and maximize site permeability;
- (e) the Town shall promote landscaping and tree planting programs that help moderate summer and winter micro-climatic conditions;
- (f) the Town shall promote alternative and renewable energy systems as accessory and standalone uses;
- (g) new development should be designed to accommodate more affordable alternative energy and renewable energy technologies in the future; and
- (h) water use and reduction strategies and technology.

2.23.3 Various forms of alternative energy systems and renewable energy systems can generate thermal and electrical power on a site-specific basis or as part of a more expansive utility grid system, thereby providing environmental, social and economic benefits. The *Ontario Green Energy Act and Green Economy Act* provide a framework for approvals of various types of renewable energy projects which are thereby exempt from municipal approvals. However, the Town will be consulted through the provincial Renewable Energy Approval process.

2.23.4 The Town will review and provide comments to the proponents of renewable energy projects with respect to servicing, infrastructure, or any other matter related to a proposed renewable energy project for which a provincial Renewable Energy Approval is required. The proponent must then supply the Town's comments to the province with their Renewable Energy Approval (REA) Application.

2.24 AIR QUALITY AND CLIMATE CHANGE

2.24.1 Climate change can be defined as a long-term change in average weather conditions, including temperature, wind patterns and precipitation, primarily due to increases in greenhouse gas emissions related to human activities. It may involve, for example, increased frequency and severity



of extreme weather events, as well as erratic weather patterns. Climate change is highly complex and dynamic, and the timing, nature and severity of its impacts on communities are difficult to predict and will vary locally and regionally. However, scientific research and analysis suggest that communities will need to adjust to the effects of climate change in one way or another, despite our best efforts at reducing our greenhouse gas emissions in the future.

- 2.24.2 Several policies in this Official Plan may directly or indirectly contribute to reducing the Town's overall impact in terms of greenhouse gas emissions. These include a focus on increased energy efficiency, support for alternative means of transportation, and the promotion of mixed-use communities. However, a broader approach is required in order to establish more comprehensive mitigation
- 2.24.3 In collaboration with agencies such as Natural Resources Canada and Health Canada, the Town may consider the preparation of a Climate Change Mitigation and Adaptation Plan that outlines:
- (a) mitigation strategies to reduce the Town's contribution to climate change; and
 - (b) adaptation strategies to assist the Town in coping with the effects of climate change on the community.

2.25 COMMUNICATION TOWERS

- 2.25.1 The Town of Marathon recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Local zoning by-laws cannot prevent a telecommunication tower from being constructed, as the Federal Government has the approval authority. However, Industry Canada recognizes the importance of considering the potential impact of communication towers on the community. An applicant seeking to establish a communication tower shall work with the Town, seek input from the community, and meet the requirements as set out in the Council approved installation of Communication Towers Policy, if applicable.

2.26 SECONDARY DWELLING UNITS

- 2.26.1 A secondary dwelling unit may be permitted, in addition to a principle dwelling unit, in a single-detached, semi-detached, or a townhouse or in a building or structure ancillary to a single detached or semi-detached dwelling or row house. Standards shall be established in the Zoning By-law to regulate compatibility with the main dwelling and surrounding land uses, as well as the size of secondary dwelling units, and required on-site parking. Secondary dwelling units shall be subject to the applicable requirements of the *Ontario Building Code Act*.

2.27 AFFORDABLE HOUSING

- 2.27.1 It is a policy of this Plan to ensure existing and new residents have access to diverse and affordable housing choices. To be considered affordable, affordable shall be defined as the following:



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

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

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

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

2.27.2 Council will establish targets for affordable housing in the Town, based on the definition for both ownership and rental housing in the regional market area, and explore collaboratively with partners, such as the Thunder Bay District Social Services Board, how targets can be achieved, including utilizing techniques and tools such as Community Improvement Plans, permitting second units in existing dwellings, encouraging the creation of infill lots, the conversion of existing buildings for residential purpose, redevelopment of sites not previously used for residential purposes, promoting higher densities in new development, and permitting rooming, boarding and lodging houses where appropriate.

2.28 GARDEN SUITES

2.28.1 A garden suite shall be defined as a one-unit detached residential structure containing bathroom and kitchen facilities, ancillary to an existing residential structure and is designed to be portable and temporary.

- (a) considering such proposals for a garden suite, the following shall be considered:
 - (i) the unit shall only be used on a temporary basis in conjunction with an existing dwelling on the same lot;
 - (ii) the lot size/layout in terms of accommodating the garden suite without unreasonable loss of private outdoor amenity area;
 - (iii) compatibility of the garden suite with the surrounding neighbourhood in terms of general form, privacy, shadowing and separation distance;
 - (iv) adequacy of site access and on-site parking;
 - (v) the unit is not placed in the front yard of the lot or the required front yard required by the Zoning By-law;
 - (vi) no additional access is provided to the lot from a public road;
 - (vii) placement of the unit is not exclusively removed from the existing dwelling;
 - (viii) the proposed site is capable of accommodating an approved septic and water supply system as determined by the Town of Marathon, or verification that adequate municipal services can be provided on this lot;



- (ix) the location of such unit shall be in accordance with the Minimum Distance Separation Formulas where the use is proposed near any livestock operation; and
- (x) the main dwelling unit and the proposed garden suite are clustered in the same general location on the property.



SECTION 3 - LAND USE POLICIES

3.1 GENERAL

- 3.1.1 Land use designations have been established for Town of Marathon. The Land Use Plan as detailed on Schedules A and B illustrate the land use designations. Schedules A and B should be read together in conjunction with the policies of Section 3.
- 3.1.2 The intent of this section of the Plan is to promote the optimum land use function by minimizing land use conflicts and providing an attractive development pattern consistent with existing land uses and economic development of the Town. The majority of new development in the Town will be directed to occur in the Urban Service Area of the township.

3.2 RURAL

- 3.2.1 It is the intent of this Plan to maintain the rural character and environment of the Rural area of the Town of Marathon with limited rural residential and seasonal residential development while at the same time promoting the Rural area for recreation and tourism related activities and uses. The Town is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general Rural land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan and through the implementation of the zoning by-law and zoning amendments, would allow flexibility in determining the appropriate uses of land.
- 3.2.2 The Rural area is characterized as a low density, multi-purpose area in which land uses can be accommodated in a compatible manner consistent with the rural character of the Town. Land designated as Rural are shown on the Land Use Plan, Schedules A and B.
- 3.2.3 Permitted uses in the Rural area include rural residential dwellings, seasonal residential uses, agricultural use including hobby farms, marinas, nature trails, tourist uses, wind power generation, and industrial uses related to natural resources. It is the intent of the Rural designation to permit and encourage such rural uses as forestry, aggregate extraction, mining and mineral exploration, trapping, resource management and conservation uses.
- 3.2.4 A portion of the Rural area includes Crown land that has been identified by the Province as an Enhanced Management Area in the Crown Land Use Policy Atlas. Forestry is not permitted within this area, aggregate extraction and mineral exploration activities are permitted on a controlled basis and the disposition of crown lands and new roads are discouraged.



- 3.2.5 It is the intent of the Rural land use designation to:
- (a) maintain the low density rural character of the Town;
 - (b) provide flexibility by permitting a variety of land uses; to allow development of natural resources and economic activities in a manner compatible with the rural character which balances protection of natural resources with the need for economic diversification;
 - (c) protect the natural environment including the Pic River. There is a responsibility to preserve, protect, enhance, and provide the proper management and stewardship of our natural areas in a sustainable way, given that changes to natural areas can affect the ecological balance; and
 - (d) to protect the significant views of Lake Superior along Peninsula Road as one enters the townsite of Marathon.
- 3.2.6 While land in the Rural designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given.
- 3.2.7 Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan (Section 2.3) and provided that:
- (a) new rural residential uses should be a reasonable distance and are oriented away from industrial uses to minimize the adverse effects of odour, dust, noise, vibration and other contaminants. The Ministry of the Environment and Climate Change may be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to industrial uses;
 - (b) new lots for rural residential uses must be a minimum area necessary for the use permitted and the installation of a private water supply and sanitary sewage disposal system approved by the Health Unit or designated authority. However, no new rural residential lot shall be smaller than 1.0 hectares;
 - (c) warning clauses will be registered on title of all cottage or summer resort lots created in Crown Reserve and private patented land areas known to have mineral resource potential. These warning clauses shall indicated that rights of mining operations to access and extract the mineral resource over the rights of other land uses to prevent such activities from occurring; and
 - (d) there is compliance with the Minimum Distance Separation I criteria, if applicable.
- 3.2.8 Plans of subdivisions for rural residential purposes greater than five (5) lots shall require a planning justification study that addresses the need and scale of the proposed development based on the following considerations:
- (a) demand for the type of development proposed;
 - (b) the amount of developable land available with existing residential areas;
 - (c) an evaluation of other sites available to accommodate the development within other areas of the Town;



- (d) long term servicing impacts, environmental factors and impact on surrounding land uses;
 - (e) the scale and design of the development is compatible with the surrounding development and rural character in general;
 - (f) any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner;
 - (g) a water quality/quantity assessment which demonstrates that there is adequate water quantity and quality available to meet the domestic requirements of the development; and
 - (h) comply with the Minimum Distance Separation I criteria, if applicable.
- 3.2.9 Development within the Rural area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time. New and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation II criteria, as amended from time to time.
- 3.2.10 The release of Crown land in the Rural area for seasonal residential uses, tourist development uses and recreational infrastructure, such as docks and boat launch/parking areas, is supported by the Town. Specific locations of the Rural area which are as being candidate sites for seasonal or cottage residential will be subject to the results of an archaeological assessment and fishery/wildlife assessments.
- 3.2.11 Seasonal or year round waterfront residential development in the Rural area will not be permitted on lakes identified by the Ministry of the Environment and Climate Change as having reached their assimilative capacity. The identification of such lakes will be by an amendment this Plan. Currently no lakes have been identified by the Ministry of Environment and Climate Change as having reached their assimilative capacity.
- 3.2.12 Until such time as mining operations are economically viable and it is feasible to extract the mineral or mineral aggregate resource, alternative land uses will be considered in the area considered to have a high potential for mineral resources within the Rural area. Low density cottage or seasonal residential uses, tourism uses and waterfront development are considered appropriate alternative land uses that would not restrict access to possible mineral aggregate resources or hinder mining operations and activities at some point in the future.
- 3.2.13 The development of seasonal or cottage residential uses in the Rural area , will only be permitted provided that the residential uses are not occupied on a permanent year round basis as principal residences and that no permanent year round residential community is established. These restrictions on seasonal or cottage residential development are provided as added safeguards to ensure that possible future access to potential mineral resources is not hindered by the development.
- 3.2.14 In order to further mitigate against possible conflicts between future mineral aggregate and mining activities and cottage residential uses within the mineral and mineral aggregate resource potential



area in the Rural area, it is the intent of Council that warning clauses be registered on title with the individual cottage lots indicating the rights of the mineral sector to access, assess and extract the mineral resource over the rights of other land uses to prevent such activities from occurring. It is Council's intent that access to mineral and mineral aggregate resources is to be protected for possible future mining activities and that cottage lot development, tourism uses and waterfront development shall not restrict access to the mineral resource or preclude extraction of the resource.

- 3.2.15 At such time as mineral aggregate or mining operations are economically viable in the mineral and aggregate resource potential area within the Rural area, mining and aggregate activities will then be given precedence over other land uses in the Rural area. It is not the intent of this Plan that seasonal or cottage residential uses conflict with, or restrict future mining and aggregate activities in these areas.
- 3.2.16 Seasonal residential uses, tourist development and waterfront development uses in the Rural area will be privately serviced and will require the approval of the Health Unit or designated authority for private sanitary sewage disposal systems. The minimum lot area for a seasonal residential use shall be 0.8 hectare for waterfront lots and 1.0 hectares for all other lots.
- 3.2.17 In order to address land use compatibility concerns between possible future mining and aggregate operations and seasonal or cottage residential development, tourism uses or waterfront development within the mineral and aggregate resource potential areas in the Rural area, appropriate buffering and setback measures may need to be applied against possible negative impacts mining or aggregate operations may have on these types of uses. The potential impacts and appropriate mitigative measures will be assessed and determined on a case by case basis.
- 3.2.18 Mining operations and mineral aggregate extraction shall be permitted in the Rural area subject to the policies of Section 2.19, an amendment to the Zoning By-law and provided that:
- (a) the operation is compatible with the surrounding land uses and will not adversely impact on water resources or water use activities in accordance with Section 2.13;
 - (b) adequate buffering is provided;
 - (c) a site plan agreement pursuant to Section 41 of the *Planning Act* and such agreement shall address the following matters, but not be limited to:
 - (i) hours of operation;
 - (ii) location of proposed buildings, machinery and equipment;
 - (iii) setbacks, landscaping and buffering;
 - (iv) storm water management;
 - (v) existing and anticipated final grades of excavation;
 - (vi) access/egress;
 - (vii) haulage routes;
 - (viii) improvements/maintenance to Town roads as a result of increased truck traffic on existing roads; and



- (ix) progressive site rehabilitation.

3.2.19 Small scale commercial uses providing personal or retail services, recreational commercial uses and small scale dry industrial uses relating to a natural resource and bulk storage or warehousing may be permitted in the Rural area subject to an amendment to the Zoning By-law provided that:

- (a) the use is located on provincial highway or on an open road maintained year round by the Town;
- (b) buffering and separation distances in accordance with the Ministry of the Environment and Climate Change guidelines and to the satisfaction of the Town shall be provided where an industrial use is located adjacent to a sensitive land use;
- (c) there is no adverse impact on the amenity and character of the rural environment as established by the comprehensive Zoning By-law;
- (d) adequate parking is provided;
- (e) a site plan agreement pursuant to Section 41 of the *Planning Act* may be required; and
- (f) small scale processing of forest products, such as portable sawmill operations, are considered an industrial use and may be permitted provided that no equipment or machinery is located:
 - (i) within 120 metres of a residential lot or a lot used for recreational, institutional or commercial uses;
 - (ii) within 30 meters of any road or road allowance;
 - (iii) an agreement is entered into with the Town governing the hours of operation for operations that are adjacent to residential and sensitive land uses; and
 - (iv) buffering and separation distances in accordance with the Ministry of the Environment and Climate Change guidelines and to the satisfaction of the Town shall be provided.

3.2.20 Institutional uses that provide local public services may be permitted in the Rural area subject to an amendment to the Zoning By-law in accordance with the following:

- (a) adequate parking is provided;
- (b) adequate buffering is provided where necessary in accordance with the Ministry of the Environment and Climate Change guidelines and to the satisfaction of the Town; and
- (c) an agreement pursuant to Section 41 of the *Planning Act* is required;

3.2.21 Any development at the Tourist Information Centre, the former ski lodge, should enhance the viability of the centre and provide for protection of the views and vistas from the centre.

3.2.22 Lands used for forestry purposes includes the production of wood and wood products, renewal and maintenance of forest resources, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation, and protection and production of water supplies. Forestry uses shall be allowed without an amendment to the Zoning By-law. The processing of forest products is considered an industrial use and subject to the Policies of 3.2.18.

3.2.23 Lands used for public or private recreational purposes may be permitted in the Rural area subject to



amendment to the Zoning By-law in accordance with the following provisions:

- (a) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions and traffic generation; and
- (b) a site plan agreement pursuant to Section 41 of the *Planning Act* may be required.

3.3 RESIDENTIAL

3.3.1 The primary focus for residential development and growth shall be the Residential area serviced by municipal water and sewage treatment systems within the townsite of Marathon. The Residential area is shown on Schedule B. The townsite is identified on Schedule A.

3.3.2 It is the objective of this Plan to:

- (a) ensure that an adequate supply of land and range of housing types and densities is available to accommodate residential growth and the demands for residential development for at least ten (10) years;
- (b) ensure that new residential development or redevelopment is physically compatible with the surrounding area and land use conflicts are minimized;
- (c) ensure the provision of adequate services including water, sanitary sewers, storm drainage;
- (d) ensure, wherever possible, in the design of residential developments, the protection and enhancement of the natural environment and amenities;
- (e) promote a cost and energy efficient residential development pattern; and
- (f) encourage new residential development and residential infill to locate in designated Residential areas.

3.3.3 The permitted uses in the Residential area include residential uses, rooming, boarding and lodging houses including bed and breakfast establishments, group homes and minor private and public open space facilities. Home occupations and home professions in accordance with Section 2.5 may also be permitted and will be evaluated based on their compatibility in terms of scale, design and fit with the physical character of the residential community.

3.3.4 Small scale institutional and public service facilities uses may be permitted in the Residential area subject to an amendment to the Zoning By-law provided there is no adverse or negative impact on the surrounding residential neighbourhood with respect to noise, traffic, parking, etc.

3.3.5 Local convenience commercial uses may be permitted within the Residential area subject to an amendment to the Zoning By-law. The local convenience commercial uses shall be limited to, and cater to the day-to-day convenience and shopping needs of the immediate neighbourhood. The local convenience commercial uses shall be of a size and scale that is compatible with the surrounding residential uses and shall be subject to site plan control pursuant to Section 41 of the *Planning Act*.

3.3.6 Residential development or redevelopment shall generally be by plan of subdivision. Consents to



sever individual parcels will be permitted when development by plan of subdivision is not necessary to implement the policies of this Plan and the provisions of Section 51(24) of the *Planning Act*.

- 3.3.7 In existing built-up residential areas which are relatively stable and where the potential for new development or redevelopment is limited, the building designs and densities shall be compatible with the physical character and identity of the surrounding residential lands.
- 3.3.8 The following standards of residential amenity shall be provided for with any residential development or redevelopment:
- (a) the provision and maintenance of adequate off-street parking for the development;
 - (b) the provision and improvement and/or maintenance of on-site landscaping, parks and recreational areas;
 - (c) the provision and maintenance of adequate separation distances and the placement of buffer features between residential uses of differing densities and between different types of land uses; and
 - (d) the development is to be adequately served by community facilities such as parks, commercial uses, churches and school sites.
- 3.3.9 Low density residential uses shall generally include single detached, semi-detached and duplex dwellings. The maximum net residential density shall be 14 units per hectare (6 units per acre) in the serviced area of the townsite of Marathon.
- 3.3.10 Medium density residential uses shall generally include townhouses, apartments, nursing/seniors homes and mobile home parks and subdivisions on full municipal services. The maximum net residential density shall be 30 units per hectare (12 units per acre).
- 3.3.11 The design and locational criteria for medium density residential development shall include the following considerations:
- (a) the site should have safe and convenient access to a street so that traffic movements associated with the development shall be directed away from low density areas;
 - (b) densities should not be increased to the point where increased traffic would lead to congestion and would necessitate road widening prematurely;
 - (c) the height, bulk and arrangement of buildings and structures should achieve a harmonious design and integrates with the surrounding area and not impact negatively on lower density residential uses;
 - (d) schools, parks and other community facilities should be adequate to serve the increased residential population resulting from the development;
 - (e) water and sanitary services and storm drainage facilities shall be adequate to accommodate the increased residential densities;
 - (f) appropriate open space, including landscaping and buffering, shall be provided to maximize



- privacy and minimize the impact on adjacent lower density residential uses;
 - (g) on-site parking shall be required to satisfy the need of the particular development. All parking areas shall be well designed and properly related to the buildings and landscaped areas; and
 - (h) service areas shall be required on the site of each development, i.e. garbage storage, etc.
- 3.3.12 Temporary housing for mine workers may be permitted on the former elementary school site and will be subject to site plan control pursuant to Section 41 of the *Planning Act* and be guided by the following:
- (a) the height, bulk, and arrangement of buildings and structures shall integrate with adjacent land uses;
 - (b) water, sanitary services, and storm drainage shall be adequate to accommodate the development and storm drainage shall be designed to ensure storm run-off is managed on-site and does not impact adjacent properties;
 - (c) appropriate landscaping and buffering is provided to maximize privacy and minimize impact on adjacent land uses;
 - (d) parking shall be provided on-site and be adequate to meet the needs of the residents and parking areas shall be well-designed and landscaped;
 - (e) adequate service areas and garbage storage shall be provided and appropriately buffered and screened; and
 - (f) at such time as the housing is no longer needed, the temporary housing shall be removed and the site rehabilitated to its current condition.

3.4 INSTITUTIONAL

- 3.4.1 It is the intent of this Plan to provide for appropriately located public and private institutions that are accessible to the people they serve, while not having an adverse effect on the surrounding area.
- 3.4.2 Community recreational facilities, public and private schools, religious institutions, medical centres, day care centres and nursery schools, fire halls, government offices, cemeteries and public service facilities are permitted uses in the Institutional area.
- 3.4.3 New institutional uses shall be conveniently located and access onto an open year round publically maintained road and shall be oriented in such a manner so that there is no adverse impacts on nearby residential uses with regards to parking, traffic and noise.
- 3.4.4 The Institutional areas of the Town are a site plan control area and institutional uses will be subject to site plan control pursuant to Section 41 of the *Planning Act*.

3.5 COMMERCIAL

- 3.5.1 It is the intent of this Plan to promote business and commerce primarily within those areas



designated Commercial on Schedules A and B.

- 3.5.2 It is the objective of the Commercial land use designation to:
- (a) encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy the consumer demands of the residents;
 - (b) promote planned development of business and commercial uses consistent with the needs of the Town's residents;
 - (c) recognize the business district in the townsite of Marathon and to enhance business and commercial activities within the Town;
 - (d) ensure that commercial development does not have negative impacts on adjacent land use, particularly residential uses; and
 - (e) recognize and provide for emerging tourist commercial opportunities.
- 3.5.3 Commercial uses shall be regulated by separate zone categories in the Zoning By-law. The Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and residential or institutional uses.
- 3.5.4 When considering an application to establish a commercial use or uses, the Town shall have regard for the following:
- (a) the compatibility of the proposed use with the surrounding area;
 - (b) the physical suitability of the site for the proposed use;
 - (c) the adequacy of the existing street system to accommodate access and on-street parking;
 - (d) the convenience and accessibility of the site for both pedestrian and vehicular traffic; and
 - (e) the adequacy of utilities and water and sewer services.
- 3.5.5 The commercial areas of the Town are a site plan control area and commercial uses will be subject to site plan control pursuant to Section 41 of the *Planning Act*.
- 3.5.6 The design of all proposed commercial uses shall be in keeping with the character of the surrounding area. The following design criteria shall apply to the development and redevelopment of all commercial lands:
- (a) the provision of landscaped areas and all landscaping shall form an integral part of all commercial developments. Landscaping and tree planting shall be provided to improve the streetscape, to function as screening and buffering between adjacent uses and for aesthetic and resting purposes;
 - (b) open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law;
 - (c) loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible; and
 - (d) adequate off-street parking facilities shall be provided in accordance with the provisions of the Zoning By-law.



- 3.5.7 Tourist commercial uses such as hotels, lodges, commercial recreational facilities, marinas and similar type of uses are permitted as a means to encourage the expansion of the tourism industry in the Town. These uses shall be permitted subject to the criteria established in Policy 3.5.6 and provided there is no adverse impact on the surrounding properties relating to traffic, noise and intensity of use.
- 3.5.8 Existing residential uses in the Commercial areas shall be permitted.

GENERAL COMMERCIAL AREA

- 3.5.9 Permitted uses in the General Commercial designation are those uses that serve the residents of Marathon and include local convenience commercial uses, retail uses, offices, personal services, restaurants, hotels, commercial recreational facilities, institutions, and public and government uses. These uses are generally found in the business district of the townsite of Marathon.
- 3.5.10 Within the General Commercial designation at the entrance of the townsite along Peninsula Road to Penn Lake Road, light and prestige industrial uses that support the overall commercial character of the area may be permitted including warehousing, public utilities, research and development and technology industries.
- 3.5.11 It is the policy of this Plan to maintain and promote the General Commercial area. New commercial development shall not jeopardize the commercial viability of the commercial uses in the commercial core area of the townsite of Marathon.
- 3.5.12 New development or redevelopment in the General Commercial area and Council will consider the use of Community Improvement Plans (CIP's) that will encourage the reuse of vacant or underutilized commercial lots/buildings shall be sensitive to the character and scale of existing commercial uses, shall provide adequate off-street parking and shall not generate traffic that will result in negative impacts on adjacent residential neighbourhoods.
- 3.5.13 The Town may consider accepting cash-in-lieu for parking spaces from new commercial developments or commercial redevelopments if adequate parking exists in the vicinity of the proposed development.
- 3.5.14 Apartment units may be permitted in conjunction with commercial uses in the General Commercial area subject to the following criteria:
- (a) the residential use shall not detract from the prime function of the commercial designation;
 - (b) amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
 - (c) parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.



3.5.15 It is the intention that as redevelopment occurs on the lands at the entrance to the townsite, in the enterprise zone, there will be landscaping and urban design improvements that will improve the public realm and will be required and implemented through site plan control.

HIGHWAY COMMERCIAL AREA

3.5.16 Business and commercial uses permitted within the Highway Commercial area are those uses located beyond the General Commercial area, are generally located along the Highway 17 corridor and which require a substantial land area and included uses related to the traveling public and service commercial uses. Permitted uses include retail uses, service commercial uses, tourist commercial uses, tourist information centre, automotive related retail uses, automotive, recreation vehicle and equipment sales and service uses, commercial recreational uses, and public and government uses.

3.5.17 New development or redevelopment in the Highway Commercial area shall not detract from the viability of the commercial core area of the townsite of Marathon.

3.5.18 Automobile traffic and adequate parking shall be a major design consideration for Highway Commercial uses. Effort shall be made to minimize the number of entrances and exits to and from roads and to segregate service and customer traffic. Where appropriate, joint entrances between commercial uses shall be encouraged, to minimize traffic conflicts. Highway 17 is under the jurisdiction of the Ministry of Transportation and is considered to be a controlled access highway. New access or entrances from Highway 17 are restricted. Any new roads onto Highway 17 must meet the minimum spacing requirements of the Ministry of Transportation.

3.5.19 Commercial uses along Highway 17 shall be developed in an attractive manner to provide a positive statement to the Town and open storage shall be prohibited unless it can be demonstrated through appropriate landscaping and screening that the storage areas will not detract from the character of the area.

3.5.20 Accessory dwellings may be permitted in the Highway Commercial area for a caretaker, employee or proprietor of the commercial use, subject to the following criteria:

- (a) the residential use shall not detract from the prime function of the commercial designation;
- (b) amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
- (c) parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

3.6 INDUSTRIAL

3.6.1 The Industrial designation and the policies are intended to promote development through the



expansion of the existing industrial base and stimulation of new industrial and employment growth opportunities. Appropriate areas that accommodate the needs of existing industries through expansion or relocation and the establishment of new industries are shown on Schedules A and B. Any Official Plan amendment to convert industrial uses to any other uses must first be subject to a comprehensive review.

- 3.6.2 Permitted uses in the industrial designation shall include manufacturing, processing, assembling, fabricating, servicing, storage of goods and raw materials, warehousing, wholesaling and service sector industries including transportation, communication, business services, government services, medical and other health laboratories, and an airport. In addition, mineral exploration, mining, mineral aggregate resource extraction operations and waste disposal sites are permitted. In Industrial areas not serviced by municipal water and sewer services, only dry industrial uses will be permitted.
- 3.6.3 Uses that are incidental or ancillary to industrial operations, such as retailing or wholesaling, may be permitted in the Industrial area.
- 3.6.4 An accessory apartment use may be permitted for the residence of only the owner, manager or caretaker of an industrial use provided it is limited in size and does not conflict with the main industrial use.
- 3.6.5 Within the Industrial designation along Penn Lake Road commercial uses that provide services, employment and support for the industrial area such as offices, banks, restaurants, service stations and service retail uses are permitted.
- 3.6.6 Industrial uses shall have regard for the proximity of residential uses, exposure to major roadways and the degree to which the industrial use affects the physical and aesthetic characteristics of the natural environment.
- 3.6.7 It is the intent of the Industrial designation to:
- (a) expand the Town's existing industrial base by providing lands for continued industrial growth;
 - (b) minimize the impact of industrial areas on surrounding areas, particularly on residential uses and on the natural environment; and
 - (c) guide the location of new industrial uses and industrial redevelopment within the Town.
- 3.6.8 The Industrial area is a site plan control area in the Town and industrial uses will be subject to site plan control pursuant to Section 41 of the *Planning Act*.
- 3.6.9 The Zoning By-law shall regulate industrial uses through the establishment of appropriate industrial zone categories and shall address among other matters the need for a compatible environment for



industries free from interference and restriction by other uses and the protection of adjacent uses from the effects of industry.

- 3.6.10 Wherever industries, including the railway corridor, abut residential, institutional, recreational or other sensitive uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and separation distances in order to minimize the impact of the industrial activity including visual appearance.
- 3.6.11 Industrial uses which are exposed to Highway 17 shall be developed in an attractive manner to provide a positive statement to the Town. To achieve this, building and site design shall have consideration of the following design standards:
- (a) open storage shall be prohibited unless it can be demonstrated that appropriate landscaping and screening to shield the open storage areas will not detract from the intended character of the area;
 - (b) parking and loading areas will generally be restricted to side and rear yards;
 - (c) all industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the Highway; and
 - (d) development or redevelopment of industrial uses shall comply with the applicable standards of the Ministry of the Environment and Climate Change regarding emissions and noise.
- 3.6.12 Aggregate extraction operations may be allowed in the Industrial designation area provided that:
- (a) the operation is compatible with surrounding land uses;
 - (b) shall be restricted from locating within Groundwater Protection Zones I, II and III;
 - (c) adequate buffering is provided;
 - (d) an amendment to the Zoning By-law is required;
 - (e) a site plan agreement pursuant to Section 41 of the *Planning Act* is required. The agreement may address the following matters, but not be limited to:
 - (i) hours of operation;
 - (ii) location of proposed buildings, machinery and equipment;
 - (iii) setbacks, landscaping and buffering;
 - (iv) storm water management;
 - (v) existing and anticipated final grades of excavation;
 - (vi) access/egress;
 - (vii) haulage routes;
 - (viii) improvements/maintenance to Town roads as a result of increased truck traffic on existing roads; and
 - (ix) site rehabilitation.
 - (f) there is a need for additional aggregate extraction operations;
 - (g) the necessary Environmental Compliance Approvals are obtained from the Ministry of



Environment and Climate Change; and

- (h) no excavation, building, equipment, machinery or stockpiling of material is allowed:
 - (i) within 1000 metres of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes, unless it has been demonstrated through an appropriate study and the application of suitable mitigation measures a distance of less than 1000 metres can be considered;
 - (ii) within 1000 metres of any area designated Residential, unless it has been demonstrated through an appropriate study and the application of suitable mitigation measures a distance of less than 1000 metres can be considered;
 - (iii) within 30 metres of any road or road allowance; and
 - (iv) a quarry with blasting operations is to be setback a minimum of 800 metres from a residential building.

3.6.13 Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Town of Marathon and with the Ministry of the Environment and Climate Change through the issuance of a Environmental Compliance Approvals. Aggregate processing operations shall not be allowed within 1000 metres of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes, unless it has been demonstrated through an appropriate study and the application of suitable mitigation measures a distance of less than 1000 metres can be considered.

3.6.14 Related aggregate industrial uses such as asphalt plants (except portable asphalt plants), concrete batching plants and aggregate recycling operations may also be permitted provided they are compatible with adjacent land uses and subject to an amendment to the Zoning By-law.

3.6.15 The reuse of Industrial land for alternative land uses shall be considered in accordance with the provisions of Policy 2.22.1.

3.6.16 It is not anticipated that the airport will require an expansion over the life of this Plan. However, should the Town consider a future expansion of the airport a feasibility study will be required.

3.7 OPEN SPACE - RECREATION

3.7.1 The primary land uses for areas designated Open Space - Recreation as shown on Schedules A and B shall be for active and passive recreational uses, public and private parks, marina, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, wildlife management areas and wind power generation. Located within the Open Space - Recreation area are two Nature Reserve Class Provincial Parks (Red Sucker Point and Craig's Pit) which are protected for their significant features and values and permitted uses within these areas



shall be restricted to educational, research and passive recreational activities.

- 3.7.2 Small scale commercial uses which are ancillary to and support the permitted recreational and open space uses may also be permitted and may include uses permitted in the Tourist Commercial Zone that support tourist commercial opportunities and subject to Policy 3.5.6.
- 3.7.3 The objectives of the Open Space - Recreation designation is to also preserve and conserve those lands which are ecologically sensitive and those areas of scenic qualities and to provide community and cultural facilities to serve the Town's residents.
- 3.7.4 Open space linkages which access recreational and open space uses in the Town will be encouraged.
- 3.7.5 This Plan recognizes the following hierarchy of parks:
- (a) Local Neighbourhood Park - a neighbourhood park approximately 0.4 to 2.0 hectares (1 - 5 acres) in size and serves the surrounding residential neighbourhood area. Facilities may include a softball diamond, soccer field, playground and passive recreational areas; and
 - (b) Community Park - is a park approximately 2.5 to 10 hectares (6 - 25 acres) in size and is often located in conjunction with a school facility and serves a larger population base than compared with a neighbourhood park. A community park may include sports fields, tennis courts, community playgrounds, washrooms, community centre, meeting room/areas and passive recreational areas.
 - (c) Where possible, the Town will seek to have parkland dedications required for development on waterfront properties to be developed for public use. Where "cash-in-lieu" is taken, the Town will consider the use of such funds to pick up property for shoreline access.
- 3.7.6 The dedication of lands or acceptance of cash-in-lieu of the land dedication as a result of new development or redevelopment of land shall be in accordance with the following requirements:
- (a) the development or redevelopment of land for residential purposes shall be at a standard of 5% of that land being developed or redeveloped; and
 - (b) development or redevelopment of land for commercial or industrial purposes shall be at a standard of 2% of the land being developed or redeveloped.
- 3.7.7 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Town and satisfy the following criteria:
- (a) be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
 - (b) be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access;



- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.;
 - (d) have adequate access within the development; and
 - (e) be provided with basic service requirements.
- 3.7.8 Development within areas designated Open Space - Recreation will complement the natural environment.
- 3.7.9 Penn Lake is an important recreational resource for the Town and is located within the Groundwater Protection Zone I, which is considered to be within the groundwater source area for the municipal water supply. Accordingly, recreational land use activities shall be restricted to ensure the protection of the surface and groundwater resources. The use of motorized boats and personal watercraft on Penn Lake shall not be permitted. Rather, boating and water sport activities shall be limited to non-motorized transport such as canoes, kayaks, wind sail boards, paddle boats, etc.
- 3.7.10 In areas intended for Open Space - Recreation in the vicinity of the Lake Superior shoreline, the Town shall cooperate with the Ministry of Natural Resources and Forestry or other relevant agencies, in their efforts to establish recreational facilities and a functional water oriented open space network.
- 3.7.11 The Town, in the design and development of parks, open space areas and recreational facilities shall encourage accessibility for the physically challenged.
- 3.7.12 Red Sucker Point and Craig's Pit are two Nature Reserve Class Provincial Parks that are designated as Open Space on Schedule "A" and are subject to the policies and regulations of the Ministry of Natural Resources and Forestry. The Municipality shall co-operate with the Ministry of Natural Resources and Forestry or other relevant agencies in establishing recreational facilities and functional nature and water oriented open space networks.

3.8 NATURAL HAZARD

- 3.8.1 Natural Hazard lands shall include all lands within 15 metres of the top-of-bank of any watercourse or water body and to the high water mark along the Lake Superior shoreline, whichever is greater. Permitted uses within Natural Hazards shall generally include shoreline protection works, floodplain protection works, fisheries management, and wildlife management.
- 3.8.2 Natural Hazards shall include all lands:
- (a) within 15 metres of the stable top-of-bank of any watercourse or water body with a defined valley or bank;
 - (b) within 15 metres of the floodplain extent of any watercourse or water body without a defined valley or bank; or
 - (c) below the elevation of 185.1 metres CGVD1928 along the shoreline of Lake Superior, which



represents the 100-year flood level for Lake Superior plus 1 metre for wave uprush.

- 3.8.3 The provision of protection works or the dumping of material along the shoreline of the lakes and rivers in the Town is prohibited without the prior written approval and authorization from the Province in accordance with the provisions of the *Lakes and Rivers Improvement Act* and/or the *Public Lands Act* and the federal *Fisheries Act*.
- 3.8.4 With the exception of docks, boathouses and pump houses, construction shall not normally occur on Natural Hazards lands.
- 3.8.5 Proposals for development within Natural Hazard lands, including construction of buildings or structures, or additions thereto, will be considered on an individual basis, provided that such proposals are supported by engineered designs and studies demonstrating that the site is safe for development in spite of naturally occurring hazards, such as flooding and erosion.
- 3.8.6 Within Natural Hazard lands development, including the erection and/or construction of buildings or structures or additions thereto, or site alteration, shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring processes unless it can be demonstrated, to the satisfaction of the Town that:
- (a) the hazard can be safely addressed in accordance with Policy 3.8.4, and the hazard will not result in, or pose a reasonable risk of resulting in public health, safety or potential property damage;
 - (b) no new hazards are created or existing hazards aggravated;
 - (c) no adverse environmental impacts will result from the development;
 - (d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
 - (e) the development does not include institutional uses, essential emergency services or the disposal, manufacture, treatment, or storage of hazardous substances.
- 3.8.7 No plans to divert, channelize, damn, wall, dredge or in any way alter an inland natural watercourse through the installation of a culvert, causeway or dock shall proceed without prior written authorization from the Province. Where required under the federal *Fisheries Act* prior written authorization from Fisheries and Oceans Canada the federal Department of Fisheries and Oceans must also be obtained.
- 3.8.8 Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansions to such uses will be discouraged; however, reconstruction and/or minor alterations to existing buildings and structures, and additions or extensions which are not likely to incur significant flood damage, and will not result in impediments to flow or floodwater storage, may be considered by the Town of Marathon. Where required under the federal *Fisheries Act*, *Lakes and Rivers*



Improvement Act, or the *Public Lands Act*, prior written authorization must be obtained.

- 3.8.9 Any applications within Natural Hazards lands shall be carefully reviewed. The Town may require the proponent of the application to submit supporting studies prepared by qualified professionals as per criteria specified by the Ministry of Natural Resources and Forestry or the Town of Marathon. There is no public obligation to either permit development within or to purchase any Natural Hazard lands, particularly if the environmental hazard would be difficult or costly to mitigate or overcome.
- 3.8.10 Natural Hazard lands may not be considered acceptable as part of a parkland dedication pursuant to the *Planning Act*.
- 3.8.11 Natural Hazard lands shall be placed in appropriate zone categories in the implementing Zoning By-law.
- 3.8.12 Property owners are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding in order to minimize social disruption in consultation with the Province.



SECTION 4 - COMMUNITY SERVICES AND FACILITIES

4.1 GENERAL

- 4.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the urban and rural character and environment of the Town of Marathon. Capacity is available within the water and sewer treatment service facilities to allow for reasonable expansion of these services within the townsite of Marathon. It is recognized that municipal servicing in a rural area is generally difficult and expensive to provide due to dispersed development patterns consistent with the rural character.
- 4.1.2 The objectives of this section of the Plan is to provide policies that will ensure adequate services are provided that recognize the Town's financial capabilities and not place undue strain on the Town's financial resources.
- 4.1.3 The use of alternative development standards is encouraged for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in urban design and housing, enhances the liveability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.
- 4.1.4 In accordance with the hierarchy of services identified in the Provincial Policy Statement, municipal sewage and water services are the preferred form of servicing, followed by communal sewage and water services, and, where appropriate and permitted by the Provincial Policy Statement and the policies of this Plan, individual on-site sewage and water services.
- 4.1.5 Infrastructure will be planned and designed to ensure long term fiscal sustainability through advanced design standards, asset management programs, and provisions for efficient, cost-effective operations.

4.2 ROADS

- 4.2.1 Safe and efficient movement of people and goods within the Town and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Town but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Town.
- 4.2.2 The classification of roads in the Town is as follows:
- (a) Provincial Highways - this system of roads applies to the numbered provincial highways under the jurisdiction of the Ministry of Transportation. Development along provincial highways is subject to the permit control of the Ministry of Transportation which is obtained prior to construction or grading taking place on the site. Access to provincial highways is permitted



- provided the entrance meets the minimum safety and geometric requirements of the Ministry of Transportation; and
- (b) Town Roads - this system of roads applies to all public roads under the jurisdiction of the Town of Marathon. The Town is responsible for the maintenance of public roads within their jurisdiction. The primary purpose of the Town roads is to facilitate local travel and areas for development. Direct access to Town roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.
- 4.2.3 Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to meet approved standards, shall include a sidewalk on at least one side of the road, and the road shall be suitable for assumption into the Town road system.
- 4.2.4 The Town of Marathon is not responsible for the costs associated with the design and construction of new roads or the extension of existing roads. These costs are the direct responsibility of the proponent for the new road and/or road extension.
- 4.2.5 Unless it is clearly in the public interest, private roads will not be assumed by the Town into the Town road system.
- 4.2.6 Maintenance will be provided on all roads under the jurisdiction of the Town of Marathon and the Ministry of Transportation.
- 4.2.7 The right-of-way width of Town roads shall generally be a minimum of 20 metres (66 feet). As a condition of development the Town may require the dedication of road widenings to achieve the 20 metres (66 feet) road right-of-way widths where they presently do not exist. An alternative right-of-way standard of 18 metres (59 feet) may be considered for minor residential roads.
- 4.2.8 All new roads developed by the Town shall be planned in accordance with the appropriate Class Environmental Assessment under the Environmental Assessment Act.
- 4.2.9 The Town supports creating a second access to the townsite for goods movement purposes and emergency response planning, however, the feasibility is directly related to the availability of funding.

PROVINCIAL HIGHWAYS

- 4.210 Provincial highways are roadways under the jurisdiction of the Ontario Ministry of Transportation (MTO). These roads are designed to facilitate the movement of medium to high volumes of traffic through the municipality, typically on two to four traffic lanes. Highway 17 is the Provincial Highway located in the Town.



- 4.2.11 Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize municipal roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of the Ministry of Transportation's access management practices and principles.
- 4.2.12 In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the Ministry of Transportation's permit control area under the *Public Transportation and Highway Improvement Act*, will also be subject to Ministry of Transportation's approval. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity, of a provincial highway or interchange/intersection within Ministry of Transportation's permit control area will be subject to Ministry of Transportation's policies, standards and requirements.
- 4.2.13 A transportation study, otherwise known as a traffic impact study, prepared by a professional and certified engineer, may be required to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of the development.
- 4.2.14 The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.
- 4.2.15 Any new proposed access connection (i.e. public road or signalized intersection) onto a provincial highway shall meet the Ministry of Transportation's access management practices and principles.
- 4.2.16 Any proposals for snowmobiles or trail crossings of provincial highways will require the prior approval of the Ministry of Transportation. Trails running along the right-of-way of a provincial highway are not permitted.
- 4.2.17 A drainage/stormwater management report/plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.
- 4.2.18 Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible to the traveling public.
- 4.2.19 Entrances serving home occupations, or businesses located adjacent to provincial highways requires the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a



condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, or business. In addition, the Ministry of Transportation would not support a severance that would result in a separate entrance to a business and one for the retained parcel.

- 4.2.20 For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

4.3 WATER SUPPLY

- 4.3.1 All new residential, commercial, institutional and industrial development within the Urban Service Area of the townsite of Marathon shall be connected to the municipal water supply system. Any water line extensions outside of the Urban Service Area shall require an amendment to this Plan unless the service is required to remedy a health concern or resolve a problem with an existing private water supply system.

It is recognized that the Industrial area along Old Heron Bay Road is partially serviced with municipal water services. Extensions or improvements to the water service shall only be permitted for infilling and rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no negative impacts. This is supported by Council subject to the availability of funding and Council will endeavour to seek funding partnerships with other levels of government.

- 4.3.2 The need for public water supply to the area outside the Urban Service Area of Marathon is not considered feasible over the life of this Plan.
- 4.3.3 The source of water supply in areas beyond the Urban Service Area of the townsite of Marathon is primarily from private individual wells. Any surface waters used for domestic purposes should be filtered and treated prior to consumption to meet Ontario Drinking Water Quality Standards.
- 4.3.4 The responsibility for water supply in those areas outside of the Urban Service Area of Marathon will be with each property owner.
- 4.3.5 Individual private wells serve as an adequate supply of water for the rural development of the Town. It is intended that lot sizes remain large enough to ensure that private wells remain the primary source of water in the Rural area of the Town.
- 4.3.6 The Town will not support developments proposed to be serviced by communal water systems.



4.4 SEWAGE DISPOSAL

- 4.4.1 All new residential, commercial, institutional and industrial development within the Urban Service Area of the townsite of Marathon shall be connected to the municipal sanitary sewage treatment system. Any sewage line extensions outside of the Urban Service Area shall require an amendment to this Plan unless the service is required to remedy a health concern or resolve a problem with an existing private septic system.
- 4.4.2 The Town operates and maintains the sanitary sewage treatment and distribution system in the Urban Service Area of Marathon. Any development of lands adjacent to the sewage treatment plant will be subject to the minimum separation distance requirements of the Ministry of the Environment and Climate Change.
- 4.4.3 Private individual septic tanks and tile field systems are the primary means of sewage disposal in the area outside of the Urban Service Area of the townsite of Marathon.
- 4.4.4 The need for public sanitary sewage disposal in the area outside of the Urban Service Area of the townsite of Marathon is not considered feasible over the life of this Plan. Therefore, each individual property owner is responsible for the provision of private sanitary sewage disposal in areas outside of the Urban Service Area subject to the approval of the appropriate approval authority.
- 4.4.5 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems. Private individual sewage disposal systems will remain the primary source of sewage disposal in the Rural area of the Town.
- 4.4.6 All new individual private sewage disposal systems require the approval of the appropriate approval authority.
- 4.4.7 The Town encourages the regular inspection and maintenance of private sanitary sewage disposal systems to ensure their safe operation. Any private sanitary sewage system that is not functioning properly or is failing shall be repaired or replaced in accordance with the requirements of the appropriate approval authority.
- 4.4.8 The Town will not support developments proposed to be serviced by communal sewage disposal systems.
- 4.4.9 Extension of sanitary sewer services to the industrial area along Old Heron Bay Road is supported by Council subject to the availability of funding and Council will endeavour to seek funding partnerships with other levels of government.



4.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL

- 4.5.1 The Town is involved with undertaking an environmental assessment process in accordance with the requirements of the *Environmental Assessment Act* and *Environmental Protection Act* with respect to the establishment of a new solid waste disposal facility outside of the townsite. Disposal of waste shall be in accordance with the Town Waste Management By-law.
- 4.5.2 The proposed new solid waste disposal site shall be planned in accordance with the requirements of the *Environmental Assessment Act* and *Environmental Protection Act* and should:
- (a) avoid areas of high ground water;
 - (b) be restricted from locating within Groundwater Protection Zones I, II and III;
 - (c) maintain an adequate separation and buffer from all existing development;
 - (d) avoid pollution of the ground water and watercourses;
 - (e) require an amendment to the Zoning By-law; and
 - (f) be approved by the Ministry of the Environment and Climate Change.
- 4.5.3 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment and Climate Change that the facility may be established without adverse impacts on surrounding land uses and the natural environment. An Environmental Compliance Approval from the Ministry of Environment and Climate Change is required for all liquid waste disposal sites.

4.6 RECREATION AND OPEN SPACE

- 4.6.1 The existing recreation and open space facilities that are available to the residents of the Town are considered suitable. However, with the closure of the pulp mill and remedial clean-up of the harbour area, opportunities to increase public waterfront park and open space land is encouraged and the Town will pursue opportunities to acquire waterfront lands, including Pebble Beach and lands in the vicinity of the boat launch, for public waterfront park development purposes.
- 4.6.2 It is the intent to this Plan to encourage the provision of additional public and private recreational and open space facilities at appropriate locales for use by the Town residents and tourists.
- 4.6.3 It is the intent of this Plan to encourage the continued development of an expanded and connected recreational trail system in the Town. Where feasible the Town will work with appropriate special interests groups and abutting landowners to create trail connectivity to abutting areas including Pukaskwa National Park.
- 4.6.4 It is the intent of this Plan, that new public and private recreational opportunities shall not place an undue financial burden on the Town.



4.7 COMMUNITY FACILITIES AND SERVICES

- 4.7.1 The existing services provided by the Fire Department, the Ontario Provincial Police and other provincial agencies are considered adequate to meet the needs of the residents of the Town.
- 4.7.2 The existing elementary and secondary school facilities within the Town meet the needs of the community regarding educational facilities.
- 4.7.3 It is the policy of this Plan to encourage the joint use of recreational facilities between the community at large and the school board where appropriate.
- 4.7.4 There are a number of services in the townsite of Marathon that are accessed by the adjacent First Nations community of Pic River. It is the policy of the Town of Marathon to maintain a positive relationship with the Pic River First Nation.



SECTION 5 - IMPLEMENTATION AND ADMINISTRATION

5.1 THE TOWN'S ROLE IN IMPLEMENTATION

- 5.1.1 This Official Plan shall be implemented by means of the powers conferred to the Town of Marathon by the *Planning Act* and other statutes which may be applicable. In particular, the Plan shall be implemented through:
- (a) the preparation, adoption and enforcement of the zoning by-laws;
 - (b) the preparation, adoption and enforcement of other zoning provisions such as property maintenance and occupancy standards by-laws, interim control, temporary use by-laws and holding by-laws;
 - (c) the consent and subdivision approval process;
 - (d) the site plan control process;
 - (e) the development permit process; and
 - (f) participation in programs funded by senior levels of government for housing, community improvement, etc.

5.2 PUBLIC PARTICIPATION

- 5.2.1 The Town intends that the public be involved in the formulation and implementation of planning policies. To this end, the Town shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment applications pursuant to the provisions of the *Planning Act*.
- 5.2.2 The Town may forego public notification and public meetings in connection with a technical Official Plan or Zoning By-law amendments if such an amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto.
- 5.2.3 Aboriginal communities should be consulted early in the planning process in order to identify potential issues, opportunities, and mitigation measures for any adverse impacts, prior to finalizing the application(s).

5.3 STREAMLINING REVIEWS OF PLANNING APPLICATIONS

- 5.3.1 The Province has implemented a “one window” planning service for provincial review and approval of certain municipal planning applications at the Ministry of Municipal Affairs and Housing. The “one window” approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as needed.
- 5.3.2 The Town is also responsible for the implementation of the municipal plan review function as it relates to matters of provincial interest and will ensure consistency with the Provincial Policy



Statement when making decisions on such planning items as consent and subdivision of land applications, zoning by-law and official plan amendments and minor variance applications. Where appropriate, the Town will rely on the expertise of other ministries and may through the Ministry of Municipal Affairs and Housing, seek technical support from provincial ministries on matters of provincial interest.

5.4 OFFICIAL PLAN – AMENDMENTS AND REVIEW

- 5.4.1 No developments or activities shall occur which contravene the intent and policies of this Plan.
- 5.4.2 Developments or activities deemed beneficial to the Town, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.
- 5.4.3 The Official Plan shall be amended to reflect other municipal policies that may impact on land use planning matters in the Town.
- 5.4.4 The Plan shall be subject to a continual review by the Town. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.
- 5.4.5 The Official Plan shall be subject to a formal review at least once every 5 years pursuant to Section 26 of the *Planning Act*.
- 5.4.6 Prior to considering an amendment to this Plan, the Town shall preconsult with the Ministry of Municipal Affairs and Housing and any other person or public body that Council considers to have an interest in the amendment, pursuant to Section 17(21) of the *Planning Act*, to ensure that provincial and local interests are considered.
- 5.4.7 Sufficient land is available for growth over the life of the Plan. It is not anticipated that there will be a need to expand the Urban Service Area. The Urban Service Area is interpreted to have the same meaning as 'settlement area' in the Provincial Policy Statement. Proposals to expand the Urban Service Area will require a comprehensive review, under the policies of the Provincial Policy Statement.

5.5 ZONING BY-LAW

- 5.5.1 The Zoning By-law divides the lands within the Town into a number of zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land. The Town may also pass a Zoning By-law for the protection of a site of a significant archaeological resource.



- 5.5.2 The Zoning By-law is one of the main methods of implementing the Official Plan policies.
- 5.5.3 The Zoning By-law shall ensure that all lands within the Town are zoned for purposes compatible with the Official Plan.
- 5.5.4 All amendments to the Zoning By-law shall be in conformity with the Official Plan.

5.6 NON-CONFORMING USES

- 5.6.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may be zoned in the Zoning By-law in accordance with the existing use, after due consideration, provided that:
 - (a) the zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
 - (b) the use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
 - (c) there is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
 - (d) the use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
 - (e) where the existing use is discontinued for more than one (1) year, any rezoning may only take place in accordance with the policies of this Plan.
- 5.6.2 Non-conforming uses shall cease to exist in the long term.
- 5.6.3 Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted by a minor variance to the Zoning By-law provided that:
 - (a) the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
 - (b) the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.
- 5.6.4 The repair or replacement of a legal non-conforming use may be permitted provided that:
 - (a) the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
 - (b) the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

5.7 FEES

- 5.7.1 Pursuant to Section 69 of the *Planning Act*, the Town of Marathon may prescribe tariff of fees through



a Tariff of Fee By-law for the processing of applications made in respect to planning matters such as Official Plan amendments, Zoning By-law amendments, Consents, Subdivisions, Site Plan Approval, Minor Variances, or any other planning matter.

- 5.7.2 The Tariff of Fee By-law shall prescribe the fees to be charged for processing applications in respect of planning matters and shall indicate the authority to which the fee is payable.

5.8 MINOR VARIANCE

5.8.1 The Town may approve minor variances for relief from regulations to the Zoning By-law, in accordance with Section 45 of the *Planning Act*, the rules of procedure and regulations issued by the Minister under the *Planning Act* and the policies of this Plan.

5.8.2 The Town may also approve minor variances to other by-laws, such as Interim Control by-laws and the Property Maintenance and Occupancy Standards By-law.

5.9 SITE PLAN CONTROL

5.9.1 The Official Plan may be implemented through the use of site plan control subject to the provisions of Section 41, of the *Planning Act*. All of the area affected by the Official Plan shall be deemed to be a site plan control area with the exception of single and two unit residential dwellings.

5.9.2 The goals of implementing site plan control are to:

- (a) ensure safe and efficient vehicular and pedestrian patterns;
- (b) ensure that development will not have a detrimental visual impact on adjacent uses;
- (c) ensure industrial and commercial developments do not reduce the enjoyment of adjacent lands;
- (d) ensure parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts; and
- (e) ensure on-site drainage and grading is adequately provided; and
- (f) ensure development is situated away from hazard lands.

5.9.3 A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Town. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in policy 5.9.4.

5.9.4 Prior to the issuance of a building permit, the applicant may be required to enter into a site plan agreement with the Town which may address one or more of the following matters:

- (a) widenings to any roads or highways that abut the lands subject to the application. Any proposed widenings requested must be shown on the site plan drawing;
- (b) provision of sufficient parking, access driveways and similar matters;
- (c) the construction of walkways, ramps and pedestrian access;



- (d) proper lighting of buildings and lands;
- (e) the provision of adequate landscaping and buffering in the form of trees, shrubs, walls, and berms;
- (f) storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
- (g) the conveyance of any easements for the construction, maintenance and improvements of any drainage works, water works and other public utilities;
- (h) adequate grading, drainage and management of surface storm water and waste water from the lands, buildings or structures;
- (i) the location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and structures;
- (j) matters relating to exterior design including scale, massing, appearance, and architectural design of buildings and their sustainable design; and
- (k) sustainable design elements on adjoining municipal roads including the planting of trees, shrubs, hedges, or other ground cover, permeable paving materials, street furniture, curb ramps, waste recycling containers, and bicycle parking facilities.

5.10 HOLDING PROVISIONS

5.10.1 In accordance with Section 36 of the *Planning Act*, the Town may approve a by-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.

5.10.2 During the interim period, when the holding provision is in place, uses permitted on the affected lands are limited to existing uses only.

5.10.3 Prior to removal of the holding symbol, the Town must be satisfied that the following conditions, where applicable, have been met:

- (a) the servicing requirements for the subject lands are in place;
- (b) that any impacts on surrounding lands can be mitigated through the use of site plan control or other design requirements;
- (c) that a site plan agreement or subdivision agreement has been executed in accordance with the policies of this Plan and the *Planning Act*; and
- (d) that existing mine hazards have been rehabilitated to the satisfaction of the Province;
- (e) that an archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the *Ontario Heritage Act*, and any significant archaeological resources have been conserved by removal and documentation, or preservation on site, to the satisfaction of the Province; or
- (f) that site contamination or other environmental constraints have been appropriately addressed.

5.10.4 It shall be the responsibility of the applicant requesting the removal of the holding symbol to



demonstrate that the conditions for the removal of the holding symbol have been satisfied.

5.11 INTERIM CONTROL

- 5.11.1 In areas where the Town wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Town may approve an Interim Control By-law.
- 5.11.2 The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study and desired use.
- 5.11.3 Pursuant to Section 38 of the *Planning Act* the length of time the Interim Control By-law is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the by-law is in effect provided the total period of time does not exceed two (2) years from the approval of the by-law.

5.12 TEMPORARY USE BY-LAWS

- 5.12.1 Pursuant to Section 39 of the *Planning Act*, the Town of Marathon may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.
- 5.12.2 The Town shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and Zoning By-law, prior to approval of a Temporary Use By-law.
- 5.12.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.
- 5.12.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Zoning By-law as permanent uses may be permitted by Temporary Use By-laws, subject to the above.

5.13 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES

- 5.13.1 The Town of Marathon shall attempt to use all possible means to implement Community Improvement Policies and these shall include:
 - (a) participation in and support for Federal and Provincial community improvement programs;
 - (b) use of authority granted under Section 28 of the *Planning Act*, to designate a Community Improvement Project Area, develop Community Improvement Plans and acquire and



redevelop land;

- (c) enforcement of the Property Maintenance and Occupancy Standards By-law; and
- (d) encouragement of activities aimed at developing the economic viability, brownfields redevelopment and attractiveness of the Town.

5.13.2 The township of Marathon is identified as a Community Improvement Area.

5.14 PARKLAND DEDICATION

5.14.1 The dedication of lands or acceptance of cash-in-lieu of the land dedication for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:

- (a) the development or redevelopment of land for residential purposes may require a land dedication to the Town at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and
- (b) development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Town at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.

5.14.2 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Town and satisfy the following criteria:

- (a) be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
- (b) be located within the community context to provide convenient pedestrian and vehicular access;
- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.;
- (d) have adequate access;
- (e) be provided with basic service requirements; and
- (f) be developed in accordance with the Town's parkland standards.

5.15 PROPERTY MAINTENANCE AND OCCUPANCY STANDARD BY-LAW

5.15.1 The Town is committed to the maintenance and development of a safe, healthy and attractive environment. The Town may adopt a By-law pursuant to the *Building Code Act*, which sets out standards for the maintenance and occupancy of property and prohibits the use of property which does not conform with the standards. The By-law shall require that all substandard properties be repaired in conformance with the By-law or be cleared of all buildings, debris, structures or refuse and left in a graded and levelled condition. The By-law shall specify the manner in which the By-law will be administered and enforced.



5.15.2 The above By-law may address the following items:

- (a) the physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
- (b) the adequacy of sanitation, including drainage, waste disposal and garbage;
- (c) the physical condition of accessory buildings; and;
- (d) the physical condition of all buildings and dwellings.

5.15.3 After passing the above By-law, a Property Standards Officer shall be appointed and a Property Standards Committee shall be established.

5.16 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION

5.16.1 From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.

5.16.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.

5.17 LAND USE BOUNDARIES

5.17.1 It is intended that the boundaries of the land use designations, shown on the attached Schedule, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.

5.18 REQUIREMENTS FOR PRE-CONSULTATION

5.18.1 The *Planning Act* permits the Town to require applicants to consult with the Town prior to formal submission of planning applications. Applicants shall consult with the Town in advance of submission of an application for:

- (a) An Official Plan Amendment;
- (b) A Zoning By-law Amendment;
- (c) A Plan of Subdivision;
- (d) A Site Plan;
- (e) Minor Variance
- (f) Consent; and



(g) Any other plan.

5.18.2 Pre-consultation will determine what is required to be submitted for a complete application and will provide an opportunity to discuss the nature of the application, the need for supporting studies, and the planning approvals process. Where appropriate, pre-consultation may also require the involvement of the Province.

5.18.3 If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the Town, the Application may be deemed incomplete. In addition to the information and materials required under the *Planning Act* and any other legislation or regulation, additional information in the form of studies or assessments may be required to consider a planning application complete. Depending on the nature of the proposed development and planning application, the Town may require the following studies or additional information to deem applications complete and to properly evaluate a development application. The Town shall review all reports and studies and may also require a peer review by an appropriate public agency or by a qualified, professional consultant retained by the Town at the applicant's expense.

Any such studies, or peer reviews thereof, shall be at the expense of the applicant/proponent:

- (a) Planning Rationale/Justification Report
- (b) Cultural Heritage Evaluation Report or Cultural Heritage Impact Assessment
- (c) Environmental Impact Study
- (d) Transportation Impact Study
- (e) Minimum Distance Separation
- (f) Servicing Options Study
- (g) Drainage/Stormwater Management Report/Plan
- (h) Geotechnical Study
- (i) Hydrogeological Study
- (j) Erosion and Sediment Control Plan
- (k) Noise/Vibration Study
- (l) Noise Control Study (Airport)
- (m) Obstacle Limitation Surfaces (Airport Zoning Regulations)
- (n) Sun-Shadow Study
- (o) Fisheries Assessment
- (p) Shoreline Riparian Control Study
- (q) Archaeological Assessment
- (r) Water Quality Report

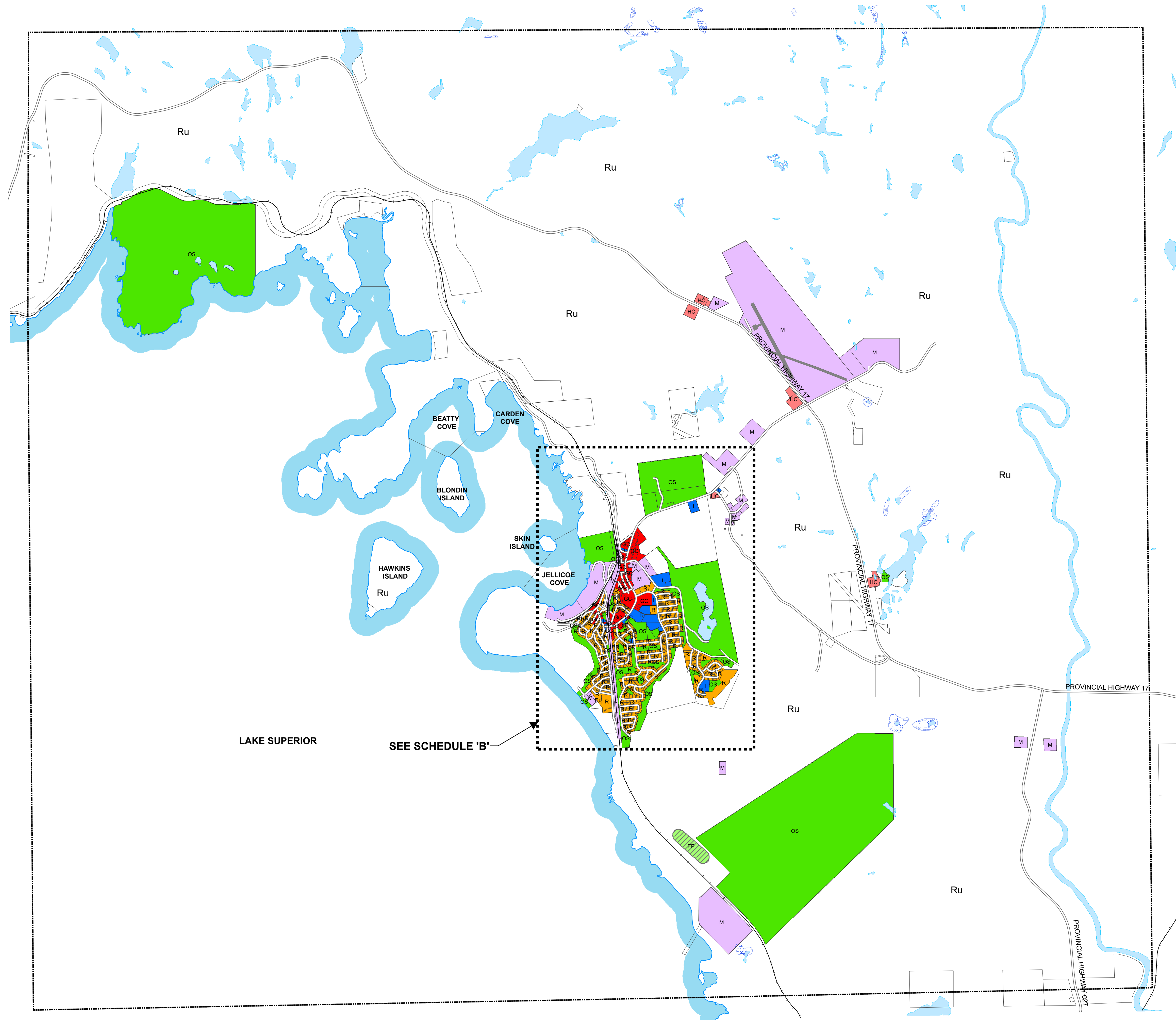
5.18.4 Should a Stormwater Management Plan may be required, it shall be based on terms of reference developed in consultation with the Town and the MOECC Stormwater Management Planning and Design Manual (2003) as amended.



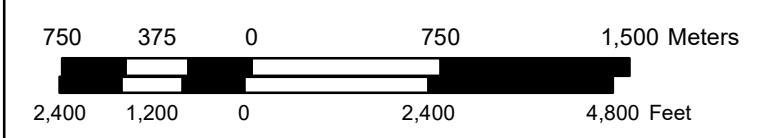
- 5.18.5 Where required, an Environmental Impact Study (EIS) shall be prepared by an individual(s) with appropriate environmental qualifications. The EIS shall include but not be limited to:
- (a) a description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
 - (b) a description of the potential impacts of the proposed development on the natural features and the ecological functions for which the area is identified;
 - (c) suggested development alternatives that would avoid these impacts or, if impacts cannot be avoided, recommended mitigation measures, including proposed implementation methods; and
 - (d) recommended monitoring activities.
- 5.18.6 Where required, no planning approval will be granted until an Environmental Impact Study has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of an Environmental Impact Study.



SCHEDULES



TOWN OF MARATHON,
OFFICIAL PLAN
SCHEDULE 'A'
LAND USE

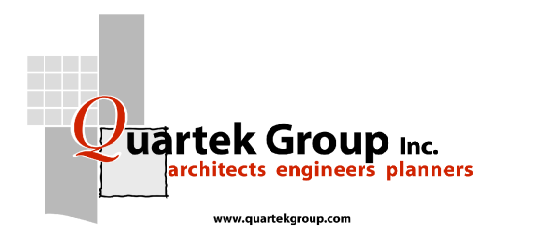


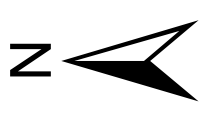
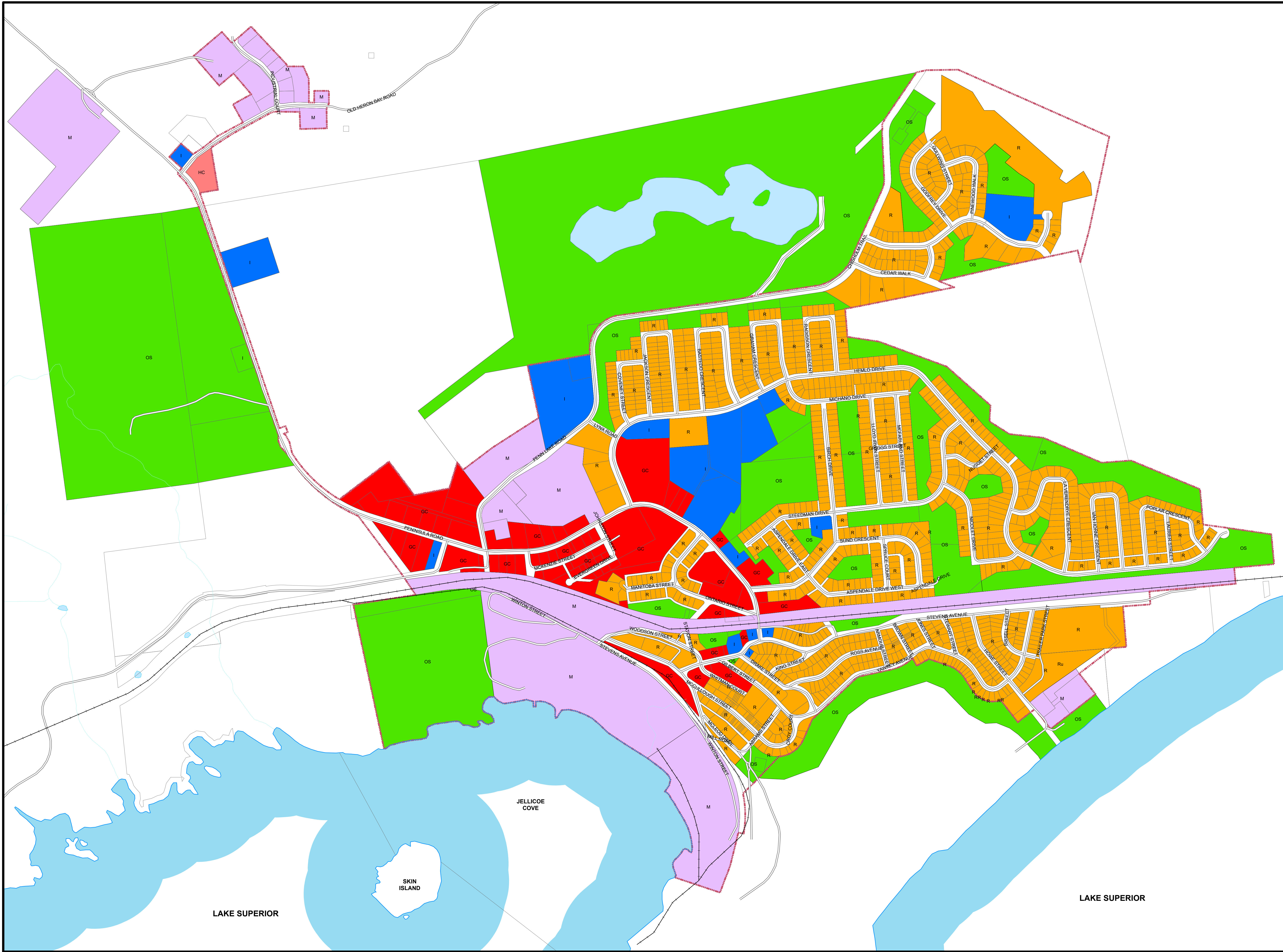
Legend

- ROADS
- RAILWAY
- STREAMS
- General Commercial (GC)
- Highway Commercial (HC)
- Industrial (M)
- Institutional (I)
- Residential (R)
- Rural (Ru)
- Open Space (OS)
- Environmental Protection (EP)
- MUNICIPAL BOUNDARY
- WETLAND
- LAKES
- LAKE SUPERIOR

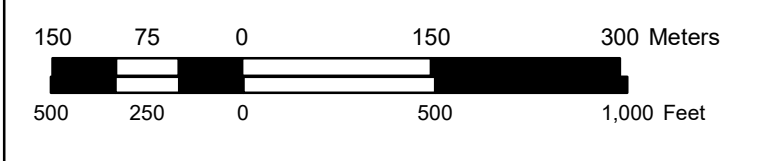
LAKE SUPERIOR

SEE SCHEDULE 'B'





TOWN OF MARATHON,
 OFFICIAL PLAN
 SCHEDULE 'B'
 LAND USE
 URBAN SERVICE AREA



Legend

- ROADS
- RAILWAY
- STREAMS
- URBAN SERVICE AREA
- General Commercial (GC)
- Highway Commercial (HC)
- Industrial (M)
- Institutional (I)
- Residential (R)
- Rural (Ru)
- Open Space (OS)
- Environmental Protection (EP)
- WETLAND
- LAKES
- LAKE SUPERIOR

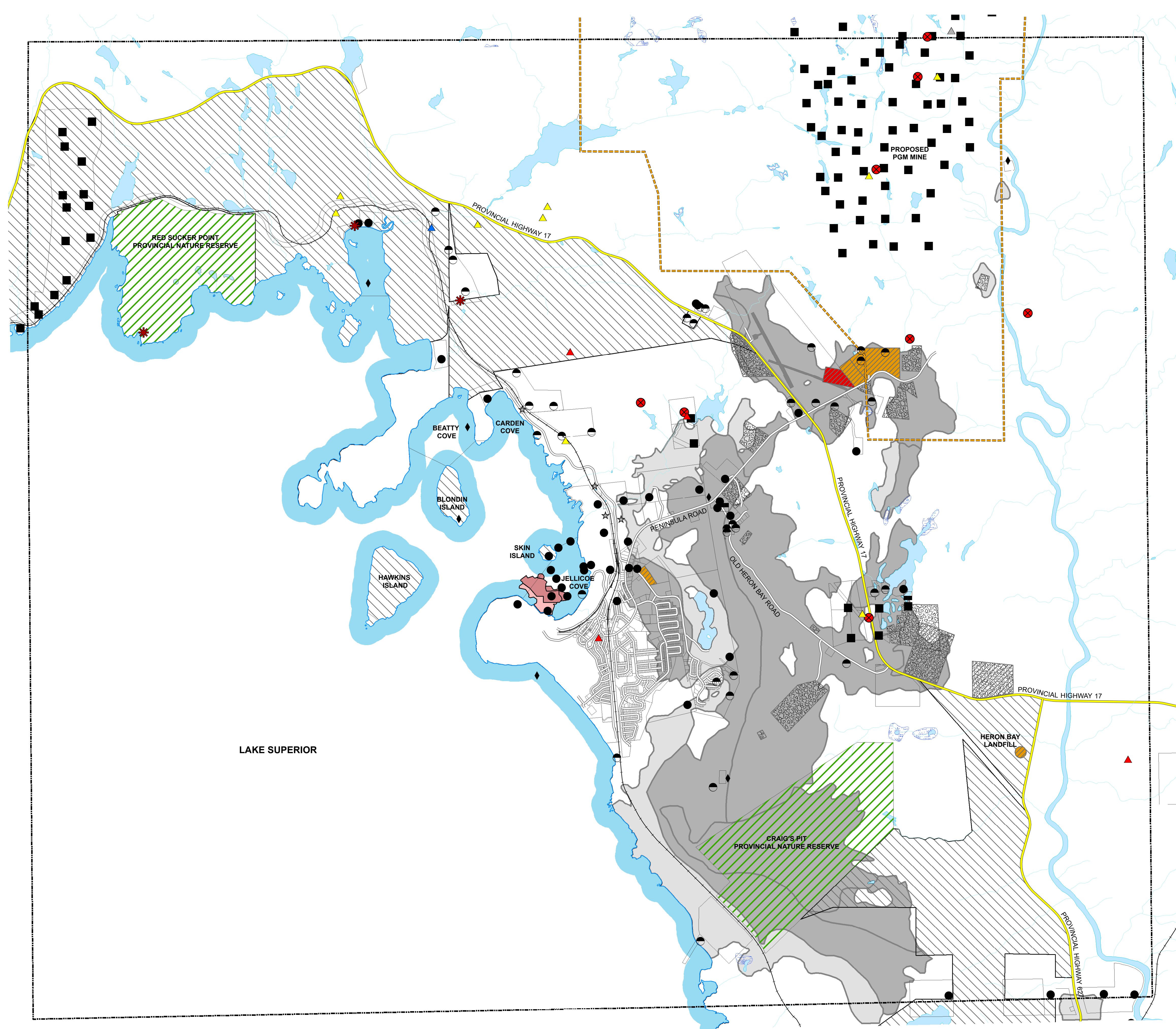
LAKE SUPERIOR

SKIN ISLAND

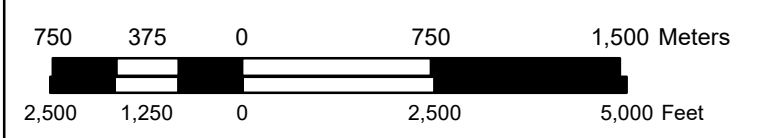
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LAKE SUPERIOR



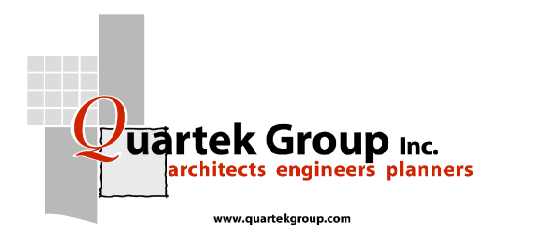


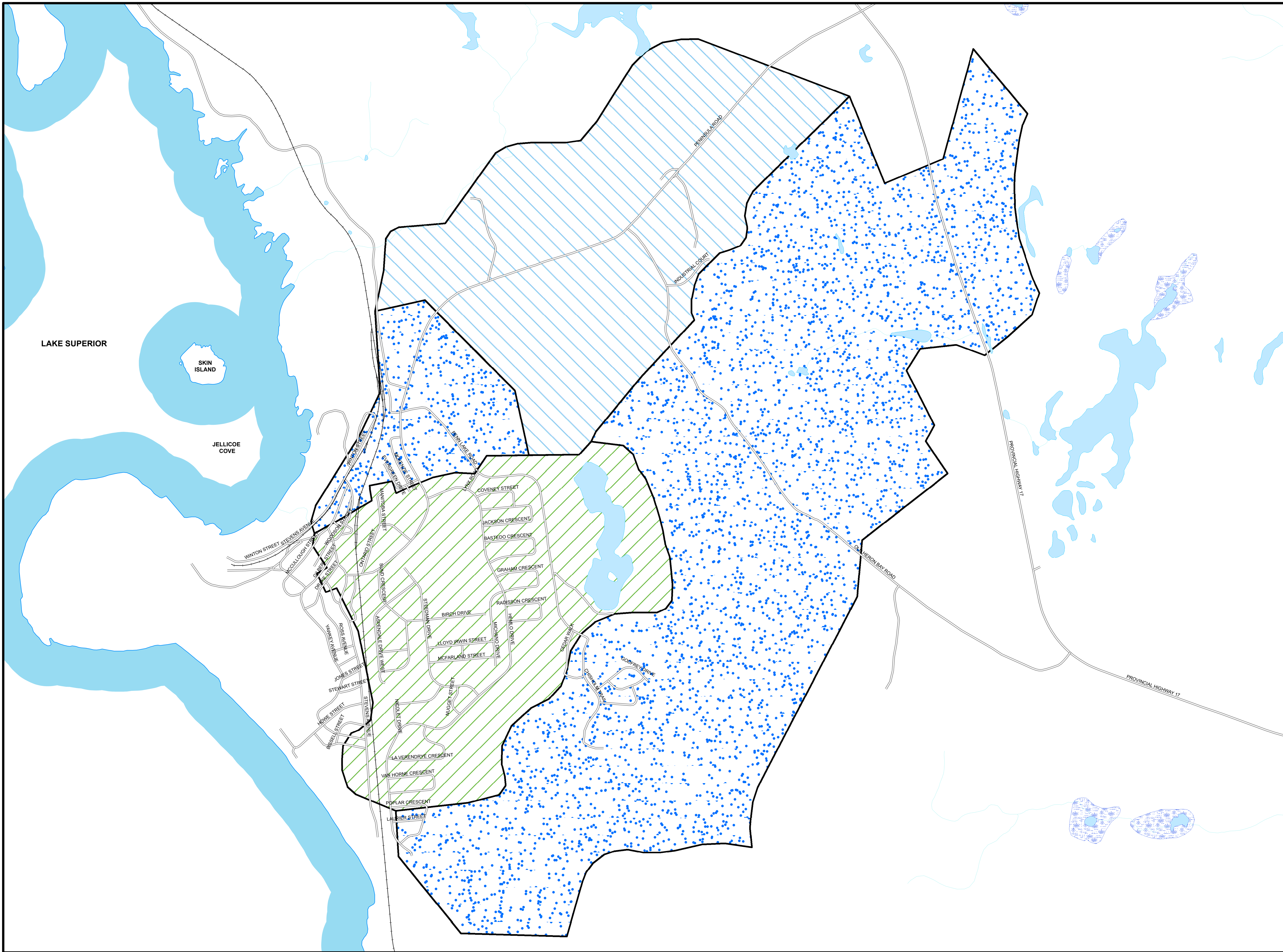
TOWN OF MARATHON,
OFFICIAL PLAN
SCHEDULE 'C'
RESOURCES AND
CONSTRAINTS MAP



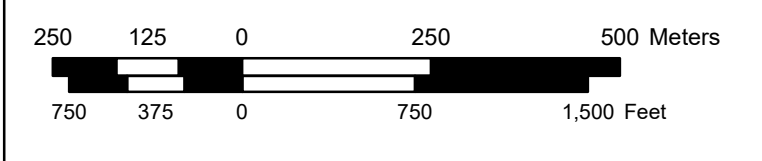
Legend

- MINERAL DEPOSITS**
- ★ Producing Mine
 - ☆ Past Producing Mine w/o Reserves
 - ★ Past Producing Mine w/ Reserves
 - ▲ Developed Prospect w/o Reserves
 - ▲ Developed Prospect w/ Reserves
 - ▲ Prospect
 - ▲ Occurrence
 - ▲ Discretionary Occurrence
 - MINE HAZARDS
 - ✱ RESOURCE CONSTRAINT
- MINING CLAIMS**
- Patent, Surface and Mining Rights
 - Patent, Surface Rights Only
 - Patent, Mining Rights Only
 - Lease, Surface and Mining Rights
 - Lease, Surface Rights Only
 - Lease, Mining Rights Only
 - ◆ License of Occupation, Surface and Mining Rights
 - ◆ License of Occupation, Surface Rights Only
- PROVINCIAL HIGHWAY
- MUNICIPAL ROAD
- RAILWAY
- STREAMS
- PGM SITE
- MUNICIPAL BOUNDARY
- PARCEL FABRIC
- WETLAND
- LAKES
- PITS AND QUARRIES
- MTO PITS AND QUARRIES
- PROVINCIAL PARKS
- LAKE SUPERIOR SHORELINE ENHANCED MANAGEMENT AREA
- WASTE SITE - CLOSED
- WASTE SITE - OPERATING
- MERCURY CAPPED AREA**
- COARSE SAND
 - MEDIUM SAND
- SELECTED SAND AND GRAVEL RESOURCE AREAS**
- PRIMARY
 - SECONDARY
 - TERTIARY





TOWN OF MARATHON,
OFFICIAL PLAN
SCHEDULE 'D'
GROUNDWATER PROTECTION



- Legend**
- ROADS
 - RAILWAY
 - STREAMS
 - GROUNDWATER PROTECTION ZONE 1
 - GROUNDWATER PROTECTION ZONE 2
 - GROUNDWATER PROTECTION ZONE 3
 - PARCEL FABRIC
 - WETLAND
 - LAKES
 - LAKE SUPERIOR





APPENDICES



APPENDIX A Definitions

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

Areas of Archaeological Potential: means areas with the likelihood to contain archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of Mineral Potential: means areas favourable to the discovery of mineral resources due to geology, the presence of known mineral deposits or other technical evidence. Areas of mineral potential are identified using acceptable scientific methodology.

Built Heritage Resource: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Contaminated Site: means land that is contaminated from past land use activities relating to, but not limiting to, industrial uses, transportation or utility purposes including municipal and Ministry of Transportation refuelling yards, waste disposal sites, and commercial uses such as gas stations, auto repair shops and lands where filling has occurred.

Cultural Heritage Landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Cultural Heritage Resource: means a defined geographic area of heritage significance which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include: activities that create or maintain infrastructure authorized under and environmental assessment process, or works subject to the Drainage Act.

Floodway: means that portion of the river or stream system floodplain where development and site alteration would cause a danger to public health and safety or property damage. Uses which by their nature must be



located within the floodway, flood or erosion control works or non-structural works that do not affect flood flows are permitted in the floodway.

Garden Suites: means a one-unit detached residential structure containing bathroom and kitchen facilities that are ancillary to existing residential structures and that are designed to be portable. Garden suites are also commonly known as granny flats. They provide an affordable housing option that supports changing demographics, allows for aging in place, and provides opportunities for some of the most reasonably priced accommodation.

Hazard Lands: means property or lands which could be unsafe for development due to naturally occurring processes or hazards. Along the shoreline of lakes, rivers and stream systems this means lands covered by water to the farthest landward limit of the flooding and erosion hazard limits and would also include unstable soils such as sensitive marine clays (leda clay) and unstable bedrock (karst topography).

Heritage Attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

Home Occupation: means the use of part of a dwelling unit for an occupation, trade, craft or business which is clearly secondary to the main residential use of the dwelling unit, carried on entirely within part of a dwelling unit by at least 1 of the permanent residents of such dwelling unit for gain, profit or reward, and does not compete with existing businesses in the commercial areas of the Town. A home occupation shall be licenced in accordance with the Business Licence By-law and shall include such home occupations as dressmaking, molding, painting, sculpting, weaving, engraving, and instruction in arts, crafts and music.

Home Profession: means the use of part of a dwelling unit for service or profession by at least 1 of the permanent residents of such dwelling unit, is clearly secondary to the main residential use of the dwelling unit for gain, profit or reward, and does not compete with existing businesses in the commercial areas of the Town. A home profession shall be licenced in accordance with the Business Licence By-law and shall include such home professions as surveying, engineering, architecture, accounting, shoe and leather working and repairs, real estate, bookkeeping, and computer services.

Infrastructure: means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electrical power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

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

Mineral Deposits: means an unusually large or rich concentration of valuable minerals identified within a small part of the earth's crust.

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



Minerals: means metallic and non-metallic minerals, but does not include mineral aggregates or petroleum resources.

Natural Heritage Features: means features and areas such as significant wetlands, fish habitat, significant portions of a habitat or endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest which are important for their environmental and social values as a legacy of the natural landscape of an area.

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

Public Service Facilities: means land, buildings and structures for the provision of public services, but does not include infrastructure.

Public Works: means any improvement, structural work or undertaking that is within the jurisdiction of Council, a local board, a ministry, department, board, commission, agency or official of the provincial or federal government or a First Nation.

Residential Intensification: means the creation of new residential unit or accommodation in existing buildings or on previously developed, serviced land and includes infill, accessory apartments and rooming houses.

Rural Residential Use: means a residential use located in the rural area that is a principal residence, intended to be occupied on a year round basis, and is privately serviced by individual sewage and water systems.

Seasonal Residential, Waterfront Residential or Cottage Residential Use: means a recreational residential use located in the rural area that is not a principal residence, intended to be occupied on a seasonal or part time basis for recreational purposes and is privately serviced by individual sewage and water systems.

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

Significant: means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Waste Management System: means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Woodlands: means treed areas that provide environmental and economic benefits such as erosion



prevention, water retention, provision of habitat, recreation, and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.



APPENDIX B

Category “A”, “B” and “C” Industrial Land Uses That May Pose a Risk of Contamination of the Groundwater Aquifer of the Municipal Water Supply

CATEGORY “A” INDUSTRIAL LAND USES:

- (i) lagoons, landfills, disposal of abattoir and rendering wastes; and
- (ii) auto wrecking and automobile salvage yards.

CATEGORY “B” INDUSTRIAL LAND USES:

- (i) foundries;
- (ii) non-ferrous and precious metal smelting and refining;
- (iii) metal rolling, casting and extruding operations including steel pipes and tubes;
- (iv) manufacturing of unfinished fabricated metal products and parts;
- (v) metal finishing operations, i.e. electroplating, electrocoating, galvanizing, painting, application of baked enamel;
- (vi) manufacturing of cable, wire and wire products;
- (vii) jewellery and silverware manufacturing;
- (viii) assembly of aircraft parts, motor vehicles, truck, bus bodies, trailers, rail cars, mobile homes, ships and boats;
- (ix) manufacturing of engines, engine parts, steering and suspension parts, wheels and brakes;
- (x) manufacturing of agricultural, commercial and industrial machinery;
- (xi) manufacturing, packaging, crating or bottling of chemicals, resins, paints, varnish, printing inks, adhesives and dyes;
- (xii) manufacturing of pharmaceuticals and medicines;
- (xiii) petroleum products refining and asphalt batching;
- (xiv) manufacturing of electronic components such as semiconductors, printed circuit boards and cathode ray tubes;
- (xv) manufacturing of wet electrical and industrial equipment and wet batteries;
- (xvi) commercial or industrial dry cleaning of textiles and textile products;
- (xvii) leather tanning and finishing;
- (xviii) wood and wood product preservation and treatment;
- (xix) transportation terminals for chemicals or hazardous substances;
- (xx) warehousing and bulk storage of oil, gasoline, or petroleum products, and gasoline stations;
- (xxi) warehousing of cleaning products, pesticides, herbicides, fungicides and chemicals; and
- (xxii) snow storage and disposal facilities.

CATEGORY “C” INDUSTRIAL LAND USES

- (i) rubber products manufacturing;
- (ii) manufacturing of electrical appliances, equipment, motors, lighting fixtures and lamps (excluding manufacturing of electrical components and metal fabrication and finishing which are Category “B” activities);
- (iii) manufacturing of electrical light bulbs and tubes;
- (iv) manufacturing of dry batteries;
- (v) manufacturing of soaps and toiletry products;
- (vi) finishing and dyeing of textiles;
- (vii) manufacturing of plastic and foam parts and products;



- (viii) furniture, casket, cabinet and other wood products manufacturing and assembly;
- (ix) manufacturing of coated glass;
- (x) manufacturing of paper, newsprint and boxes;
- (xi) photographic development facilities (other than accessory to other retail uses);
- (xii) printing of newspaper, packaging and books;
- (xiii) repair of industrial machinery;
- (xiv) repair of motor vehicles, aircraft, water craft, rail vehicles, trucks, buses and machinery;
- (xv) golf courses;
- (xvi) airports, train and public transit terminals;
- (xvii) medical, health and other laboratories (other than clinics associated with commercial plazas);
and
- (xviii) contractors establishments and yards.



APPENDIX C

Background and Policy Issues/Options Report

TOWN OF MARATHON

Official Plan Update

Background and Policy Issues/Options Report



October 2012

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1. INTRODUCTION

The Town of Marathon has begun the process of updating their current Official Plan and Comprehensive Zoning By-law. The initiative being undertaken is the five-year review of the Official Plan as mandated under Section 26 of the Planning Act. The current Official Plan was adopted in 2006, and therefore, it conforms to much of the present land use planning legislation and policy directives of the provincial government, such as the Provincial Policy Statement. However, the Growth Plan for Northern Ontario was adopted by the province in 2011, as such; this 5-year Official Plan review provides an opportunity to bring the plan into conformity with provincial legislation but also provides an exciting opportunity for residents and other members of the community to help guide the future growth and development of the Town in light of other major development initiatives in the Town such as the Stillwater PGM mine.

The purpose of this report is to provide the necessary background material to help inform the Official Plan update for the Town of Marathon. This report contains a summary of current provincial planning legislation and policy direction that must be addressed in the Plan as well as a summary and analysis of demographic and technical planning information. It is intended that this background paper will guide a review and update of the goals and objectives, land use policies, and development policies of the Town of Marathon with the ultimate intent to update the plan as needed in order to continue to guide the future direction and development of the Town.



2. SETTING

The Town of Marathon is located in the District of Thunder Bay along the north shore of Lake Superior. The Town and the north shore of Lake Superior are very picturesque, having a rugged terrain with several bays, coves, islands and surrounding forested areas. Highway 17, part of the TransCanada Highway system, traverses through the Town in an east/west direction connecting Marathon to the City of Thunder Bay approximately 300 km to the west, and the City of Sault Ste. Marie approximately 400 km to the east. The Canadian Pacific Railway also traverses through the Town generally following the shoreline of Lake Superior.

The Town of Marathon is 265 square kilometers in area with the townsite of Marathon being the urban development centre of the Town where the majority of the residential, commercial, industrial and community services, facilities and uses are located. The rural area of the Town is largely undeveloped with limited access. Development in the rural area consists primarily of a limited amount of highway commercial development catering to the travelling public along Highway 17, the airport north of the Highway and a number of recreational uses.

The Town of Marathon was originally established as a trading post serving the fur trade through the early and mid 1800s. With the construction of the Canadian Pacific Railway line through northwestern Ontario in the late 1800s, Marathon became a supply centre and grew to meet the demands of development associated with the growth and expansion of the railway. More recently, in the last half of the 20th century, Marathon's economy became based on the natural resource sector, specifically the forestry and mining industries. Today, Marathon is a fully serviced community offering a range of amenities, services and community living experiences typical of small urban communities in northern Ontario. Mineral exploration and mining are expected to spur development in the Town over the next 15 years. This offers an opportunity for the continued strengthening and development of the Town's economic base while providing a high quality and healthy lifestyle for its residents.

The Pic River First Nation is located southeast of Marathon. Businesses and support services in Marathon also serve the Pic River community.

3. POPULATION AND AGE CHARACTERISTICS

As noted in the following table, according to figures derived from Statistics Canada, the population of Marathon has declined dramatically over the last 20 years from 5,064 persons in 1991, to 3,353 persons in 2011. Marathon has lost almost 34% of its population between 2001 and 2011.

Town of Marathon Population Figures 1991-2011

Year	Population	Percent Change
2011	3,353	-33.8%
2006	3,863	-23.7%
2001	4,416	-12.8%
1996	4,791	-5.4%
1991	5,064	

Source: Statistics Canada, Census of Canada, 1991 to 2011

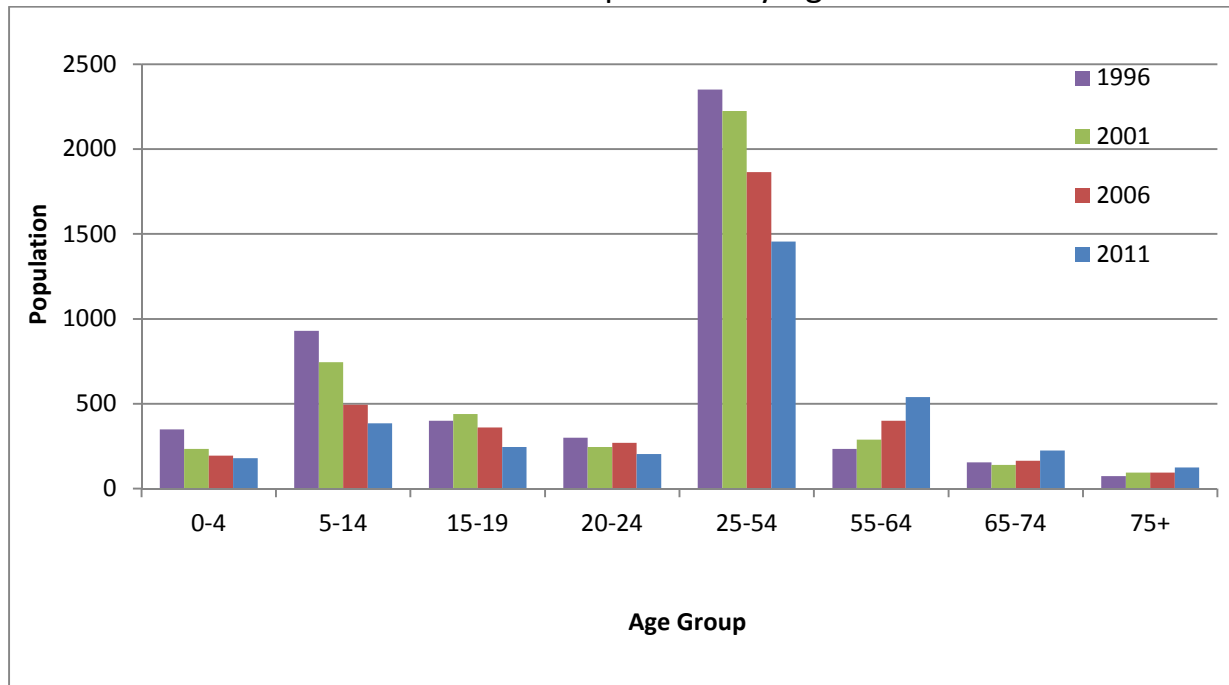
According to projections prepared by the Ministry of Northern Development, Mines and Forestry, the population of Northern Ontario experienced a significant rise and then decline between 1987 and 2001. Northern Ontario's total population now appears to be stabilizing at about 800,000 persons and is projected to show modest growth over the next 20 years. The Ministry of Finance projects that the Northwest will grow by 2,400 people, or 1.0 per cent between 2011 and 2036. This growth is expected to be centered in the urban centres of Greater Sudbury, Thunder Bay, Sault Ste Marie, North Bay and Timmins¹. The Thunder Bay census division though is expected to experience a 2% decline in population from 2011 to 2036. In the past, Northern Ontario's positive natural increase offset part of the losses it experienced through net migration. However, natural increase in the North as a whole is now negative and it is projected to remain so as the population continues to age². Given this trend and the potential for mineral extraction from a new mine, there is some expectation that the population of Marathon will stabilize over the coming years.

As noted on the following chart, according to figures derived from the 2006 Statistics Canada census, the median population of Marathon is about 43 years old. The majority of the population is over the age of 45, and over 80% of the population is over the age of 15. This ratio is consistent with the trend throughout the Thunder Bay census district.

¹ Proposed Growth Plan for Northern Ontario, Ministry of Energy and Infrastructure, Ministry of Northern Development Mines and Forestry, October 2009.

² Ontario Population Projections Update: 2011 – 2036 Ontario and Its 49 Census Divisions Spring 2012 Based on the 2006 Census. Ministry of Finance

Town of Marathon Population by Age 1996-2011



The above chart showing the age distribution between 1996 and 2011 indicates that in addition to an aging population, there has been a decrease in the proportion of the population between the ages of 25-54, thus impacting the population of children and youth in the community. The biggest factor in the population decline is the closure of the pulp mill. The Town of Marathon’s Official Plan policies must provide opportunities for economic diversification and development to strengthen the local economy in order to retain and attract young families.

4. EMPLOYMENT

Information derived from Statistics Canada indicates that the Town of Marathon has seen a decreasing labour force and a decrease in unemployment from 1996 to 2006. As per the table below, the unemployment rate for Marathon is generally closely related to the unemployment figure for Ontario. However, this might not be a true indication of the economic vitality of the Town as there has been a significant decrease in population which may indicate that people are leaving to find employment elsewhere. The unemployment rate also does not account for whether or not there are people that may have simply stopped looking for work and therefore are not considered to be part of the labour force and do not count as being unemployed. Given the changes in the local economy since 2006, including the closure of the pulp mill and the Hemlo mining operation it is important to review the land use policies of the Official Plan in

order to insure that the policies continue to foster sustainable economic growth over the long term.

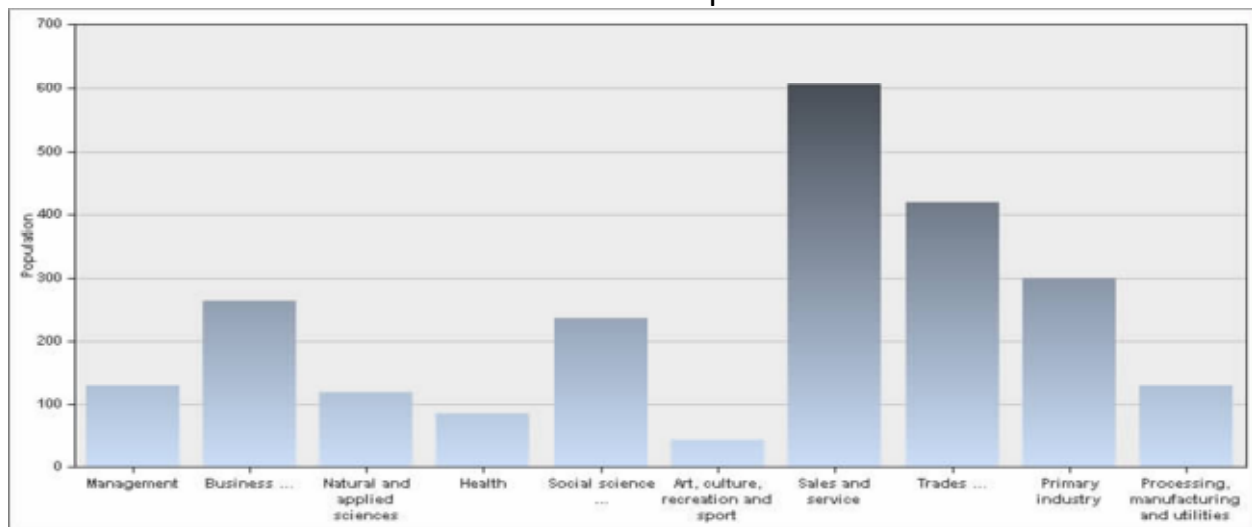
Town of Marathon Employment Figures

Year	Employed Persons	Marathon Unemployment Rate	Ontario Unemployment Rate
2006	2,210	6.4%	6.4%
2001	2,365	5.8%	6.1%
1996	2,355	7.1%	9.1%

Source: Statistics Canada, Census of Canada, 1996 to 2006

It was also determined that the majority of employed persons in Marathon work in the sales and service and trades industries. With the future opening of the Stillwater PMG mine site, it is anticipated that there will be an increase in employment in the Primary Industry Sector.

Town of Marathon Occupation Sectors



Source: Statistics Canada, Census of Canada

5. PLANNING POLICY FRAMEWORK

Over the last 5 years, the Province of Ontario has taken a very active role in reshaping the land use planning regime. As represented in the following graphic, planning at the local official plan level is carried out within a framework of planning policy established by both Provincial planning legislation and the primary policy documents of the Province of Ontario.

Accordingly, legislation and policy initiated at the provincial level must be reflected in local planning policy documents. Recent policy direction, such as the Northern Growth Plan, will need to be addressed in the Official Plan review.

The following is a summary of recent policy initiatives by the Province, some of which will have a direct impact on the review of the Town of Marathon Official Plan.

1. The Provincial Policy Statement;
2. Updates to the Planning Act, Bill 51;
3. The approval of the Growth Plan for Northern Ontario; and,
4. Introduction of Source Water Protection legislation that will require Conservation Authorities and other bodies to prepare Source Protection Plans that will need to be implemented through Official Plans.

The policies behind these initiatives are detailed below in an effort to describe their intent and to provide some clarity on the complex nature of the present land use planning regime in Ontario.

5.1. Provincial Policy Statement (PPS 2005)

In 1983, the Planning Act was amended to permit the Minister of Municipal Affairs and any other Minister to issue policy statements on matters relating to municipal planning.

The original intent of the first Policy Statements was to replace a series of regulations and guidelines issued by various Ministries (such as the 1978 Foodland Guidelines) that were intended to be considered by local planning authorities. Throughout the 1980s a number of Provincial Policy Statements dealing with such issues as wetlands, flood plains and mineral aggregate resources were issued by the Province. Some of these policies have been captured in the current Official Plan.

In 1994, all of these statements were replaced by the Comprehensive Set of Policy Statements (CSPS). The CSPS was then replaced by the Provincial Policy Statement (PPS) in May 1996. The intent of both the CSPS and the PPS was to incorporate all of the various policies issued by a number of Ministries into one comprehensive document. The 1996 PPS was intended to be

directive, but not prescriptive, since planning authorities only had to 'have regard to' the PPS in making planning decisions. In 2001, the Province began its mandated review of the PPS and a new PPS came into effect on March 1, 2005. A major change in policy directive was also brought forward with changes to the Planning Act immediately prior to the release of the 2005 PPS, which was the replacement of "have regard to" with the phrase "shall be consistent with". This important change is discussed later in this report.

A number of Provincial interests are identified in the vision section of the 2005 PPS and they include: the wise management of growth, the wise use and management of the Province's resources, and protecting the long-term health and safety of the population.

"The Provincial Policy Statement focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

Efficient development supports the financial well-being of municipalities and the Province over the long term, and minimizes the undesirable effects of development, including impacts on air, water and other resources.

Sustainable development is also important for protecting and accessing natural and cultural heritage resources. The Provincial Policy Statement also focuses on management of natural and cultural heritage resources.

The Province's natural heritage resources, water, agricultural lands, mineral resources and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to protect essential ecological processes and public health and safety, minimize environmental and social impacts, and meet its long-term needs.

It is equally important to protect the overall health and safety of the population. The Provincial Policy Statement directs development away from areas of natural and human-made hazards, where these hazards cannot be mitigated. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Section 4.0 of the PPS recognizes that the Official Plan is the most important vehicle for implementing the policy statement and directs that:

Municipal Official Plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. In order to protect provincial interests, planning authorities shall keep their Official Plans up-to-date with this Provincial

Policy Statement. The Policies of this Provincial Policy Statement continue to apply after adoption and approval of a municipal Official Plan.

As a result, there is a requirement that the Official Plan will be consistent with the applicable policies of the PPS. Many of these new policies are discussed throughout this background paper. However, some of the highlights of the 2005 PPS are summarized below:

- Promoting efficient development and land use patterns which sustain the financial well-being of municipalities and the Province over the long term.
- Accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs.
- Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
- In rural areas in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses; shall be appropriate to the infrastructure that is planned or available; new land uses including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae.
- There is a focus on economic prosperity and optimizing the long-term availability and use of land, resources, infrastructure and public service facilities.
- Mineral and petroleum resources and mineral aggregate resources shall be protected from development to insure they are protected for long-term use.
- Wayside pits and quarries, portable asphalt and concrete plants used on public authority contracts shall be permitted in all areas except areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
- Significant built heritage resources and significant cultural heritage landscapes shall be conserved. Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved or preserved.

The 5-year review of the PPS was initiated in 2010 and a draft of the proposed, revised PPS has recently been released for review and public comment. While the details of the policy changes are still in draft form and subject to change, there are some general new policies directions that have been driving the proposed revisions and these principles form the foundation of the proposed new policies. The following highlights some the new policy directions which have been driving the proposed revisions to the PPS.

- There is a focus on promoting coordination between municipalities and other levels of government
- More attention to providing accessible environments for everyone

- A policy to address climate change and pursuing mitigative measures to increase resiliency to climate change
- Recognition that not all municipalities experience growth but they all experience development of some sort
- Support for active transportation, transit, and goods movement when planning settlement areas
- Intensification should not compromise public health and safety, the policy previously spoke of maintaining appropriate levels of public health and safety.
- Encouraging planning authorities to coordinate planning with Aboriginal communities, where appropriate
- Encouraging coordination of emergency management with other planning considerations
- Recognizing the importance of parks and recreation, green spaces, trails and trail linkages
- Promoting investment-ready communities and opportunities for economic development
- Recognizing the importance of communication infrastructure
- Planning for and protecting corridors for goods movement and future employment along those corridors
- Clarifying that planning for infrastructure can go beyond the 20 year time horizon
- Supporting the adaptive re-use of infrastructure
- Requiring consideration of the life-cycle cost of infrastructure
- Requiring identification of shoreline areas
- Recognizing the importance of the Great Lakes and expanding protection for Great Lakes coastal wetlands
- Encouraging comprehensive rehabilitation planning after aggregate extraction
- Supporting the conservation of aggregate resources, including recycling and reuse
- Promoting the conservation of cultural heritage and archaeological resources
- Requiring mineral deposits, petroleum resources and aggregate resources to be identified in municipal official plans

Many of these new policy directions represent current best practices in planning and are already being integrated into policies in new Official Plans. The nuances of the language of the PPS policies are still being reviewed and commented on. As the draft PPS is refined and as the update of Marathon's Official Plan progresses every effort will be made to align the Official Plan with the new policy directions of the PPS, however, the Official Plan will likely be finalized prior to the updated PPS so conformity will be a bit of a moving target while the PPS is being refined.

5.2. *Bill 51*

On October 19, 2006, Bill 51, the *Planning and Conservation Land Statute Law Amendment Act* received Royal Assent from the Lieutenant Governor of Ontario. Bill 51 is a continuation of, and complementary to earlier planning framework reforms that include the 2005 Provincial Policy Statement (PPS), *Places to Grow Act* and *Growth Plan for the Greater Golden Horseshoe*, and *Greenbelt Act*.

Bill 51 has provided municipalities with new planning tools, powers and legal capabilities to regulate more aspects of built form. Bill 51 also places increased expectations on municipalities to provide up-to-date local policies and ensure that a transparent and accessible planning program exists. In short, municipalities are given more power over development regulation in exchange for providing more enforcement of and accountability over decisions made at the local level. Bill 51 also introduces reform to the practices of the Ontario Municipal Board (OMB) and allows for expanded use of conservation easements to achieve environmental and watershed management goals.

These changes can be summarized into three broad areas:

1. *Support for Built Form Objectives and Community Design*

The Province proposes adding a new interest to the list of Matters of Provincial Interest in Section 2 of the *Planning Act*: “The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.” The Province proposes enabling municipalities to specifically regulate each of the following measures:

- *Architectural Design and Accessibility Concerns*—Provided that an Official Plan policy has been adopted, the external design of buildings can be regulated through Site Plan Control. Official Plans must first be updated to allow for these features to be controlled before they can actually be controlled.
- *Minimum and Maximum Densities and Heights*—The wording of the *Act* is amended to be clear that municipalities, through zoning, have the authority to regulate minimum and maximum densities and height in the zoning by-law.
- *Design of Adjacent Highways*—A significant new addition to the *Planning Act* is the ability of a municipality, through the Site Plan Control process, to control the placement of “the sustainable design elements on any adjoining highway under a municipality’s jurisdiction” provided Official Plan policies exist and a by-law is enacted. Municipalities will have the authority to impose conditions that may require the provision, by the applicant, of plantings, paving treatment, street furniture, bicycle racks, waste containers and ramps on a public right-of-way.

- *Zoning with Conditions*—To address challenges associated with certain developments or to achieve locally important goals, municipalities will be able to impose one or more prescribed conditions on the use, erection or location of buildings and structures through zoning. Further, municipality will now be able to require a landowner to enter into agreements registered on title to enforce those conditions. The Official Plan must first contain policies relating to zoning with conditions. Although often imposed, Ontario’s planning framework has historically not permitted zoning with conditions.
- *Broader Scope and Enforcement of Community Improvement Plans (CIPs)*—The definition of “community improvement” has been expanded to include costs associated with energy efficient land uses and buildings, as well as affordable housing. Building and site rehabilitation, as well as energy efficiency, can now be included as eligible costs in a CIP. Municipalities will be able to register grants or loan agreements on the title of the land, strengthening the ability of the municipality to enforce all provisions of a CIP and provide security to developers seeking project financing from third parties.
- *Accessory Apartments*—If municipalities adopt policies for the provision of “second units” in Official Plans and incorporate provisions to permit accessory units in the implementing Zoning By-law as part of a five-year review, the provisions cannot be appealed to the OMB. Only decisions that designate or zone areas to permit these units within a single detached, semi-detached or townhouse dwelling unit *outside of* a five-year review can be appealed.
- *School Board Exemption from Site Plan Control*—The placement of portable classrooms on school sites “in existence” on January 1, 2007 will be exempt from the definition of “development” in Section 41 of the *Planning Act*.
- *Green Energy Act exemption of Energy Projects from Planning Act approval*—Renewable Energy projects are exempt from Planning Act approval requirements and from approvals under the Environmental Assessment Act. Approvals are now sought through a Renewable Energy Approval (REA) process that sets out strict environmental and consultation requirements for renewable energy projects. The streamlined approval process is meant to help the Province’s renewable energy supply to grow safely and more efficiently while protecting human health and the environment. Proponents of renewable energy projects must engage municipal governments, Aboriginal communities, and the public during the REA approval process.

2. Accessibility and Transparency in the Planning Process.

The Province has identified a need for more accountability in the land use planning process. There have been concerns that the current system is not effective at improving built form. The following measures are proposed to correct these problems:

- *Complete Applications*—A municipality or Planning Board can now request additional information to make a decision on a zoning matter, but only if policies in the Official Plan first specify the types of additional information that could be required. The public would be entitled to review all information available on a planning matter prior to the information going before Council.
- *Notice of Complete Application*—A municipality will be required to decide if an application is complete within 30 days of its submission. If “Positive Notice of Complete Application” is given by Council or the Planning Board, Staff will be directed to prepare and deliver Notice of this decision to the applicant and all required parties and the application moves into the approval process. If “Negative Notice of Complete Application” is given, the applicant must provide the required information before the application can be reviewed. The applicant can appeal the Negative Notice to the OMB and must demonstrate how the application is complete. If no Notice of Complete Application is given, all parties can submit a motion to the OMB to determine if the application is complete or not. Any OMB decision on these matters is final.
- *Up-to-date Planning Documents*—Municipalities are now required to update their Official Plans every five years as opposed to simply holding a public meeting. This would ensure implementation of Provincial Policy Statements, other provincial plans and up-to-date employment lands policies and locations. The initial public meeting would afford citizens the opportunity to comment on what matters should be included in an Official Plan Review. The municipal Zoning By-law would be required to be updated within three years of the new Official Plan coming into effect. The five-year “clock” begins once all policy provisions of the Official Plan, and not necessarily the designations of individual properties, come into force and effect.
- *Policies in Force on the Day of Decision*—A planning decision made by any public authority including Councils will be required to be consistent with the most up-to-date policies, at all levels, in effect on the date the decision is made. Previously decisions were based on the policies in effect on the date the application was made.
- *Municipal Decisions on Employment Lands*—If a municipality’s Official Plan contains provisions on the redesignation of Employment Lands for other uses, any refusal of an application to redesignate employment lands would not have appeal rights to the OMB. A decision allowing redesignation would, however, continue to have an appeal route to the OMB. Until a municipality does adopt such provisions into the Official Plan, these types of applications could be appealed to the Board.
- *Pre-consultation*—Municipalities can now pass a bylaw requiring applicants to discuss a development proposal with staff before an application is submitted. If not, a municipality would be expected to respond to an applicant’s request for such a meeting.

- *Additional Public Consultation for Creating Official Plans*—In addition to the current requirement for a public meeting prior to the adoption of an Official Plan, a municipality is now also required to consult with the appropriate approval authority and any other appropriate private body. Council must have regard to any written comments received about a proposed Official Plan, and provide any person attending special meetings an opportunity to be heard.
- *New Requirements for “Open Houses”*—An additional “open house” at least one week in advance of a public meeting will be required for five-year Official Plan Reviews, and, subsequent Zoning By-law updates and Official Plan and By-law Amendments where a Development Permit System is in effect.
- *Alternative Notice Provisions*—Many of these new initiatives are already standard practices in some municipalities. However, Municipalities need to be aware of the increased demands with respect to statutory planning matters. In addition, increased notice requirements are also permitted in municipalities through the adoption of alternative notice provisions in an Official Plan.

3. Ontario Municipal Board (OMB) Reform.

The Province is also changing practices and perceptions surrounding the OMB. The intent of the Province is to provide an accountable and effective OMB that supports Council decision-making while protecting broader public interests. The following reforms have direct application to local municipalities:

- *Structure of Hearings*—An OMB member’s decision now has to “have regard for” earlier decisions of Council and may only consider information that was presented to Council during the application process. Municipal Clerks or board Secretary-Treasurers may be required to send additional information to the OMB when hearings are requested.
- *If Applications Change or New Evidence Emerges*—Small wording changes throughout the *Planning Act* enable the OMB to either refer an application back to Approval authority or request a written recommendation from Approval authority on that matter on “its own initiative” or through a motion by any party.
- *OMB Decisions*— New provisions are added to the *Planning Act* stating what the OMB is empowered to do with an appeal; dismiss it, amend the by-law or policy itself, or direct that the by-law or policy be amended accordingly.
- *Local Appeal Bodies*—All municipalities in Ontario (upper-, lower- or single-tier) will have the opportunity, if so desired, to create a local appeal body to deal with minor variances and severances. Members of such a body would be appointed to a term no longer than prescribed by regulation, with Ministry background material suggesting this term will be the same as that for a Council. Should such a body not be created, the OMB

would continue to hear local appeals. Local appeal bodies cannot be jointly operated by municipalities; nor can a local body hear an appeal from another municipality.

In short, Bill 51 has far reaching impacts on local municipalities and the development community that will need to be considered in the review of Marathon's Official Plan. Some of the potential impacts on, or opportunities to, local municipal land use planning programs include:

- Updating the Official Plan if a municipality wishes to establish minimum housing densities, Urban Design Guidelines, introduce strategic planning goals that can be addressed through zoning with conditions, as well as the redesignation of employment lands.
- Reviewing what information Council currently requires in order to deem an application as complete and creating an approved Official Plan policy and Planning Application by-law to implement these decisions.
- Establishing protocols, templates and agenda time for evaluating the completeness of applications, all within the public realm, thereby ensuring closer examination of applications for completeness before starting the review and public process.
- Completing or reviewing any streetscape plans (Master Plans, Corridor Studies, Urban Design Manuals) to determine what elements, if any, should be included in an Official Plan update to direct the Site Plan Control process.
- Requiring more thorough planning reports to go before Council prior to decisions being made, and including rationale in the text of planning decisions made in addition to, and about, any conditions of the approval as the OMB is to have regard for decisions of Council.
- Policies outlining conditions that may be imposed with zoning. This could potentially eliminate many holding provisions and expedite the development process, but would require updated Official Plan policies.
- Updating CIP policies to determine if appropriate grant or loan programs are feasible and worthwhile for site remediation works, environmental initiatives and/or affordable housing.
- Allocating sufficient resources to update local planning documents within the firm deadlines of the amended *Planning Act* (every 5 years for Official Plans and 3 years after that for Zoning By-laws);
- Allocating sufficient resources for Clerks Departments to prepare a record of an application's history for the OMB;
- Discussing the establishment of local appeal bodies (a condition of having one will likely be having up-to-date planning documents);
- Creating a formalized pre-application meeting process for development proposals; and
- Creating a formalized open house process for use during Official Plan Reviews.

Additionally, Bill 51 also provides new regulatory tools for municipalities to guide development. Some of the potential impacts on, or opportunities for, the development industry include:

- While the right of appeal to the OMB for non-decisions within 180 days for Official Plan amendments and Draft Plan of Subdivision applications, and 120 days for Zoning amendments still exists, information presented at the OMB that was not available to the approval authority during the approvals process will likely not be admitted as evidence at a hearing.
- Satisfactory completion of any and all required information (studies and/or reports) is becoming the norm before an application is reviewed. This new, process includes an appeal route to the OMB for the applicant on a negative decision by the approval authority. This is a new step in the approvals process.
- Developers will likely be asked, if an Official Plan policy exists, to contribute towards or to place streetscape design elements on a public right-of-way as part of the Site Plan Approval process.
- Developers will be asked to include more environmental design features within subdivisions, high-rise and other large-scale projects. Energy efficiency is one of the larger thrusts recent planning reforms.
- For Site Plan Approval, developers will be asked to provide additional drawings of the proposed building exterior. Municipalities will be interested in elevation drawings that show the character, scale, appearance and features of buildings, but may do so only after an Official Plan has been updated allowing them to do so.
- Municipalities may enact pre-application By-laws requiring any developer to consult with municipal staff regarding a project concept or idea. Many municipalities already offer this service, and if a municipality chooses not to offer this service, developers will be able to demand a pre-application meeting with municipal staff.
- Developers, depending upon the location of a development, may be required to create a development at a certain height or density to achieve a municipality's urban form vision.



5.3. Bill 136

Bill 136, “An Act respecting the Establishment of Growth Plan Areas and Growth Plans”, was approved on June 13, 2005. This Act allows the Lieutenant Governor in Council to

designate an area as a “Growth Plan Area”, and to establish a Growth Plan for all or part of that area.

The Growth Plan for Northern Ontario focuses on creating Northern Prosperity through achieving a more sustained pattern of growth, recognizing regional challenges like stemming youth out-migration, creating sustainable regions and improving infrastructure networks.

On May 17, 2007 the Province announced that the Northern Ontario Growth Plan would be prepared and on May 20, 2008 a Discussion Paper was released to provide a mechanism for seeking input on the development of a Draft Growth Plan. A Draft Growth Plan for Northern Ontario was released in October 2009 following input received during the review of the discussion paper. This Growth Plan for Northern Ontario was approved and took effect on March 3, 2011.

The Northern Growth Plan focuses on positioning the northern economy to meet the challenges facing the 21st century by framing out building blocks that will see all partners and participants—governments, industry, communities, Aboriginal communities—working together to provide growing, sustainable, and healthy northern municipalities. It is the intent of the Growth Plan to:

1. Apply innovation and emerging research to the core industries of forestry, mining, and agriculture to expand economic opportunities in the bio-economy and green energy fields. Similarly, innovation and increased technology will be promoted in the tourism health and education fields;
2. Improve the health status and education attainment of northerners and address the additional challenges of accessibility barriers faced by Aboriginal communities. The overall goal will be to develop a skilled, healthy workforce and a culture of innovation, collaboration, and entrepreneurship to ready the north to take advantage of new economic opportunities;
3. Build new relationships with Aboriginal communities by building capacity for increased participation in economic, educational and health opportunities. This is an underlying and important focus of all areas of the proposed plan;
4. Promote the northern region as a whole—connected by strong communities and supported by the comprehensive networks of transportation, broadband and energy infrastructure. This is critical to attract and retain opportunities, and;

5. Ensure that a clean and healthy natural environment is a fundamental underpinning of the region's future.

Each municipality, district and/or Planning Board in an area covered by a Growth Plan is required to amend its official plan to conform to the Growth Plan as required by Bill 136.



5.4. Drinking Water Source Protection Act

In October 2006, the Province passed the *Drinking Water Source Protection Act* providing the basis for the development of Source Protection Plans. The Act requires that Source Protection Areas be established and that Source Protection Boards and Source Protection Committees be created. Once such a Committee is established, a Plan for the Source Protection Area must be prepared.

The municipal water supply is from ground water sources taken from an unconfined aquifer located below the townsite area. Source Protection Plans are required to show natural features such as lakes, rivers and streams, aquifers, groundwater recharge zones and wetlands, seepage areas and springs. In addition, hydrological sensitive areas in the watershed are required to be identified in addition to the location of every water risk. Municipal wellhead protection areas are then required to be prepared. In addition, there is an expectation that a water budget for the watershed will be prepared that identifies and qualifies the various means by which water enters and leaves the watershed. Following the collection of this information, an assessment of the risk to water sources from land uses is to be carried out. The culmination of all of the above work will result in the preparation of a Source Protection Plan.

Once approved, applicable aspects of Source Protection Plans are to be implemented within Official Plans and Zoning By-laws. For Marathon, this Act provides additional powers for the continued protection of the municipality's wellhead areas.

6. MARATHON STRATEGIC PLAN

In 2007 Council for the Town of Marathon adopted a Strategic Plan. The Strategic Plan provides for Council's vision, focus, and initiatives for the community. The Township's vision and many of the goals and initiatives of the Strategic Plan are important factors in guiding the review of the Town's Official Plan.

6.1. Vision and Mission Statement

The Vision Statement for Marathon is: *Marathon, The Superior Community!*

The Town's Mission statement is:

Marathon will continue to be a healthy and progressive community that supports development opportunities, lifestyle quality and open, flexible governance.

The Official Plan and its related policies should align with and implement the Town's Vision and Mission Statement, as such, the vision and mission statement will be used to guide the review of the Official Plan Vision, Goals and Objectives.

6.2. Strategic Focus Areas

Building on the Vision and Mission Statement, Council has also developed 4 Strategic Focus Areas to help develop opportunities for the positive growth and development of Marathon. These focus areas are:

- Lifestyle Quality
- Economic Development and Sustainability
- Provision of Essential Services
- Creative Partnerships

Lifestyle Quality—Council intends to support initiatives that maintain a high standard of lifestyle options in the areas of; Healthy Living, Diversity, Environmental Stewardship, Volunteerism, Recreation, Arts and Culture Opportunities, and Education, Training and Superior Employment Practices.

Economic Development and Sustainability—aims to work to develop a strong economic base for the community by; attracting new business and jobs, assisting existing businesses to continue to grow, strategically positioning the municipality for the future, and formalizing partnerships and ensuring infrastructure is available for development.

Provision of Essential Services—focuses on providing municipal services in a fiscally responsible manner.

Creative Partnerships—is about pursuing and maintaining relationships that support Marathon's Mission Statement and Vision; including, but not limited to the following; First Nations, particularly, The Ojibways of the Pic River First Nation, major industry, small business,

educational institutions, health services, Provincial and Federal entities, the chamber of commerce, service clubs, and regional communities.

7. PLANNING ISSUES

The primary intent of the Official Plan Review is to identify those local planning issues that require consideration as part of the review process. In order to focus discussion in specific areas of interest, this section has been divided into five issue categories. These categories are:

1. Ministry of Environment;
2. Ministry of Northern Development and Mines;
3. Environmental Conservation;
4. Urban Development;
5. Infrastructure;
6. Economic Sustainability; and
7. Mineral Resources

7.1. *Ministry of Environment*

The Ministry of Environment has provided the following information for review in updating the Official Plan.

- The schedules are to identify the following items: industrial uses, airport, sewage treatment plant, existing and any former waste disposal sites, known contaminated sites, resource extraction facilities such as mines and aggregate extraction areas, and other land uses which could cause an adverse effect on residential or other sensitive land uses and which would require a separation distances according to MOE Land Use Compatibility Guidelines.
- Policies shall be consistent with the 2005 Provincial Policy Statement (PPS).
- The policies of the Official Plan must reflect the requirements of the MOE D-Series Guidelines regarding planning for sewage and water services, the assessment of servicing options, responsibility for communal services, lot size requirements, and the assessment of groundwater supplies and groundwater impacts.
- Policies should be included requiring confirmation of treatment capacity for hauled sewage prior to the creation of new lots or units.
- Official Plan policies should be updated to reflect that development, including the creation of new lots on lakes is permitted only where the results of a Lakeshore Capacity Assessment have been confirmed and completed in accordance with the Lakeshore Capacity Assessment Handbook.
- Official Plan policies should also address the use of Best Management Practices to minimize the impacts of shoreline development on water quality.
- The Official Plan should be updated to reflect the current legislation with regards to renewable energy projects and that they are exempt from Planning Act approvals.
- The Official Plan should include a policy related to Peninsula Harbour and the on-going remediation process.
- Development of new industrial facilities or any other activity in proximity to the harbour

will be required to meet current environmental standards for emissions and waste disposal.

- The Official Plan should clearly address PPS policies related to stormwater management and the protection of municipal drinking water supplies.

7.2. Ministry of Northern Development and Mines

The Town of Marathon has high mineral potential for a variety of commodities including copper, nickel, zinc, gold, platinum, palladium, rare earth metals, and building stone. There is currently considerable mineral exploration work within the planning area, and nearly all the available Crown land is staked.

- The Official Plan schedule should be updated with the latest mapping delineating the area of high mineral potential.
- The Official Plan should contain policies recognizing abandoned mine hazards where present and directing development away from areas with known hazards related to mining. The policies should also require that the most up to date information is sought from MNDM when development proposals fall within 1000 metres of a known mining-related hazard.
- The Official Plan should contain policies requiring appropriate remediation prior to any subsequent development.
- The Official Plan should contain policies limiting development in areas of high mineral potential subject to the requirements of Section 2.4.2 of the PPS. Sections 3.2.12, 3.2.13, 3.2.12, 3.2.14 and 3.2.15 in the current Official Plan partly address this concern but there is a need to update the policies.

7.3. Environmental Conservation

The Official Plan contains goals, objectives, and policies about sustainable land use management the review process should examine the policies and insure there is sufficient focus on environmental sustainability in order to comply with the Growth Plan for Northern Ontario.

There are a number of key policies in the Growth Plan for Northern Ontario that reflect Provincial interest in the environment as a finite but important economic resource. The focus of the policies is the sustainable development of natural resources, environmental protection, and environmental leadership and a culture of conservation.

The policies are built on the principle of economic growth and responsible environmental management and the application of new technologies to achieve sustainable natural resource management practices. A second focus is to protect potable water supplies in Northern Ontario.

Sustainable development is a fundamental provincial objective and important land use planning principle.

There is opportunity to include principles, objectives and policies that encourage sustainable development, such as the inclusion of future bicycle and pedestrian supportive initiatives in road design and construction, and future development in support of the Growth Plan for Northern Ontario.

The Growth Plan for Northern Ontario encourages a culture of conservation and promotes energy conservation policies in local official plans. In particular, the Growth Plan requires municipalities to develop and implement strategies for energy conservation. The Town's Official Plan should address energy conservation and provide a number of measures to achieve energy efficiency in the growth and management of the Town.

Some of the measures that should be included in the updated Official Plan are:

- Reduce energy consumption and dependency on non-renewable energy sources;
- Formulate energy-oriented planning policies, especially in all residential areas;
- Encourage and support the practical application of innovative ideas relating to energy conservation through site planning, building design, renewable energy, alternate energy and efficient equipment;
- Locate high density uses along major roads to promote the efficient flow of traffic;
- Allow the conversion of large single-family homes for the provision of secondary rental units; and
- Establish a policy to encourage the use of LEED certified building design and encourage waste reduction and diversion, water conservation and the reduction of automobile trips.

There may also be locations in the Town that are appropriate for locating wind energy projects. The Province has recently passed into law the Green Energy Act and accompanying regulations that do not require municipal approvals of renewable energy facilities. Approval is limited to a Renewable Energy Approval (REA) from the Ministry of Environment.

Finally, climate change mitigation and adaptation considerations should be integrated into planning policies and decision making where appropriate as part of fostering a culture of conservation and responsible environmental management.

Accordingly, the Marathon Official Plan should be reviewed to so that the policies reflect these provincial requirements.

7.4. *Urban Development*

Notwithstanding, when the forestry and mining industries rebounds and/or in the event a new significant employment generating use is established in or near Marathon, the municipality should be poised to accommodate new potential residential development within its primary settlement area on full services. Accordingly, it may not be necessary to designate additional lands for future residential development, but rather, to ensure that policies are in place to ensure the



orderly and compact development of these areas. There are a number of sites in the existing developed area that can be used for redevelopment. Marathon has experience and set an example for adaptive reuse with the conversion of the old high school into a commercial plaza. The Town should continue to encourage and support redevelopment and adaptive reuse of existing sites and structures in the community.

There are numerous sites owned by MPI who declared bankruptcy in March 2009. These lands will be available for purchase in the near future, therefore, during this Official Plan review process it is essential to review the land use designations on the various properties to determine what the desirable future land use is for these sites. An important asset on this site is that the harbour is a deep water harbour, allowing the dock to accommodate large vessels including cruise ships.



The Town has many recreational assets including; tennis courts, ball fields, a curling club, a pool, a recreation centre, a community centre, a skate park, Penn Lake Park, cross country ski trails, snowmobile trails, a golf course, a boat launch, a library, a museum and several playgrounds. These amenities provide for a full range of active and passive recreational pursuits, adding to the quality of life in the community. Additionally, there are sidewalks throughout the core area that encourage and allow for safe pedestrian movement. There is a fair amount of pedestrian activity in the Town, therefore, it is essential that future development and redevelopment provides sidewalks and connectivity for pedestrians to continue to

encourage and accommodating walking in the community as it leads to a healthier community and having people on the street walking to their destinations or for recreation increases safety in the community.

There is also a desire to enhance the experience as one enters the built up area of the townsite. This can be addressed through streetscape and public realm improvements, and by addressing the range of land uses that may be permitted at the entrance to the community.

7.5. Infrastructure

The Growth Plan policies focus on the delivery of infrastructure to communities in Northern Ontario in a coordinated and sustainable manner insuring health and safety of the communities while increasing access to education and also improving the transportation network to facilitate goods movement and encourage economic development.

Marathon has appropriate Official Plan policies to guide infrastructure development but will need to stay apprised of Provincial decisions and funding of major infrastructure projects and engage in frequent dialogue with appropriate ministries to insure the Town's services are adequately maintained and developed as needed.

7.6. Economic Sustainability

The Growth Plan for Northern Ontario focuses capitalizing on the strengths of the local economy and on diversifying the economy. The identified sectors are: advanced manufacturing; agriculture, aquaculture and food processing; arts, culture and creative industries; digital economy; forestry and value-added forestry-related industries; health sciences; minerals sector and mining supply and services; renewable energy and services; tourism; transportation, aviation and aerospace; and water technologies and services.

Marathon has an Economic Development Strategic Action Plan for 2010-2015. This plan should continue to be implemented as it focuses on many of the sectors outlined in the Growth Plan. In 2015 when a new Strategic Action Plan is developed, there may be opportunities to explore developing into emerging sectors in the north.

7.7. Mineral Resources

There currently are no mining operations within the municipal boundary of the Town; however mineral exploration activities do occur within the Town boundary. As a result, mining and mineral exploration activities are an important industry and contribute significantly to the local economy of the Town. In areas where the Ministry of Northern Development and Mines has a

planning interest, such as areas that are considered to have mineral resource potential and areas that contain mine hazards, the Ministry is to be circulated all planning applications, for their input prior to municipal development approval being granted.

The Provincial Policy Statement indicates that mineral resources will be protected for long term use and mining operations will be protected from activities or land uses that would prevent or hinder their expansion or continued use, or would be incompatible for reasons of public health, safety or environmental impact.

The Stillwater Mining project is in the permitting process and preparations for detailed engineering and construction of a conventional open pit mining operation are in progress. The project is currently going through a combined Federal and Provincial Environmental Assessment process for an open-pit mining extraction mine site about 10 kilometres north of the townsite. The project includes an open pit mine, a mineral processing facility, a tailings area, waste rock stockpiles, access roads and related infrastructure. The operating life of the mine will be approximately 11.5 years. The Project will create an estimated 1,000 person years of employment during construction and approximately 300 full time positions during operations. The mine workforce will reside in local and surrounding communities, as there will be no living facilities on-site³. Annual production at the mine is expected to be about 200,000 ounces of palladium and platinum and 37 million pounds of copper. On July 2, 2012 The Environmental Impact Statement was submitted to the Review Panel. This project has the potential of positively impacting the local economy and possibly contributing to population stabilization for the Town.

The Provincial Policy Statement states that; adjacent to or in areas of mineral resource potential, development will only be permitted if the development will not prevent or limit the establishment of a new operation or access to the mineral resource; or if the use of the resource is not feasible, or the proposed use serves a greater long term public interest; or if issues of public health, safety and environmental impact are addressed.

Also, the Provincial Policy Statement requires rehabilitation of mining sites to accommodate subsequent land uses after extraction and other related activities have ceased. This is also consistent with the requirements and regulations of the Mining Act.

With respect to mine hazards, the Provincial Policy Statement provides that development on, abutting or adjacent to lands affected by mine hazards or former mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or completed.

³ Marathon PGM-CU Project, July 2010 Addendum to the Project Description. Report prepared by Ecometrix Inc. & True Grit Consulting Ltd.

The proposed Official Plan should contain policies with respect to the protection of mineral resources for long term use and implement the policies of the Provincial Policy Statement.

7.8. Identified Issues and Opportunities

Based on meetings with Council, staff, and community consultation there were a number of important issues identified or opportunities to create Official Plan policies to strengthen the Town's position with regards to key issues for the future development of Marathon.

At this time, with the on-going Environmental Assessment for the Stillwater Mine and the purchase of three motels by the mining company to accommodate construction workers during the mine development stage, a major area of concern for the Town is regulating mining camp accommodations to ensure that the development is compatible with the community and contributes positively to the Town's built form in the long term.

The Town of Marathon has sufficient land designated for urban development and future growth within the townsite; therefore, there is not a need to expand land uses beyond any of the existing developed area. In addition, there is significant Rural area within the Town's boundary and as such, there should be no need to expand the boundaries. However, there could be reasons to pursue Crown Land Disposition in the rural area to provide the Town with access and control over particular sites. At this point in time, the only identified site requiring Crown Land Disposition is the existing municipal gravel pit along Peninsula Road.

The potential for additional cottage lot development on Crown Lands and servicing constraints or opportunities was raised. There is a desire to allow for limited cottage lot development provided that servicing the lots and access to the cottage lots is feasible and realistic. Policy in the Official Plan should reflect this but maintain a reasonable amount of control over the potential for cottage lot development.

The Pic River traverses a corner of the Town's land and is an important natural feature that should continue to be respected.

Recognizing the aging population and the demand for housing for seniors to allow them to age in place and continue to reside in the community, there is a desire to adopt Official Plan policies to encourage the development of supportive housing for seniors.

The future development of properties along Peninsula Road which is the gateway to the community needs to be reviewed keeping in mind whether or not there should be more development, what type of development would be desirable, and whether extending services to the industrial park makes sense for the continued growth of the community.

It was identified that there is a need to review the opportunity for future growth of operations at the airport, including whether there is the potential or need for warehousing facilities at the airport. The airport can be an important asset for community economic development and

therefore, every effort needs to be made to position the airport for future growth should there be a demand.

Communication towers are continuing to be installed in communities across Canada and while residents everywhere desire better wireless coverage and download speeds for their data, there are also concerns about the height of towers, where to best locate the towers, and the impact the structures have on the views and aesthetics of the community. Communication towers are regulated by the Federal Government and as such local municipalities are not the final authority when it comes to the placement of this infrastructure. However, the telecommunication companies are required to consult with the community and the municipality's support of a proposed tower is influential in obtaining Federal approval. The Town may adopt a policy which outlines the expected consultation process and some general criteria for evaluating the appropriateness of a proposed site and how it aligns with the Town's future growth.

Recognizing the importance of documenting local history it could be that cultural asset mapping of the community should be considered at some point in the future. A policy could be considered for the Official Plan to encourage the completion of a cultural asset mapping study by a community group or organization when feasible.

There is a growing trend for small-scale agricultural production or farming and gardening for one's own subsistence needs. Agricultural uses and minimum distance separation policies need to be incorporated into the plan or reviewed to accommodate this trend in local food production and self-sufficient lifestyle. There are provincial regulations setting out minimum separation distances for certain agricultural uses such as the keeping of livestock and chickens. These regulations are referenced in the Official Plan and are applicable should someone establish a farming operation. The distances are based on a formula depending on the scale of the operation and the types of farming activities. The minimum distance separation criteria should be included in the zoning by-law update.



There is a desire to have policies included in the Official Plan to encourage sustainability, specifically the use of renewable/green energy. Provincial policies permit renewable energy

development in all areas which limits a municipality's ability to regulate or prohibit green energy development. However, encouraging green energy use on a large and small scale and putting proper policy in place puts the Town in a good position for dealing with any possible future projects or for guiding residents in pursuing the use of green energy sources in their own homes. The use of geo-thermal heating/cooling pumps is a concern for the Town as it relies on groundwater recharge as its source of potable water and geo-thermal pumps impact on aquifer levels, therefore, there is a need to manage their use in the Town. Geo-thermal pumps can be regulated within the Well-head protection zones.

There is a strong desire to direct all future development to existing sites in the community that are either vacant or are available for redevelopment. Policies in the Official Plan already encourage infill development before greenfield development but there is an opportunity during this plan review process to further strengthen those policies. Compact growth and redevelopment of existing sites is essential in maintaining the economic sustainability of the community. Expanding services is costly, as is the required regular maintenance and delivery of any expanded services. Using existing infrastructure is more sustainable and more fiscally responsible for the Town.

Need housing for seniors—seniors moving into condos or apartment units would result in houses being available for purchase and reduce the demand for new/vacant lots for development helping to reduce pressure for new subdivisions. Therefore, there is a desire to provide for a range of housing choices for the aging demographic.

Walkability is important to the Town both now and moving forward as the Town grows and evolves. Policies need to require sidewalks and improve connectivity and mid-block pedestrian paths to provide for pedestrian safety and connectivity throughout the community.

Commercial development along the highway should be limited to reinforce the town core as the commercial centre. There does not appear to be the need to expand the highway commercial lands or range of uses.

Improvements to the industrial park, including expanding the land designated for industrial uses in the existing industrial park location should be considered. Also there is a need to include policies about Council's intention to provide services in the industrial park in order to broaden the potential development opportunities.

Future land uses on the old mill site and possibly an alternate access for industrial/commercial truck traffic if the site is to continue to be used for industrial purposes should be considered.

An alternate water source has been identified and should be included in the mapping so that it is protected for future water resource use. This location will be identified on the updated mapping. In addition to protecting a future additional water source, there should be a focus on decreasing water consumption to use water in a more sustainable manner with the goal of not having to expand the current water system to add an additional well site.

The above are the key issues that were identified during the initial community consultation and meetings with Council and Town staff. Some of the issues are directly relevant to the future growth and development in the Town. Some of the identified topics are already addressed in the existing Official Plan, and other topics will be addressed with new or updated policies as a result of the Official Plan review process.

7.9. S.W.O.T. ANALYSIS FOR THE TOWNSHIP OF MARATHON

During the development of the 2006 Official Plan, strategy meetings were held with Council members, municipal staff and community stakeholders in an attempt to identify issues and options for land use policies in the Town's new Official Plan. In August 2012, meetings were held with Council members and municipal staff in an attempt to identify issues and options for land use policies in the Town's Official Plan review. During these meetings and discussion various economic development initiatives were discussed and later evaluated to determine which initiatives could evolve as policies in the Official Plan given the strengths, weaknesses, opportunities and threats (SWOT) facing the community. This SWOT analysis is built on the one from 2006 but has been updated to reflect the current community context.

The strengths and weaknesses describe the environment within the community while the opportunities and threats may influence future growth of Marathon. The SWOT analysis is used to ensure that new Official Plan policies do not impede any strategic action for sound economic development now or in the future. The SWOT analysis was based on:

- review of existing background materials provided by the municipality;
- meetings and discussions with staff members;
- a meeting with Council;
- an overview of the existing land uses in the Town and windshield survey of the Town; and
- our general knowledge and experience in economic development and planning issues in communities in North and Northwestern Ontario.

For each of the factors identified - strength, weakness, opportunities or threat - a potential strategic initiative is identified. The main objective of this analysis is to ensure that new Official Plan policies do not impede any strategic action for sound economic development now or in the future.

The four different components of the analysis require different types of strategic initiatives. For example, if the "strength" component is applied a unique or strong factor may surface that provides a current competitive advantage for the community. The "strategic" initiatives identified are based on how to protect the advantage and how to further develop or capitalize upon an existing advantage.

COMMUNITY STRENGTHS

Strengths	Strategic Initiatives
Active local community with involved citizens	Promote active & involved community as a key advantage of living in Marathon Utilize business community for economic development purposes
Location (general) <ul style="list-style-type: none"> - Access to midwestern US markets with population of over 6 million - Accessible from all directions by highway, air or rail - Centrally located in North America - Located within 4 hour drive of the Canada/US border 	Examine opportunities to better serve international market (USA)
Location (specific) <ul style="list-style-type: none"> - Beautiful location in proximity to Lake Superior - Midway between Thunder Bay and Sault Ste. Marie 	Promote quality of life, access to recreational opportunities, nature experience, etc. as a major advantage of community Examine opportunities to tap into 2 regional markets, i.e. Thunder Bay and Sault Ste. Marie
Population base of approximately 3500 persons with supportive local industry, based on natural resources: <ul style="list-style-type: none"> -Tourism -Mining 	Ensure that a major portion of economic development effort is oriented towards retention of economic base Further develop the diversification of economic base including expanding tourism opportunities Promote regional shopping and support services available to regional market Examine supply opportunities for major employment sectors
Year round recreational/tourism opportunities	Promote recreational opportunities & nature experience, as tourism advantage Promote and extend extensive trail system including hiking, cross country skiing, and snowmobile trails

Strong history of experience and training in mining industry	Promote this as a key advantage to new and locating businesses Promote sustainable mining initiatives and excellence in mining
Availability of zoned industrial land	Promote this as a key advantage to potential business locators
Excellent residential housing stock	Implement protective measures to protect value (zoning property standards) Opportunities to increase housing choice
Opportunity for infill residential development	Implement land use and zoning regulations to encourage redevelopment of vacant sites within the existing townsite
Community support services in place, ie. hospital, schools, seniors facilities, arena, golf course, community centre, etc.	Promote and enhance amenities to retain facilities
Regional trading area of 300,000 within 2-3 hour drive of Marathon (excluding US market)	Examine potential for additional opportunities to supply goods and services to a regional community of this size Promote Marathon as an innovation centre with an incubator type business environment sponsor or develop incubator facility for entrepreneurs Promote Marathon as a Business Innovation and Training Centre
Access to post-secondary education including Confederation College	Continue to support and promote local learning opportunities and advocate for expanding the variety of programs offered in Marathon
Educational opportunities in both French and English	Promote that primary and secondary school education is available in both English and French
Extensive health care services	Promote health care services regionally and when promoting Marathon as a location for new businesses
Reasonable municipal taxation	Hold the line and promote stability of tax increases

COMMUNITY WEAKNESSES

Weakness	Strategic Initiative
Isolated location compared to other locations in Ontario Distance from major market centres	Emphasize quality of telecommunications access to major centres and the world Promote Marathon as a business innovation centre an ideal place to work, live and play Ideal place for seniors/academic/artists retreat
Dependency on mining industry	Diversify into business innovation centre develop 4-season tourism potential Develop strategy for re-use of Mill site
Local market conditions	Promote Marathon as a self-sufficient community - a place to live, work and play Emphasize range of shopping facilities and community services offered locally and to neighbouring communities
No significant penetration of tourism market	Enhance existing promotion Encourage Province to promote Marathon and North of Superior
Lack of separate tourism/industrial marketing strategy Lack of awareness of Marathon outside of local market area	Develop an information vehicle to increase awareness of what is available locally (advertising, web site, brochures, provincial government programmes)

COMMUNITY OPPORTUNITIES

Opportunity	Strategic Initiatives
Excellent highway, air and rail transportation opportunities; and harbour capabilities	Promote airport as a key advantage to business locators
Carden Cove for limited cottage lot development opportunity	Promote Carden Cove for limited cottage lot development
Release of certain lands owned by the Crown to the Town of Marathon	Increase pressure on MNR to release lands to the Town for cottage lot development
Investigate potential for developing an alternative power source by green energy generation	Consider conducting a feasibility study to assess green energy generation potential for harnessing power

<p>Ski Hill site redevelopment given strategic highway location</p>	<p>Capitalize on location as the eastern entrance to the Town</p> <p>Potential for expanded tourism information or tourism oriented uses and promotion of Marathon</p> <p>Promote the site for commercial/tourism related uses</p>
<p>Redevelopment of former MPI properties</p>	<p>Designate some waterfront land for waterfront recreational and community use</p> <p>Allow for industrial redevelopment of former mill buildings</p> <p>Promote the fact that the harbour is a deep water harbour</p>

COMMUNITY THREATS

<p>Threat</p>	<p>Strategic Initiative</p>
<p>Market conditions for natural resources</p>	<p>Continue to diversify and improve infrastructure so market fluctuations have less impact in future</p>
<p>Potential for decline in business opportunities</p>	<p>Strengthen land use policies to support economic diversification and capitalize on potential new business associated with the Stillwater Mine</p>
<p>Bankruptcies</p>	<p>Build on other positive aspects of Marathon as a positive pro-active community</p>
<p>Possible need for tax increase due to reduced transfer payments and/or increased off-loading of responsibilities from province to local government (without commensurate funding increases)</p>	<p>Increase efforts in regards to economic development (strategic marketing plan for tourism etc.)</p> <p>Research and identify opportunities for holding the line on tax increases</p>

7.10. Land Use Implications of SWOT Analysis

The strategic initiatives contained in this report are based on an assessment of Marathon’s land use pattern, land use document, community profile, and more importantly strategy meetings with Council, and Municipal staff. Not all the strategic initiatives listed above will be appropriate for Marathon as they require commitments from different levels of government and certain resource levels.

The scope of the SWOT analysis was not to prepare an economic development strategy; the analysis focussed on the land use and planning related implications of all the potential initiatives suggested here so that the Official Plan and Zoning By-law can be developed in a manner that does not present barriers to economic and community development. The land use and planning related implications of all the initiatives suggested are presented in the following chart.

Strategic Initiative	Official Plan Update Implication
<i>.....based on Strengths analysis</i>	
Potential opportunities to supply a greater range of goods and services to tourism market	Permit a range of uses in the commercial areas in support of tourism opportunities Develop policies that allow for flexibility and variety of land uses; Provide for sufficient land designated for commercial uses Ensure adequate parking in commercial areas
Promote quality of life, access to recreational opportunities, etc. as major advantage of community	Provide policies that recognize the character of the Town
Promote active and involved community as a key aspect of living in Marathon	No Official Plan implication—economic development function
Utilize business community for economic development purposes	No Official Plan implication—economic development function
Promote training orientation of community as key advantage to new and locating business	No Official Plan implication—economic development function
Promote availability of serviced industrial land as a key advantage to new and locating business	Identify lands to be designated for industrial uses

Strategic Initiative	Official Plan Update Implication
Ensure widespread awareness of the existence of the Town of Marathon	No Official Plan implication—economic development function
Ensure that a major portion of economic development effort is oriented towards retention and further development of the existing diversified economic base	Ensure the overall spirit and philosophy of the Official Plan is conducive to new business development and provides flexibility
Examine replacement opportunities for mining industry	Provide policies that support economic diversification
Investigate with other municipalities opportunities to jointly pursue selected economic development initiatives of mutual benefit - investigate possible opportunity to become demonstration project communities showing what is possible in economic development	No Official Plan implication—economic development function
Examine potential for additional opportunities to supply goods and services to a community of 300,000	Ensure sufficient opportunities for new expanding commercial and industrial opportunities
Promote Marathon as an ideal incubator location for new businesses - perhaps even investigate the sponsoring or development of an incubator facility for entrepreneurs	Ensure that planning regulations are supportive of the creation of new business and include home-based businesses with controls/limitations
.....those addressing weaknesses	
Promote Marathon as ideal for small community living (an example of turning an isolated location weakness into an advantage)	No Official Plan implication—economic development function
Downplay distance from major markets by emphasizing quality of telecommunications access to major centres and the world- possible opportunity to turn this into a strength by promoting Marathon as a market test centre for new products and services; an ideal place for retreat and reflection for artists, academics; etc.	No Official Plan implication—economic development function

Strategic Initiative	Official Plan Update Implication
Dependence on mining industry	Provide policies the support and enhance opportunities for permitting additional commercial and industrial operations
Ensure that in the update to the Official Plan there is reasonable flexibility for the establishment of new businesses	Remove planning impediments for economic diversification Ensure the overall spirit and philosophy of the Official Plan is conducive to new business development
Develop some facility and information vehicle to increase information provided to tourists regarding what is available locally	No Official Plan implication—economic development function
Establish Gateway Plan for entrance into Marathon	Consider land use designation and possible expansion of permitted uses at ski hill site
Improve variety of commercial uses in commercial district	Ensure the Official Plan Policies contain broader range of commercial uses
Ensure land use documents provide more flexibility	Ensure Official Plan Policies for commercial/industrial uses are more flexible - include wider range of uses
.....those addressing opportunities	
Further develop the telecommunications initiative in the community, and promote Marathon as an innovative and progressive community	No Official Plan implication—economic development function
Develop initiatives to promote and support waterfront development plans	Designate waterfront near the existing boat launch in Jellicoe Cove for waterfront recreational uses in Official Plan and Zoning By-law and identify range of permitted uses including a marina
Improve transportation / airport access and scheduling	No Official Plan implication—airport operations
Release MNR lands for cottage lot development	Provide policies in Official Plan for cottage lot development on selected lakes
Feasibility study for wind generation	Provide policies in support of alternative sources of power generation

Strategic Initiative	Official Plan Update Implication
<i>.....those addressing threats</i>	
Increased urgency of economic development efforts, and strategic planning thereof	Ensure that overall spirit and philosophy of Official Plan is conducive to new business development
Continue to diversify and improve infrastructure so market fluctuations have less impact on future	As above
Strengthen by providing variety of choice for commercial entrepreneur	As above

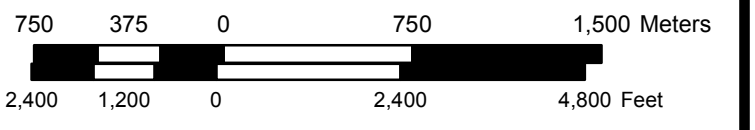
8. SUMMARY

Overall, the existing Official Plan provides much of the required policy direction; however, there is a need to update the plan to comply with The Growth Plan for Northern Ontario, other policies that have been adopted since the plan was developed in 2006, and to recognize changing community interests. The Official Plan policies should be updated to include; land use designations that reflect the desired future uses for the MPI lands in the community, future development on Peninsula Road, cultural and archaeological heritage assets, communication towers, renewable energy generation, and rural area development.





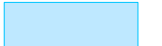
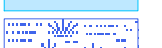


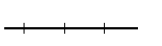













DEVELOPMENT CONSTRAINT MAP—TOWN OF MARATHON

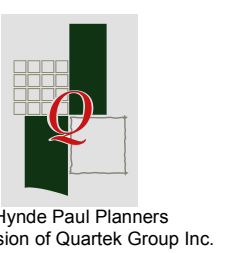


TOWN OF MARATHON,
DEVELOPMENT
CONSTRAINT MAP



Legend

-  PARCEL FABRIC
-  AIRPORT
-  QUARRY
-  LAKES
-  WETLAND
-  ROADS
-  RAILWAY
-  TRAILS
-  STREAMS
-  MUNICIPAL BOUNDARY
- MINING CLAIMS**
-  Patent, Surface and Mining Rights
-  Patent, Surface Rights Only
-  Patent, Mining Rights Only
-  Lease, Surface and Mining Rights
-  Lease, Surface Rights Only
-  Lease, Mining Rights Only
-  Undefined Element
-  License of Occupation, Surface and Mining Rights
-  License of Occupation, Surface Rights Only
-  Order-in-Council
-  LUP Land Use Permit
-  WPLA Water Power Lease Agreement



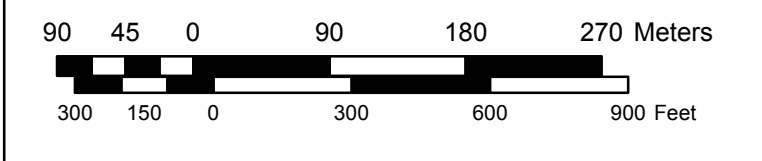
Projection:
Transverse Mercator
NAD 1983 UTM - Zone 18N

Project No.
11616
Revised
Sept 20, 2012
Quarek

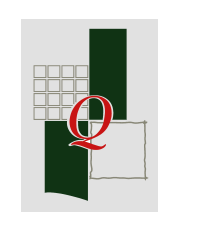
DEVELOPMENT CONSTRAINT MAP—TOWN OF MARATHON



TOWN OF MARATHON,
DEVELOPMENT
CONSTRAINT MAP



- Legend**
- Patent, Surface and Mining Rights
 - ◐ Patent, Surface Rights Only
 - ◑ Patent, Mining Rights Only
 - Lease, Surface and Mining Rights
 - ◑ Lease, Surface Rights Only
 - ◐ Lease, Mining Rights Only
 - ◇ Undefined Element
 - ◊ License of Occupation, Surface and Mining Rights
 - ◊ License of Occupation, Surface Rights Only
 - OIC Order-in-Council
 - LUP Land Use Permit
 - WPLA Water Power Lease Agreement
 - PARCELS
 - QUARRY - ACTIVE
 - QUARRY - INACTIVE
 - URBAN BOUNDARY
 - ROADS
 - RAILWAY
 - AIRPORT
 - TRAILS
 - STREAMS
 - WETLAND
 - LAKES
 - LAKE SUPERIOR



Projection:
Transverse Mercator
NAD 1983 UTM - Zone 18N

Project No.
12058
Revised
Sept. 20, 2012
Quarlek

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