



Town of Marathon

Final Official Plan

Council Adopted: August 10, 2026



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Prepared for:

Town of Marathon

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Placeholder for MMAH Notice of Decision

THE CORPORATION OF THE TOWN OF MARATHON

BY-LAW NO. 2133

Being a by-law to adopt the Official Plan for
The Corporation of the Town of Marathon
and to Repeal By-law No. 1872.

WHEREAS the Council of the Corporation of the Town of Marathon considers it desirable and appropriate that the Town prepare and adopt a new Official Plan for the Town of Marathon;

AND WHEREAS the Corporation of the Town of Marathon has submitted the Draft Official Plan (January 2026) to the Province for review and has responded to the various Ministries' comments;

AND WHEREAS the Corporation of the Town of Marathon has circulated the Final Draft Official Plan (June 2026) to affected and interested agencies for comments and has considered the comments of these agencies in finalizing the Official Plan for adoption by Council;

AND WHEREAS the Corporation of the Town of Marathon has undertaken public consultation and has held the required Statutory Public Open House on May 21, 2026 and Statutory Public Meeting on July 7, 2026 to hear comments from the public regarding the proposed Official Plan and Council has considered the comments received from the public;

NOW THEREFORE, the Council of the Corporation of the Town of Marathon pursuant to Section 17(22) of the Planning Act, RSO 1990 c.P. 13, as amended, hereby enacts as follows:

1. The Official Plan and all amendments thereto, including the enacting by-laws, for the Town of Marathon approved by the Minister of Municipal Affairs and Housing on the 26th day of April, 2016, and subsequently amended, are hereby repealed.
2. By-law No. 1872 dated May 30, 2016, is hereby rescinded.
3. The new Official Plan for the Town of Marathon (July 2026) consisting of the attached policies and schedules is hereby adopted.
4. The Clerk is hereby authorized and directed to forward to the Ministry of Municipal Affairs and Housing for approval the attached Official Plan for the Town of Marathon (July 2026).
5. This By-law shall come into force and take effect on the day of final passing thereof and once final approval is received from the Ministry of Municipal Affairs and Housing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
10th DAY OF AUGUST, A.D. 2026.

(SEAL)

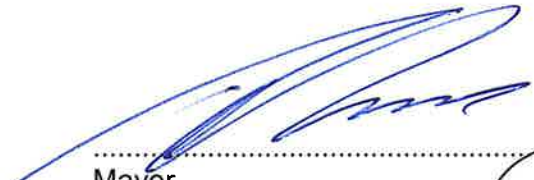
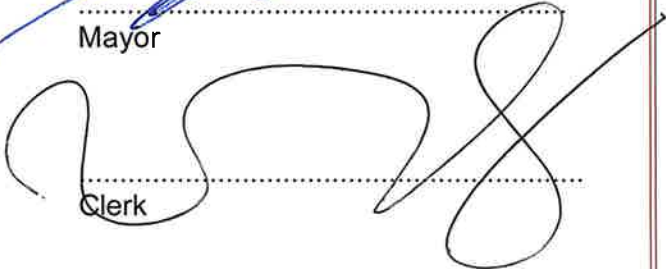

Mayor

Clerk



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1 Introduction

1.1 Purpose of the Official Plan

The Town of Marathon Official Plan establishes a vision, objectives, and policies to guide future growth and development and land use decisions in Marathon for the next 25 years, to the year 2051. While it is the intent of the Official Plan to implement Provincial and local policies, plans, and strategies, it is also important that land use planning decisions reflect Marathon's community values as identified in this Official Plan. Such decisions will shape the local area over the planning horizon, contributing to achieving orderly physical and economic growth and the protection of social, cultural, and natural heritage resources. This Official Plan is also forward-looking towards major development opportunities on the horizon, reflecting the Town's desire to position Marathon as a welcoming community for residents, workers, and visitors.

While this Official Plan provides a 25-year vision for the Town of Marathon, it is intended that it be a living document and will be reviewed on an ongoing basis in accordance with the requirements of the Ontario Planning Act. The Official Plan may be amended to reflect legislative changes and evolving local priorities in the Town.

The policies of the Official Plan shall be implemented through the Town's Comprehensive Zoning By-law, which will be updated in accordance with the requirements of the Planning Act to achieve conformity with this Plan.

1.2 Community Context

The Town of Marathon is located in the Thunder Bay District along the North Shore of Lake Superior. The setting and locale of the Town is picturesque and illustrative of a Northwestern Ontario landscape, with rugged terrain, surrounding forested areas, and several bays, coves, and islands along the Lake Superior shoreline that contribute to its scenic qualities. As part of the St. Lawrence Seaway with access to seaports around the world, the Town serves as the North of Superior regional hub for services, particularly for natural resource-based companies, healthcare, transportation, and logistics.

The Marathon Settlement Area, being the townsite, is accessed by road from Ontario Highway 17 via Peninsula Road, which traverses through the Town in an east-west direction and connects Marathon to the City of Thunder Bay approximately 300 kilometres to the southwest, and the City of Sault Ste. Marie approximately 400 kilometres to the southeast. Highway 17 is part of the Trans Canada highway system. The street network within the Settlement Area follows an irregular pattern that merges elements of an urban grid structure and typical



suburban, industrial, and institutional development. The Town is also bisected by the Canadian Pacific Railway line, which generally runs north-south through the Town.

The Town of Marathon has a land area of approximately 265 km². The Marathon Settlement Area is the administrative and urban development centre of the Town where the majority of the residential, commercial, and industrial uses, and community services and facilities are located. Most of the Settlement Area is serviced with municipal water and sanitary sewer services and is where the majority of new growth will be directed over the horizon of this Official Plan. The Town has generally not developed directly on the Lake Superior shoreline, except for the former Marathon Pulp Mill site along Jellicoe Bay.

The Rural area of the Town is largely 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 Marathon Municipal Airport (YSP) located north of Highway 17, outdoor recreational uses, and the natural environment. The majority of the Rural area is Crown lands, and supports limited rural residential and seasonal residential development, recreation, tourism-related activities and uses, mineral exploration, mining, and other natural resource-based activities. There are no designated prime agricultural areas within the Town.

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 Town of Marathon has a strong mining history which dates back to the early 1980s and continues today, and is a key driver of the Town's economy and growth. The Hemlo Mine, operated by Barrick Gold since 1985, now operated by Hemlo Mining Corp., is located approximately 35 km east of Marathon. There are several quarry sites to the west and northwest of the Settlement Area accessed by Peninsula Road and Ontario Highway 17.

There are multiple significant projects that are planned in the near term, which are anticipated to result in new jobs and economic growth in the Town. These include the proposed Marathon Palladium-Copper Project by Generation Mining, the proposed Active Living Centre, and the Port of Marathon, which is a joint venture between the Town of Marathon and Biigtigong Nishnaabeg (Pic River First Nation). Additionally, the Town completed a Waterfront Master Plan in 2025, with a vision to redevelop the former Mill site along the waterfront and surrounding downtown lands. The Waterfront Master Plan reimagines the majority of the former waterfront industrial lands as parks and open space with a range of dynamic programming and outdoor recreational uses. Within proximity to the waterfront, the Town's downtown is also identified as an area with strong potential to redevelop as a vibrant mixed use environment with shops, services, and residential uses. With these opportunities on the horizon, the Town is well-positioned to attract new development and industry, and is preparing to welcome future growth as a result of these projects.



1.3 Provincial Policy Context

Under Section 26 of the Ontario Planning Act, the Town of Marathon is required to have an Official Plan, which is to be reviewed and updated ten (10) years after its initial adoption and not less than every five (5) years thereafter. The Official Plan is adopted by Town Council and approved by the Ministry of Municipal Affairs and Housing (MMAH).

The Town of Marathon Official Plan must be consistent with matters of the provincial interest and the Provincial Planning Statement, 2024, and conform with the Growth Plan for Northern Ontario (2011).

1.3.1 Consistency with the Provincial Planning Statement, 2024

1. The Provincial Planning Statement 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.
2. The Town of Marathon Official Plan has been prepared to meet the requirements of the Provincial Planning Statement, 2024, and to be consistent with its policies.

1.3.2 Conformity with the Growth Plan for Northern Ontario, 2011

1. The Growth Plan for Northern Ontario, 2011 provides a broad 25-year land use vision for the communities in the North, to the year 2036. The Growth Plan's vision directs that the northern economy be positioned to provide diverse opportunities to work, live, and participate in the new economy of the 21st century. It is recognized that achieving this vision will require integrated efforts of government and its partners across Northern Ontario.

The guiding principles of the Growth Plan are as follows:

- a) Creating a highly productive region, with a diverse, globally competitive economy that offers a range of employment opportunities for all residents;
- b) Developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades;
- c) Partnering with Indigenous peoples to increase educational and employment opportunities;
- d) Delivering a complete network of transportation, energy, communications, social and learning infrastructure, to support strong, vibrant communities;
- e) Demonstrating leadership in sustainable growth and environmental management; and
- f) Establishing innovative partnerships to maximize resources and ensure the Growth Plan achieves its ambitious vision and is fiscally sustainable.



2. The policies of this Official Plan are in conformity with the general vision and guiding principles provided in the Growth Plan for Northern Ontario.

1.4 Title and Scope

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

1.5 How to Use This Official Plan

1. This document constitutes the Town of Marathon Official Plan and has been prepared in accordance with the provisions of the Planning Act.
2. The Provincial Planning Statement, 2024, includes definitions of significant terms referenced in its policies. These definitions will apply when reading the policies of this Official Plan where the same terms are used. Where this Plan employs a different meaning for a term defined in the Provincial Planning Statement, this will be specifically identified in the text of the Plan.
3. The Official Plan and its Schedules must be read as a whole, as more than one (1) section or Schedule may apply to a particular area of the Town or matter.
4. Five (5) Schedules form part of this Official Plan as follows:
 - a) **Schedules A: Land Use – Rural Area** and **Schedule B: Land Use – Settlement Area** of this Plan illustrate the land use designations within the municipal boundary of the Town of Marathon, including the Rural Area and Settlement Area, or townsite. Policy Overlays are also established in **Section 6** of this Plan to provide additional policy direction for certain site-specific areas. These Policy Overlays are also illustrated in **Schedules A and B**.
 - b) **Schedule C: Natural Heritage and Development Constraints, Schedule D: Groundwater Protection, and Schedule E: Wildland Fire Hazards** include information with respect to the specific location of areas and features within the Town as they relate to the policies in certain sections of this Plan.
5. The use of "shall" in the policies indicates that a statement is binding or that there is a mandatory requirement. The use of "may", "should", or "would" in the policies indicates that a statement is advisory, not binding, and that details will need to be resolved through the development review process. The use of "should" in policies indicates a Council commitment that the Town is obligated to carry out. The policies are to be implemented through a variety of mechanisms, including but not limited to the Comprehensive Zoning By-law.



6. 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.
7. Private interests must adhere to the policies of this Plan. The use of private lands will also be regulated in accordance with the Comprehensive Zoning By-law pursuant to Section 34 of the Planning Act, and other By-laws passed under other relevant Provincial statutes.

1.6 Organization of this Official Plan

The policies of this Plan (**Sections 1 through 11**) provide guidance and direction for the growth and development of the Town to the year 2051, and should be considered in their entirety when making decisions. The Official Plan is structured as follows:

- **Section 1 – Introduction** describes the purpose and effect, the context under which the Plan was prepared, and the duration and structure of the Plan.
- **Section 2 – Vision and Guiding Objectives** establishes the vision, guiding objectives, and basis for which the land use policies and Schedules of this Plan have been prepared.
- **Section 3 – Growth Management** identifies the Town’s Settlement Area boundary, as well as available vacant land supply and population, housing, and employment projections to the year 2051.
- **Section 4 – General Land Use Policies** sets out the general functional policies to guide and direct growth and development in Marathon, which apply to all land use designations unless otherwise indicated in this Plan.
- **Section 5 – Land Use Designations** establishes the land use designations and applicable policies in this Plan, and which together constitute the general land use plan for the Town of Marathon as shown on **Schedules A and B**.
- **Section 6 – Policy Overlays** sets out policies for specific areas of the Town that require unique planning approaches as shown on **Schedules A and B** of this Plan.
- **Section 7 – The Environment** includes policies related to the natural environment, including natural heritage, hazards, and resources, as shown on **Schedule C**.
- **Section 8 – Community Services, Infrastructure, and Facilities** includes policies related to public and private infrastructure, including roads, utilities, water and sanitary servicing, and transportation.
- **Section 9 – Administration** describes the approaches, tools, and mechanisms which the Town will use to direct, manage, and control development on a day-to-day basis. It provides



further details on the powers which the municipality will exercise over growth, development, and change to help it achieve its vision.

- **Section 10 – Interpretation** explains how to interpret the land use designation boundaries and other terminology and names referenced in this Plan.
- **Section 11 – Schedules** form part of the Official Plan. The Schedules should be interpreted with the applicable policies in this Plan.



2 Vision and Guiding Objectives

This section of the Official Plan establishes the 25-year vision and guiding objectives for the Town of Marathon over course of this Plan's horizon to the year 2051.

2.1 Vision Statement

The Town of Marathon shall strive to provide a complete community and services for residents of all ages, that is well-positioned to welcome new industry, and support and celebrate local businesses, recreation, and connections to the surrounding natural environment and Lake Superior.

2.2 Goals and Guiding Objectives of the Official Plan

1. The goals and guiding objectives of this Official Plan are rooted in planning principles and provide the foundation and direction to manage change and guide future growth and development in Marathon. It is the intent that the goals and guiding objectives shall result in detailed policies and programs that stimulate economic growth and services in the Town, provide increased housing options, protect the natural environment, public health and safety, and management of natural resources.

2.2.1 Goals

1. The goals of this Official Plan reflect the current and future needs and values of the Town and its residents, and are as follows:
 - a) Provide for complete communities in the Town and promote opportunities for growth and appropriate land use patterns and forms of development;
 - b) Establish a policy framework which manages and directs physical change and the effects on the social, economic, and natural environment of the Town, over the next 25 years to 2051;
 - c) Secure the health, safety, convenience, and welfare of the residents of the Town of Marathon, including accessibility for people of all ages and abilities by restricting development that would result in environmental, health, and safety concerns;
 - d) Recognize the importance of retaining and attracting youth, young professionals, and families, and attract and maintain a range of medical and wellness services, community facilities, and programs to support residents of all ages; Support a wide range of housing



options and built form to support future generations, workers in the area, and aging in place;

- e) Ensure the Town's resources are rationally used and that natural and cultural heritage features are celebrated, protected, and conserved;
- f) Continue to seek out and promote opportunities for partnerships with local Indigenous communities and Northern Ontario institutions and agencies. Pursue funding from Federal and Provincial levels of government to support municipal initiatives and programs;
- g) Provide policies that encourage the expansion and diversification of the local economic base in order to be less reliant on traditional resource-based industries;
- h) Ensure that development is planned in a manner that is respectful of, and seeks to conserve and protect the surrounding natural environment, and will not pose a danger to public health and safety;
- i) Consider the impacts of a changing climate and promote adaptation, preparedness, and resilience in planning for future growth and development by residents, developers, businesses, and organizations;
- j) Encourage opportunities for engagement, education, and awareness with residents on the planning process in Ontario;
- k) Provide a guiding framework for implementing by-laws, including the Comprehensive Zoning By-law, and for decisions of Council, local boards, commissions, committees and other authorities; and
- l) Provide policies that are consistent with the Provincial Planning Statement, 2024 and are in conformity with the Growth Plan for Northern Ontario, 2011, and which support local conditions, circumstances, and aspirations.

2.2.2 Guiding Objectives

1. The Town is committed to actively seeking and encouraging new development that would contribute to complete communities in Marathon, including maintaining a high quality of life, diversification of the economy and supporting local business, enabling a range of housing options, including affordable and attainable housing, and provision of services and recreational opportunities.
2. The Town shall encourage patterns of development which facilitate the efficient and cost-effective provision of local services and provide for the orderly use of land, infrastructure, and public service facilities. In particular, Council shall identify opportunities for and encourage infilling in the Settlement Area to build out the townsite of Marathon.



3. The Town shall encourage the creation of a range of housing types, which are affordable, accessible, adequate, and appropriate to support diverse household needs in the Town.
4. The Town shall ensure that an adequate supply of land is available to meet the housing needs of its residents, including opportunities for redevelopment and infill within the Settlement Area.
5. The Town shall protect for its employment land base, and shall encourage new commercial and industrial opportunities that are compatible with surrounding land uses and the natural environment, are economically feasible, and provide employment opportunities.
6. The Town shall preserve and enhance, where possible, the natural heritage system in and around Marathon, 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.
7. The Town shall recognize the importance of protecting for, and harnessing its natural resources, including mineral resources, forestry, and water resources, and within the Town and recognize their contribution to the land, as well as the economic and social wellbeing of its residents.
8. The Town shall support energy efficiency and improved air quality through the following:
 - 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) Supporting the development of alternate energy systems and renewable energy systems in 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.

3 Growth Management

3.1 Growth Management

The Town of Marathon's population was approximately 3,138 as of 2021, as per the Statistics Canada Canadian Census. The population of the greater Thunder Bay District is approximately 146,862, as reported in the 2021 Census. Like many communities in Northern Ontario, the Town of Marathon is facing the challenge of maintaining and increasing its population. The Town continues to experience an aging population similar to the national average.

A Growth Management and Vacant Land Analysis was completed by WSP in 2025 in support of the Town of Marathon Official Plan Review, and is included in the Background Report (October 2025). This analysis considered population, housing, and employment projections for the Town to the year 2051, prepared by metroeconomies (October 2025). It is noted that at the time of preparing this Official Plan, there is potential for significant growth in the area should the proposed Marathon Palladium-Copper Project by Generation Mining proceed, which is reflected in the High Case scenario projections. Accordingly, by 2051, under the High Case projection, the Town is expected to have a population of 4,845, which represents an increase of 1,587 persons, 779 new required dwelling units, and an increase of 815 jobs from 2021. While construction of the Generation Mining Project has not been confirmed; the Project has received all required construction permits from the Province and is "shovel-ready", pending funding. The Town has deemed it prudent to prepare for the anticipated land supply needs that would be required to accommodate projected growth should the Generation Mining Project proceed.

Should local circumstances, anticipated growth, and land supply needs change over the lifetime of this Plan and there be a need to update the growth management framework, the Town may do so through an amendment to this Plan.

3.2 Settlement Area

1. Within the planning horizon of this Plan, most urban growth shall take place and be directed within the Settlement Area boundary, as shown on **Schedules A and B** of this Plan. The majority of the townsite of Marathon comprises the Settlement Area and represents where the highest level of public services and utilities are presently available, and where urban development is expected to occur.
2. All development within the Settlement Area shall be connected to a municipal water and sanitary sewer system where such services are available and connection to those services does not necessitate a pre-mature or uneconomical expansion of services.
3. All development within the Settlement Area shall be located on a public road that is maintained year-round.



4. In identifying a new settlement area or allowing a settlement area boundary expansion, the following shall be considered:
 - a) The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - b) If there is sufficient capacity in existing or planned infrastructure and public service facilities;
 - c) Whether the new or expanded settlement area complies with the minimum separation distance formulae; and
 - d) The new or expanded settlement area provides for the phased progression of urban development.
5. Notwithstanding these considerations and the policies in **Section 3.3 Rural Area** of this Plan, a new settlement area may only be considered only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available.

3.2.1 Vacant Land – Settlement Area Expansion

A Vacant Land Supply Analysis was completed by WSP in 2025 to determine whether adequate vacant land supply exists within the Settlement Area of Marathon to support the projected permanent residential and employment growth jobs to the 2051 planning horizon. The analysis identified that the Town of Marathon has a total of 37.65 net hectares (90 net acres) or 50.2 gross hectares (124 gross acres) of vacant residential and industrial lands, comprised of approximately:

- 32.7 net hectares (80.8 net acres) of available vacant residential lands; and
- 4.95 net hectares (12.2 net acres) of available vacant industrial lands.

Based on the Vacant Land Supply Analysis, it is recognized that the Town has a considerable amount of existing vacant residential land available to accommodate future projected housing growth. The Town's residential and industrial land needs to 2051 under the High Case projection scenario were determined, and the required expansion areas were identified taking into account the Town's available vacant land supply:

- An additional 6.71 gross hectares are needed to accommodate the projected residential growth; and
- An additional 32.19 gross hectares of industrial land is required to meet employment land needs to 2051.



The Town is anticipating the need to be prepared for future growth should the Generation Mining Project be realized and result in significant increased demand for housing, industrial, and commercial development within the Town's Settlement Area due to the associated population increase. As such, it is prudent for the Town to prepare for a potential population "boom" and the associated demands for additional housing, commercial and social services, and the development of spin-off industries as a result of the Mine construction and operations.

The Town seeks to position itself to accommodate future growth with the logical expansion of its existing Settlement Area boundary to include additional municipally-owned lands that would be designated and zoned appropriately. Approximately 38.1 gross hectares (28.6 net hectares, accounting for a 25% gross down factor) are added to the Town's Settlement Area as follows, as illustrated on the Schedules of this Plan:

- 1.18 gross hectares designated as Residential, including lands at the southern limit of Stevens Avenue. It is assumed that a significant proportion of projected housing growth would be accommodated through workforce housing or work camps within proximity of the Generation Mining site, located outside of the Town's Settlement Area boundary. As such, the addition of the full 6.71 gross ha required to accommodate dwelling projections is not proposed at this time;
- 25.59 gross hectares of lands designated Industrial, including a portion of a municipally-owned parcel along Peninsula Road at the northern end of the townsite of Marathon;
- 9.82 gross hectares of lands designated as General Commercial, including eleven (11) municipally-owned lots along the southern side of Peninsula Road, which have been identified for future commercial development; and
- 1.54 gross hectares of lands designated as Institutional, including the existing Ontario Provincial Police (OPP) Detachment Facility at 101 Peninsula Road.

It is anticipated that these expansion areas would accommodate future growth should the Generation Mining Project be realized and result in increased demand for housing, industrial, and commercial development within the Town's Settlement Area over the 25-year horizon of this Official Plan.

3.3 Rural Area

1. Lands located beyond the Settlement Area of Marathon as illustrated in **Schedule A** of this Plan comprise the Rural Area.
2. Lands within the Rural Area shall be primarily serviced by individual private or communal water and sanitary sewer systems.

4 General Land Use Policies

The general land use policies in this section of the Official Plan apply to all lands in the Town of Marathon, unless specifically mentioned for exclusion. These policies must be read in full alongside the policies that apply to the specific land use designations in **Section 5 Land Use Designations** and **Section 6 Policy Overlays**, as well as the other policies of this Plan.

4.1 Accessory Uses, Buildings, and Structures

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

4.2 Alternative and Renewable Energy Systems

1. An Official Plan Amendment shall be required to permit large-scale alternative and renewable energy systems, including windfarms.
2. Large-scale alternative and renewable energy systems shall be defined in the Comprehensive Zoning By-law, and shall be considered through site-specific zoning.
3. Small-scale alternative and renewable energy systems may be considered without amendment to this Plan in:
 - a) Land use designations other than Residential, Mixed Use, Institutional, Commercial, Parks and Open Space, Environmental Protection, and Future Development; and
 - b) Small-scale alternative and renewable energy systems shall not be permitted in the Natural Hazards Overlay and Natural Heritage Overlay.

4.3 Archaeological and Cultural Heritage Resources

Archaeological resources include artifacts, archaeological sites, and marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological field work undertaken with the Ontario Heritage Act. Council recognizes that there may be (terrestrial and/or marine) archaeological sites or areas of archaeological potential within, and in proximity to the Town.

Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burial grounds, buildings, structures, and districts of built and cultural value, and cultural heritage landscapes.



1. Council recognizes the importance of archaeological and cultural heritage resources and shall encourage the conservation of such resources, which includes their identification, protection, management, and use.
2. Development permitted by the policies 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 Indigenous communities and shall, wherever possible, be planned in a manner that preserves and enhances the context in which cultural heritage resources are situated.
3. In partnership with local Indigenous communities, Council shall develop a protocol and collaborative process for conserving archaeological and cultural heritage resources that may be of interest to Indigenous communities.

4.3.1 Archaeological Heritage Resources

1. Council recognizes that archaeological potential will be determined for proposed development applications and site alteration through the application of processes and criteria established under the Ontario Heritage Act, and under the provisions of a Municipal-Provincial data sharing agreement or an Archaeological Management Plan. Archaeological potential is required to be confirmed by a licensed archaeologist. Archaeological potential criteria can include features such as:
 - a) Proximity to water;
 - b) Current or ancient shorelines;
 - c) Rolling topography and unusual landforms; and
 - d) Any locally known significant heritage areas such as portage routes or other places of past human settlement.
2. Council shall regularly update areas of archaeological potential under the provisions of a Municipal-Provincial data sharing agreement or an Archaeological Management Plan, as new archaeological sites are identified through development and site alteration, and through the Provincial archaeological sites database.
3. Council, with the advice of the Ministry of Citizenship and Multiculturalism (MCM), may undertake the preparation of an Archaeological Management Plan. The Archaeological Management Plan shall identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the municipality having archaeological potential. The Archaeological Management Plan may also outline policies, programs, and strategies to protect significant archaeological sites, and shall also include a communications protocol for engaging with local Indigenous communities.



4. For new development, the Town shall require an archaeological assessment prepared by a licensed archaeologist 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.
5. 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 in situ, to ensure that the integrity of the resource is maintained, and/or it may be systematically removed through excavation by a licensed archaeologist.
6. When development has the potential to impact a known or suspected cemetery or burial site, Council shall require an archaeological assessment by a licensed archaeologist. Development shall be guided by this legislation and any direction from the Ministry of Public and Business Service Delivery (MPBSD). The provisions under the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply.
7. Council recognizes 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. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged.
8. Council 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.
9. Any marine archaeological resource that is identified must be reported to the Ministry of Citizenship and Multiculturalism (MCM). Whether the resource shall be left in situ or may be removed, through excavation, by licensed marine archaeologists will be determined through the marine archaeological assessment process.

4.3.2 Cultural Heritage Resources

1. A Municipal Heritage Committee may be established pursuant to Section 28 of the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act.
2. Pursuant to the Ontario Heritage Act, Council may by by-law, and in consultation with a Municipal Heritage Committee if one has been established:



- a) Designate properties to be of cultural heritage value or interest;
 - b) Define the municipality, or any area or areas within the Town as an area to be examined for designation as a heritage conservation district; and
 - c) Designate the Town, or any area or areas within the Town, as a heritage conservation district.
3. Council shall maintain a Register of Properties which will include properties that have been designated under Parts IV and V of the Ontario Heritage Act. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register, in accordance with relevant provisions of the Act.
 4. Council shall require any person who proposes to demolish or alter a property designated under Part IV of the Ontario Heritage Act to submit an application to Council for approval under the Act.
 5. 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 will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservation policies contained within this Plan.
 6. 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 cultural heritage value or interest and 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.
 7. Council shall ensure that each municipally-owned cultural 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. Such agreement 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 cultural heritage resources.
 8. Council shall consider measures to conserve cultural heritage resources when considering the establishment of new areas for mineral extraction, the establishment of new operations, or the expansion of existing operations. When necessary, Council may require satisfactory measures to mitigate any negative impacts on cultural heritage resources.



9. Council shall not permit development and site alteration on adjacent lands to protected heritage property, except where the proposed development and site alteration has been assessed and it has been demonstrated that the cultural heritage attributes of the protected heritage property will be conserved.
10. Council may encourage the protection of public views and sightlines to significant cultural heritage resources, through the development of area-specific community design guidelines.

4.4 Bed and Breakfasts

1. Bed and breakfast establishments may be permitted in all areas where residential uses are permitted, provided that the bed and breakfast establishment shall:
 - a) Be located in a single-detached dwelling;
 - b) Be located on an open public road, maintained year-round by the Town or Province; and
 - c) Have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking, and provide adequate buffering for any adjacent use.
2. The Comprehensive Zoning By-law may establish more detailed zoning standards for bed and breakfast establishments.

4.5 Communication Towers

1. The Town of Marathon recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Municipal Zoning By-laws cannot prevent a telecommunication tower from being constructed, as the Federal Government has the approval authority. However, Innovation, Science and Economic Development 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.

4.6 Crown Lands

1. The vast majority of the Rural area of the Town is Crown lands. The Ministry of Natural Resources (MNR) is responsible for the administration of Crown lands and waters.
2. The MNR 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 Marathon. The Town shall also have regard for the policies of the Crown Land Use Policy Atlas where Town lands interface with Crown lands.
3. A portion of the Rural area includes Crown land that has been identified by the Province as the Lake Superior Shoreline Enhanced Management Area in the Crown Land Use Policy



Atlas, as identified on **Schedule C**. 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.

4. Authorization for occupation or use of Crown lands is required from the MNR.
5. 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.
6. The release of Crown land for residential, institutional, and economic development opportunities, as appropriate, is supported by the Town.

4.7 Housing

The policies of this Official Plan, including those in this section that address matters of housing, are supported by the Housing Needs Assessment (November 2025) that was undertaken by the Town. The Housing Needs Assessment describes gaps and barriers in housing availability and affordability, analyzes demographic and economic trends, and sets out the anticipated housing need through the planning horizon over the next 25 years to 2051.

The housing policies in this section of the Plan shall strive to establish a land use policy framework that supports the development of a diverse housing supply in Marathon that considers demographic changes and household needs, affordability challenges, and potential for new economic activities and industry in the area over the lifespan of this Plan. The Town shall encourage innovative building techniques to support businesses and to help provide a range and mix of housing.

4.7.1 Additional Dwelling Units

An additional dwelling unit is a self-contained dwelling unit which is in addition to the principal dwelling unit on a lot. They are also commonly known as 'secondary dwelling units', 'basement apartments', or 'accessory units'. In accordance with the Planning Act, up to two (2) additional dwelling units may be permitted on a lot, in addition to the principal dwelling unit of single-detached dwellings, semi-detached dwellings, and townhouse or rowhouse dwellings, on properties serviced by municipal water and sanitary sewer services, provided certain criteria are met.

1. A maximum of two (2) additional dwelling units are permitted on a lot containing a single-detached, semi-detached, or townhouse dwelling, for a maximum of three (3) residential units on a lot, in accordance with the following:



- a) Two (2) additional dwelling units (in addition to the primary dwelling unit) are permitted within a dwelling, provided no buildings or structures ancillary to the primary building contain additional dwelling units; and
 - b) Only one (1) additional dwelling unit may be permitted in an ancillary building or structure, provided that a maximum of two (2) dwelling units are contained within the primary building.
2. Additional dwelling units shall be subject to the applicable requirements of the Ontario Building Code, Fire Code, and the Comprehensive Zoning By-law.
 3. A lot may have both one (1) additional dwelling unit and a garden suite, provided the additional dwelling unit is not located within an ancillary building or structure. A garden suite could be considered an additional dwelling unit, and would also be regulated by the Town's Temporary Use By-law.
 4. Within the Town's Settlement Area, the lot shall have adequate municipal water and sewer capacity to accommodate the additional dwelling units.
 5. Additional dwelling units are permitted within the Rural designation, provided the lot has adequate private or communal water and sewer capacity to accommodate the units.
 6. The Comprehensive Zoning By-law may establish detailed requirements with respect to additional dwelling units lots on full, partial, or private services.
 7. The outdoor private amenity area provided on the lot must be adequate for the amenity and leisure needs of all occupants of the principal dwelling unit and additional dwelling unit(s).
 8. One (1) off-street parking space shall be provided exclusively for each additional dwelling unit. Required parking shall be located on the same lot as the additional dwelling unit(s).

4.7.2 Affordable and Attainable Housing

Income categories, based on a community's Area Median Household Income (AMHI), have been developed by the University of British Columbia's Research Group Housing Assessment Resource Tool (HART) to help assess housing needs. This approach allows for a standardized comparison of affordability across different communities in Canada. The following income categories from the HART can be intended as guide for the purpose of the policies in this section:

- **Very Low-Income households** (earning up to 20% of AMHI) account for 2.5% of households in Marathon and earn below \$16,800, typically relying on social assistance.
- **Low-Income households** (21-50% of AMHI) often rely on minimum wage earning. Low-income households represent 17.6% of households and earn between \$16,800-\$42,000.



- **Moderate-Income households** (51-80% of AMHI) may have one or more earners. These households in Marathon earn between \$42,000 to \$67,200 and account for 19.4% of households.
- **Median-Income households** (81-120% of AMHI) generally have multiple earners. This category accounts for 16.9% of households that fall within the median-income range (\$67,200 to \$100,800).
- **High-Income households** (120%+ of AMHI) typically have multiple income sources, often from older adults or dual-earner households. They represent the largest share of households in Marathon (43.7%), earning above \$100,800.

Further, the need for attainable housing options is also recognized. Housing that is “attainable” is generally defined as market-provided housing for median-income households. Ensuring that affordable housing options are available for households in each category is essential to maintaining housing stability and meeting housing needs within the community.

1. It is a policy of this Plan to ensure that the current and future residents of Marathon have access to diverse, attainable, and affordable housing choices.
2. For a housing to be considered affordable, “affordable” shall be defined as the following:
 - a) 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;
 - b) 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.
3. The Town shall encourage the provision of new residential development, of which 10% shall be affordable to low and moderate income households, and shall explore collaboratively with partners, such as the Thunder Bay District Social Services Board (TBDSSB), to determine how this target can be achieved, including utilizing techniques and tools such as:
 - a) Adoption of a Community Improvement Plan(s) (CIP) with consideration for incentives to encourage the development of affordable housing, and identification of specific Community Improvement Project Areas in accordance with the policies in **Section 9.3 Community Improvement** of this Plan;



- b) Permitting a diverse range of housing typologies across the Town, including but not limited to additional dwelling units and tiny homes to consider the needs of the local demographic, including families, seniors, youth, workers, and professionals;
 - c) Encouraging the development of infill lots and the conversion of existing buildings for residential uses;
 - d) Redevelopment of underutilized lots, or sites not previously used for residential purposes;
 - e) Promoting higher residential densities in new development; and
 - f) Permitting rooming, boarding, and lodging houses, where appropriate.
4. The Town shall encourage the development of affordable housing within any residential development, as well as encourage the development of affordable housing on surplus municipal lands.
 5. The Town shall support opportunities for housing development on Crown lands, and shall work with the appropriate Provincial agency to determine the utilization of Crown lands for residential uses, as appropriate.
 6. The Town supports the provision and development of purpose-built rental housing, as well as non-market housing such as community housing, supportive housing, co-operative housing, land-lease communities, and community land trusts.
 7. The Town shall consider requirements for residential lot and development standards in the Comprehensive Zoning By-law which would support the provision of affordable and attainable housing.

4.7.3 Group Homes

1. A Group Home is defined as a housekeeping unit in a residential dwelling that provides a group living arrangement under responsible supervision, and is licensed, approved, or funded under Provincial legislation.
2. Group Homes administered under Provincial legislation shall be permitted to be established in any land use designation that permits residential uses.
3. All group homes shall be licensed or approved as may be required under Provincial statute.

4.7.4 Home-based Businesses and Home Industries

1. Home-based businesses shall be permitted in all designations that permit residential uses, 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 character of the principal residential use. Generally, home-based businesses shall include occupations or



professions which are conducted entirely within a dwelling unit, including but not limited to a professional office, salon, or home daycare.

2. Home industries shall be permitted in the Rural designation provided they are located in a detached building accessory to a residential use and are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means. Home industries may include occupations related to the trades, such as carpentry, welding, and metalworking, among others.
3. Home-based businesses and home industries shall be subject to the Town's Business & Licensing By-law, as amended.
4. The Comprehensive Zoning By-law shall contain regulations with respect to home-based businesses and home industries. These regulations shall indicate, among other matters, the Zones in which home-based businesses and home industries are permitted, specific types of permitted activities, signage, and required buffering and parking, as appropriate.
5. The home-based business or home industry shall be secondary to the principal use of the property and shall not result in adverse effects or incompatibility with the surrounding area.
6. Access approval from the Ministry of Transportation (MTO) is required for those home-based businesses or home industries that have access from a Provincial highway, as per the requirements of **Section 8.5 Transportation Network** of this Plan.

4.7.5 Tiny Homes

Tiny homes are a form of affordable residential development that can be used for permanent or short-term accommodation, long-term or year-round use, and as tourism opportunities, subject to servicing, design, and site-specific considerations. Increasingly, tiny homes are becoming a popular choice for prospective homeowners and builders as options for affordable and attainable housing are desirable across the Province.

1. Tiny homes shall be permitted in all land use designations that permit single-detached dwellings.
2. Tiny homes shall be permitted as a detached additional dwelling unit ancillary to an existing single-detached, semi-detached, or townhouse dwelling on the same lot, in accordance with the policies in **Section 4.7.1 Additional Dwelling Units**.
3. Tiny homes shall be permitted on undersized legal lots in the Town provided they have frontage on a public road, and adequate site servicing, including water and sanitary sewer services.
4. The Comprehensive Zoning By-law shall establish more detailed regulations for tiny homes, including minimum and maximum dwelling unit sizes.



4.7.6 Workforce Housing

1. Temporary housing for workers may be permitted in Zones that permit multi-unit residential development, 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 sewer services, and stormwater management shall be adequate to accommodate the development, and 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 temporary housing is no longer needed, it shall be removed and the site shall be rehabilitated, to the satisfaction of the Town.

4.8 Land Use Compatibility

1. Land use conflicts should be avoided, and where avoidance is not feasible, conflicts shall be minimized. Buffering and separation distances in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-Series Guidelines 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. The location of residential or other sensitive land uses and major facilities in proximity to one another will be avoided. If avoidance is not possible, sensitive land uses are only permitted if:
 - a) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - b) Potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.
3. 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 shall 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, shall be secured through appropriate legal mechanisms, to the satisfaction of the Town and the railway; and
 - vi. Where applicable, the Town shall ensure that sightline requirements of Transport Canada are addressed.
- b) New development abutting a rail yard:
 - i. New sensitive uses shall not be permitted within 300 metres of a rail yard; and
 - ii. All new sensitive uses located between 300 metres and 1,000 metres of a rail yard shall be required to undertake noise, dust, and odour studies, to the satisfaction of the Town and the railway, to support development feasibility 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 a noise study, to the satisfaction of the Town, consistent with the requirements of the Ministry of Transportation (MTO) and the Ministry of the Environment, Conservation and Parks (MECP), 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.
- e) New development adjacent to Industrial Uses:
 - i. the MECP D-6 Guideline: 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 effects will be required as part of the development of new sensitive land uses.
- 4. 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 one (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.
- 5. Whenever a change in land use is proposed, consideration shall be given to the effect of the proposed use on existing surrounding 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 effects on the surrounding uses.
- 6. 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 in order to ensure land use compatibility and economic vitality of uses;
 - 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 uses 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 effects 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.

4.9 Mobile Home Parks

1. Mobile home parks shall be permitted in the Residential designation subject to an amendment to this Plan and the Comprehensive Zoning By-law, and provided the development can be adequately serviced with municipal water and sanitary sewage services.
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 shall include, but not be limited to, the following considerations:
 - a) Street entrances, exits and any considerations for road widenings, if required;
 - 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) Outdoor storage.



4.10 Portable Asphalt and Concrete Plants

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.

1. Portable asphalt and concrete plants used by a public road authority or their agents shall generally be permitted throughout the Town, subject to the approval of the Ministry of the Environment, Conservation and Parks (MECP), except in the following locations:
 - a) In the Settlement Area of the townsite of Marathon;
 - b) Within 400 metres of an existing residential use;
 - c) Within areas of environmental sensitivity or natural heritage features; and
 - d) Within any Groundwater Protection Zone identified on **Schedule D**.
2. Portable asphalt and concrete plants shall be permitted without an amendment to this Plan or the Comprehensive 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.
3. Portable asphalt and concrete plants shall be removed from the site and the site rehabilitated to the satisfaction of the Town upon completion of the road project.

4.11 Public Uses

1. Notwithstanding any other policy in this Plan, existing public utilities and the development of new public utilities, including electricity generation facilities and transmission and distribution systems, shall be permitted in all land use designations, provided that such development has been subject to the requirements of the Environmental Assessment Act and/or other applicable legislation.
2. Public uses with the principal purpose serving the health and wellness, educational, or social needs of the community shall be permitted in all land use designations, subject to adequate site servicing, and all other policies of this Plan. Such uses may include: community



facilities, public health facilities, emergency services, including fire, ambulance, and police stations, and Town, Provincial, and Federal buildings, or facilities.

4.12 Shipping Containers

Shipping containers, also known as seacans or storage containers, are large mobile containers used in the transportation of goods that may be repurposed as a building material, for instance as a shed, permanent storage structure, or dwelling. The policies in this Plan regulating shipping containers apply only to their use as a semi-permanent or permanent building or structure and not to shipping containers that are actively used for the transportation of goods.

1. The Comprehensive Zoning By-law shall regulate where shipping containers may be placed, as well as any associated requirements (e.g., screening);
2. A shipping container may be adapted for residential uses, such as tiny homes, provided that it complies with the Comprehensive Zoning By-law, as well as the requirements of the Ontario Building Code and Fire Code;
3. A building permit is required for the construction and/or installation of a shipping container in accordance with the requirements of the Ontario Building Code.

4.13 Waste Disposal Sites

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. 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, Conservation and Parks (MECP) 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.
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 1, 2, and 3, as illustrated on **Schedule D** of this Plan.
4. Waste disposal sites and facilities shall 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.



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.

4.14 Wayside Pits and Quarries

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. Wayside pits and quarries shall be permitted throughout the Town, except in the following locations:
 - a) In areas designated Residential;
 - b) Within 300 metres of an existing residential or other sensitive use;
 - c) Within Groundwater Protection Zones 1, 2, and 3 as shown on **Schedule D** of this Plan; and
 - d) Where environmental effects will occur that cannot be mitigated in accordance with Ministry of the Environment, Conservation and Parks (MECP) D-6 Series Guidelines for Class III Industrial Facilities.
3. The opening of wayside pits and quarries shall be permitted without an amendment to this Plan or the Comprehensive Zoning By-law. The Province and/or the applicant shall provide notice when required or practical to the Town prior to the establishment of a wayside pit or quarry.
4. New wayside pits and quarries or the expansion of existing operations shall require the consideration of cultural heritage resources and are subject to the completion of Cultural Heritage Evaluation Reports, Cultural Heritage Impact Assessments, Archaeological Assessments, and appropriate mitigative measures, as required by the Town.
5. The Ministry of Transportation (MTO) shall ensure that wayside pits and quarries used for its purposes are rehabilitated to the satisfaction of the Town. Progressive and final rehabilitation of wayside pits and quarries is required.



5 Land Use Designations

5.1 General

This section of the Plan establishes the land use designations for the Town of Marathon, as illustrated on **Schedules A and B**. **Schedules A and B** should be read together in conjunction with the policies of **Section 5** of this Plan. Permitted uses and lot and building standards as established in the land use designations shall be implemented and regulated through the Town’s Comprehensive Zoning By-law.

5.2 Rural

The majority of lands located outside of the Settlement Area of Marathon are designated Rural. The Rural designation is primarily characterized by resource-based uses such as those for forestry, mineral exploration, and aggregate extraction, among others. It is the intent of this Plan to maintain the rural character and environment of lands within the Rural designation, with limited rural residential and seasonal residential development, as well as agricultural, outdoor recreation, and tourism-related activities and uses. It is recognized that development within the Rural designation shall proceed on the basis of private individual or communal water and sanitary sewer systems.

5.2.1 Objectives

1. It is the intent of the Rural designation to:
 - a) Provide flexibility by permitting a variety of rural and resource-based land uses, while leveraging rural amenities, assets, and resources in a manner compatible with the low-density rural character which balances protection of the Town’s natural resources with the need for economic diversification;
 - b) Protect the natural environment including the Pic River, Lake Superior, and the surrounding waterbodies, bays, and coves along the shoreline. 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
 - c) Protect the significant views of Lake Superior along Peninsula Road as the gateway entrance to the townsite of Marathon.
2. While land in the Rural designation may be developed for a range of uses, land use compatibility shall be considered to ensure that development is compatible with surrounding land uses and appropriate for the site before development is approved.



5.2.2 Policies

1. Permitted residential uses in the Rural designation include: rural residential uses, and seasonal residential uses, as well as home-based businesses and home industries.
2. Permitted non-residential uses include: agricultural uses, agriculture-related uses, on-farm diversified uses, resource-based recreational uses, kennels, marinas, recreational and nature trails, tourism uses, waste disposal and recycling, alternate energy and renewable energy systems, and resource management and resource-based uses, such as forestry, aggregate extraction, mining and mineral exploration, trapping, and conservation uses.
3. Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the Consent and Plan of Subdivision process in accordance with the policies of **Section 9.6 Land Division and Lot Creation** of this Plan, and provided that:
 - a) New rural residential uses shall comply with the Minimum Separation Distance (MDS) formulae, as required, and 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, Conservation and Parks (MECP) and MECP D-Series Guidelines shall be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to rural industrial uses;
 - b) New lots for rural residential uses shall 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 Thunder Bay District Health Unit or designated authority. New rural residential lots shall be a minimum of 1.0 hectare to accommodate individual private water and sewage;
 - c) Warning clauses shall be registered on title of all seasonal residential lots developed in Crown Lands 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.
4. Within the Rural designation, Plans of Subdivision for rural residential uses greater than five (5) lots shall require the preparation of a Planning Justification Report by a qualified professional 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) Compatibility of the scale and design of the development 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 requirements of the development; and
 - h) Compliance with the Minimum Distance Separation (MDS) formulae, if applicable.
5. Development within the Rural designation shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation (MDS) I formulae, as amended from time to time. New and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation (MDS) II formulae, as amended from time to time.
6. The release of Crown Land in the Rural designation 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 in the Rural designation which are identified as being candidate sites for seasonal or cottage residential uses shall be subject to the results of an archaeological assessment and fishery/wildlife assessments.
7. Seasonal or year-round waterfront residential development in the Rural designation shall not be permitted on lakes identified by the Ministry of the Environment, Conservation and Parks (MECP) as having reached capacity. The identification of such lakes shall be by an amendment to this Plan. Currently no lakes have been identified by the MECP as having reached their assimilative capacity.
8. Until such time as mining operations are economically viable and it is feasible to extract the mineral or mineral aggregate resource, alternative land uses may be considered in the area considered to have a high potential for mineral resources within the Rural designation. 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.
9. The development of seasonal residential uses in the Rural designation, shall 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 residential development are provided as added safeguards to ensure that possible future access to potential mineral resources is not hindered by the development.

10. In order to further mitigate against possible conflicts between future mineral aggregate and mining activities and seasonal residential uses within the mineral deposits and sand and gravel resource areas in the Rural designation as shown on **Schedule C** of this Plan, it is the intent of Council that warning clauses be registered on title with the individual residential 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 seasonal residential development, tourism uses, and waterfront development shall not restrict access to the mineral resource or preclude extraction of the resource.
11. At such time as mineral aggregate or mining operations are economically viable in the mineral deposits and sand and gravel resource areas within the Rural designation, mining and aggregate activities shall then be given precedence over other proposed land uses in the Rural designation. 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.
12. Seasonal residential uses, tourist uses, and waterfront development uses in the Rural designation shall be privately serviced and shall require the approval of the Thunder Bay District Health Unit or designated authority for private sanitary sewage disposal systems. The minimum lot area for shall be 1.0 hectare, unless it can be demonstrated that there will be no negative impacts as assessed through a detailed Hydrogeological Assessment/Report in accordance with the MECP Guideline D-5-4 Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment.
13. In order to address land use compatibility concerns between possible future mining and aggregate operations and seasonal residential development, tourism uses, or waterfront development within the mineral deposits and sand and gravel resource areas in the Rural designation, appropriate buffering and setback measures may need to be applied against possible negative impacts that 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.
14. Mining operations and mineral aggregate extraction shall be permitted in the Rural designation subject to the policies of **Section 7.2 Mineral Aggregate and Mineral Resources** and an amendment to the Comprehensive Zoning By-law, provided that:



- a) The operation is compatible with the surrounding land uses and will not result in adverse effects on water resources or water use activities in accordance with **Section 4.8 Land Use Compatibility**;
 - b) Adequate buffering is provided;
 - c) A site plan agreement pursuant to Section 41 of the Planning Act and the Town's Site Plan Control By-law No. 1781, as amended, is executed 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. Stormwater 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.
15. Small-scale commercial uses providing personal or retail services may be permitted in the Rural designation subject to an amendment to the Comprehensive 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 MECP D-6 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 and the Town's Site Plan Control By-law No. 1781, as amended, may be required.
16. 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 Comprehensive Zoning By-law.



17. 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:
- a) Within 120 metres of a residential lot or a lot used for recreational, institutional or commercial uses;
 - b) Within 30 metres of any road or road allowance;
 - c) 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
 - d) Buffering and separation distances in accordance with MECP D-6 Guidelines and to the satisfaction of the Town shall be provided.
18. Institutional uses that provide local public services may be permitted in the Rural designation subject to an amendment to the Comprehensive Zoning By-law, in accordance with the following:
- a) Adequate parking is provided;
 - b) Adequate buffering is provided where necessary in accordance with MECP D-6 Guidelines and to the satisfaction of the Town; and
 - c) An agreement pursuant to Section 41 of the Planning Act is required.
19. Lands used for public or private recreational purposes may be permitted in the Rural designation subject to an amendment to the Comprehensive 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.

5.3 Residential

The Residential designation in the Town has been historically comprised of lower-density residential neighbourhoods. Looking ahead over the horizon of this Official Plan, while the principal land use pattern in the Residential designation is anticipated to continue to evolve as primarily residential, it is the intent of this Plan to encourage the development of complete communities and permit neighbourhood-serving uses that shall support local residents and families. Such neighbourhood-serving uses may include small-scale commercial uses (e.g., convenience stores, daycare centres, home-based businesses) and parks. The Town shall



encourage the development of a diverse range of residential uses and housing types that are affordable and attainable, as well as safe and accessible to the community.

5.3.1 Objectives

1. The primary focus for residential development and growth in the Town shall be the Residential designation, which is located within the Settlement Area of Marathon as illustrated on **Schedule B**, and serviced by municipal water and sewage treatment systems.
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 in Marathon for at least fifteen (15) years;
 - b) Ensure that new residential development or redevelopment is compatible with the surrounding area and land use conflicts are minimized;
 - c) Ensure the provision of adequate municipal services including water, sanitary sewers, and storm drainage;
 - d) Ensure the protection and enhancement of the natural environment, wherever possible, in considering new residential development or redevelopment;
 - e) Promote a cost- and energy-efficient residential development pattern; and
 - f) Encourage new residential development and residential infill to locate in lands designated as Residential; and
 - g) Allow for the provision of neighbourhood-serving uses to cater to the needs of residents within the Residential designation, as appropriate.

5.3.2 Policies

1. The permitted uses in the Residential designation shall include:
 - a) Low-density residential uses, including single-detached dwellings, semi-detached dwellings, and additional dwelling units. The maximum net residential density for low-density residential uses within the Town's Settlement Area shall be 14 units per net hectare (6 units per net acre).
 - b) Medium-density residential uses, including townhouse dwellings and apartment dwellings. The maximum net residential density for medium-density residential uses within the Town's Settlement Area shall be 30 units per net hectare (12 units per net acre).



- c) Higher-density residential uses and intensification, including apartment dwellings, where identified in the Comprehensive Zoning By-law.
 - d) Rooming, boarding, and lodging houses, bed and breakfast establishments, and group homes;
 - e) Local commercial uses that cater to the day-to-day needs of the immediate neighbourhood, such as a convenience store, professional office as part of a home-based business, personal service establishment, daycare centres, and nursery schools. Local 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.
 - f) Neighbourhood parks; and
 - g) Home-based businesses and home industries shall also be permitted in accordance with **Section 4.7.4 Home-based Businesses and Home Industries** of this Plan.
2. The following uses may be permitted within the Residential designation subject to an amendment to the Comprehensive Zoning By-law:
- a) Small-scale institutional uses such as schools may be permitted in the Residential designation, provided there is no adverse or negative impact on the surrounding residential neighbourhood with respect to noise, traffic, parking, etc.
3. Lot creation in the Residential designation shall generally be by Plan of Subdivision or Plan of Condominium, in accordance with the policies in **Section 9.6 Land Division and Lot Creation** of this Plan. Consents to sever individual parcels shall be permitted when development by Plan of Subdivision or Plan of Condominium is not necessary to implement the policies of this Plan and the provisions of Section 51(24) of the Planning Act.
4. New residential development or redevelopment within the Residential designation shall consider the following:
- a) Provision and maintenance of adequate off-street parking for the development. The Comprehensive Zoning By-law shall establish parking requirements for residential uses;
 - b) Provision, improvement, and/or maintenance of on-site landscaping, parks, and recreational or amenity areas;
 - c) Provision and maintenance of adequate separation distances and buffering between residential uses of differing densities and between different types of land uses. Separation distances between residential and other sensitive land uses and industrial uses shall be required; and



- d) Development is to be adequately served by institutional and community facilities such as schools, parks, community centres, neighbourhood commercial uses, and places of worship.
- 5. The planning and design for medium-density and high-density residential development shall include the following considerations:
 - a) The site shall have safe and convenient access to a public road so that traffic movements associated with the development shall be directed away from low-density areas;
 - b) Residential 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 result in negative impacts on adjacent 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 sewer 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.).

5.4 Mixed Use

As the Town looks forward and is anticipating several new major projects over the lifespan of this Official Plan, there is strong desire to plan for and establish complete communities that provide places to live, work, and recreate, and that attract professionals and families to the Town. The Mixed Use designation is established to identify lands in the Town that have strong potential to become focused areas of activity, with a mix of retail, entertainment, office, and residential uses, community facilities, and public spaces permitted. Generally, the lands in proximity to Stevens Avenue, between Winton Street and Drake Street, shall be designated as Mixed Use. There may be other areas of the Town that are desirable for this designation over the next 25 years.



5.4.1 Objectives

1. The Mixed Use designation shall comprise a focus area for future intensification and redevelopment in Marathon, and shall provide a welcoming, accessible corridor leading to the Town's waterfront;
2. The Mixed Use designation shall contribute to the creation of complete communities in the Town with access to services, businesses, amenities, and places to live and work;
3. Higher densities and building heights shall be generally permitted in order to provide greater opportunity for new development and redevelopment; and
4. The important potential of major redevelopment sites in the Town is acknowledged, and that careful planning for an appropriate mix of uses is encouraged to ensure their integration into the wider community.

5.4.2 Policies

1. Permitted uses in the Mixed Use designation shall include:
 - a) A range of small- to medium-scale commercial, retail, and business uses, including, but not limited to: restaurants, cafés, breweries, small grocery, banks, post offices, galleries, hotels;
 - b) Service uses, including, but not limited to: medical clinics/offices, daycares, personal service establishments, social services; and
 - c) Multi-unit residential uses shall be permitted in standalone buildings; and
 - d) Residential uses within the upper storeys or at the rear of a mixed use building.
 - e) Institutional, industrial uses, large-scale commercial uses, and automobile service uses shall not be permitted.
2. Building heights of up to four (4) storeys shall be permitted.
3. Off-street parking shall be encouraged to be located at the rear of buildings, rather than at the front adjacent to the public street.
4. Adaptive re-use of existing buildings with heritage or historic value shall be encouraged, provided it is respectful of its historic use, and compatible with any features of built and cultural heritage value, and is in accordance with the policies of **Section 4.3 Archaeological and Cultural Heritage Resources** of this Plan.
5. Proposed mixed use and commercial development, as well as residential development consisting of more than 10 units, in the Mixed Use designation shall be subject to Site Plan Control, in accordance with the policies of **Section 9.13 Site Plan Control** of this Plan.



5.5 Institutional

The Institutional designation is intended to support all types of institutional uses that are significant to the local community and greater region. Generally, the institutional uses in this designation require larger sites to facilitate their development and considerations for potential expansion.

5.5.1 Objectives

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.
2. It is recognized that small- and medium-scale institutional uses such as government offices, public service facilities, daycare centres, and nursery schools shall be permitted in other land use designations in accordance with the policies of this Plan.

5.5.2 Policies

1. Permitted uses within the Institutional designation shall include: community uses such as community centres and recreational facilities, schools, places of worship, hospitals and medical centres, long-term care homes, daycare centres and nursery schools, emergency services such as police stations, fire stations, and ambulance bases, government offices, cemeteries, and public service facilities.
2. Ancillary uses of an appropriate scale and that are intended to serve the principal permitted use, such as an office or residence, shall be permitted.
3. New institutional uses shall be conveniently located and access onto an open year-round publicly maintained road, and shall be planned for and designed in such a manner so that there is no adverse impacts on surrounding residential uses with regards to parking, traffic, and noise.
4. The Marathon Cemetery located on Peninsula Road, leading to the townsite of Marathon, is designated as Institutional and is recognized by this Plan as a sensitive land use. Should development of an industrial nature be proposed on lands adjacent to the Marathon Cemetery, the Ministry of Environment, Conservation and Parks (MECP) D-6 Guidelines shall apply with respect to the provision of adequate separation distances between proposed industrial uses and the Cemetery.
5. Institutional uses shall be subject to Site Plan Control pursuant to Section 41 of the Planning Act.



5.6 Commercial

Two (2) Commercial designations are established for the Town – the General Commercial and Highway Commercial designations. The distinct designations recognize the unique needs and characteristics of different commercial areas of the Town, while also providing for a full range of commercial uses to support the daily needs of the local community, as well as the traveling public and tourists.

The General Commercial designation comprises lands within the Settlement Area, including the Peninsula Road commercial corridor entering the Marathon townsite. The Highway Commercial designation generally includes commercial lands located along Highway 17 and in the Town's Rural area. Commercial developments within the Highway Commercial designation generally require larger land areas and can include larger format commercial uses, as well as tourism commercial uses. Objectives

1. It is the intent of this Plan to promote business and economic development primarily within the General Commercial and Highway Commercial designations.
2. It is the objective of the General Commercial and Highway Commercial designations to:
 - a) Encourage the provision and planned development of a diverse variety of commercial uses within the Town to serve its residents, the travelling public, and tourists;
 - b) Recognize the business district in the townsite of Marathon and to enhance business and commercial activities within the Town;
 - c) Ensure that commercial development does not have negative impacts on adjacent land use, particularly residential uses; and
 - d) Recognize and provide for emerging tourist commercial opportunities.
3. Commercial uses shall be regulated by separate Zone categories in the Comprehensive Zoning By-law. The Comprehensive Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and neighbouring residential or institutional uses.

5.6.1 Policies

1. When considering an application to establish a commercial use or uses, the Town shall have regard for the following:
 - a) Compatibility of the proposed use with the surrounding area;
 - b) Physical suitability of the site for the proposed use;
 - c) Adequacy of the existing road network to accommodate access and on-street parking;



- d) Convenience and accessibility of the site for both pedestrian, active transportation, and vehicular traffic; and
 - e) Adequacy of infrastructure, including utilities, water, and sewer services.
2. Commercial uses shall be subject to Site Plan Control pursuant to Section 41 of the Planning Act.
 3. 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 lands designated as General Commercial and Highway Commercial, as well as ancillary commercial uses in other land use designations:
 - 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 purposes;
 - b) Open storage of goods and materials shall only be permitted in accordance with the provisions of the Comprehensive Zoning By-law;
 - c) Loading and unloading areas shall be provided off-street and in the rear or side yard whenever feasible; and
 - d) Adequate off-street parking facilities shall be provided in accordance with the provisions of the Comprehensive Zoning By-law.
 4. Community Improvement Plans (CIPs) may be adopted by Council in accordance with **Section 9.3 Community Improvement** of this Plan, in order to encourage the reuse of vacant or underutilized commercial lots/buildings in the General Commercial and Highway Commercial designations.
 5. Existing residential uses in the General Commercial and Highway Commercial designations shall be permitted to continue.

5.6.2 General Commercial

1. Permitted uses in the General Commercial designation include: a range of commercial uses, retail uses, offices, personal services, restaurants, cafés, bars, hotels, commercial recreational facilities and public uses. These uses are generally found in the business district of the Settlement Area of Marathon.
2. Within the General Commercial designation at the entrance of the Settlement Area 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, service uses, research and development, and technology industries.



3. As development and redevelopment occurs along the Peninsula Road corridor leading to the Marathon townsite, landscaping and urban design improvements contributing to improvements of the public realm and shall be encouraged and implemented through Site Plan Control.

5.6.3 Highway Commercial

1. Permitted uses within the Highway Commercial designation include: retail uses, service commercial uses, tourist commercial uses, tourist information centre, automobile-related uses, recreational vehicle and equipment sales and service uses, kennels, tourist commercial uses, warehousing, self-storage, and public and government uses. Office uses ancillary to the principal commercial use shall also be permitted.
2. 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, subject to the criteria established in Policy 5.6.2.3., and provided there is no adverse impact on the surrounding properties relating to traffic, noise, and intensity of use.
3. New development or redevelopment in the Highway Commercial designation shall not detract from the viability of the commercial core area within the Settlement Area.
4. Automobile traffic and the provision of 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 plan for service and customer access to the site. Where appropriate, joint entrances between commercial uses shall be encouraged, to minimize traffic conflicts.
5. Highway 17 is under the jurisdiction of the Ministry of Transportation (MTO) and is considered to be a controlled access highway. New access or entrances from Highway 17 are restricted. Any new accesses onto Highway 17 must meet the minimum spacing and permit requirements of the MTO.
6. Commercial uses along Highway 17 shall be developed in an attractive manner with considerations for signage and landscaping along the highway corridor. 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.
7. Accessory dwellings to a primary commercial use may be permitted in the Highway Commercial designation subject to the following criteria:
 - a) The residential use shall not detract from the primary function of the commercial use;
 - 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 Comprehensive Zoning By-law.

5.7 Industrial

The Town's history and growth is rooted in industry, and it is the intent of this Plan to continue to support industrial employment uses, recognizing the Town's strategic location along Highway 17 and Lake Superior. Existing industrial development in Marathon has been primarily located on the former mill site, situated between the Lake Superior shoreline and the CNR Railway line. While the majority of the former waterfront mill lands are being considered for future redevelopment of non-industrial uses, planning is underway for the development of the Port of Marathon, a deepwater port, which is a joint venture between the Town of Marathon and the Biigtigong Nishnaabeg (Pic River First Nation), as well as supporting industrial uses.

The intent of the policies in the Industrial designation are to designate, protect, and plan for the Town's employment areas. The Industrial designation recognizes the existing industrial base in Marathon, including the industrial park located within the Town's Settlement Area along Old Heron Bay Road and Industrial Court, as well as planned major uses, such as the Port of Marathon, industrial expansion lands which comprise of Town-owned lands along Peninsula Road, and supporting industrial uses. Since industrial uses have the potential to generate significant impacts on neighbouring land uses, such development must be carefully located and planned.

5.7.1 Objectives

1. It is the intent of the Industrial designation to:
 - a) Support the expansion of the Town's existing industrial base by providing lands for continued industrial growth and ensuring that there are sufficient lands designated for industrial employment;
 - b) Minimize the impact of industrial areas on surrounding areas, particularly on residential uses, other sensitive land uses, and the natural environment; and
 - c) Guide the location of new industrial uses and industrial redevelopment within the Town.
2. Appropriate areas that accommodate the needs of existing industries through expansion or relocation and the establishment of new industries are designated as Industrial on **Schedules A and B** of this Plan.
3. Should the need arise to consider the removal of employment lands from the Industrial designation, the policies of Policy 5.7.2.14. shall apply.



5.7.2 Policies

1. Permitted uses in the Industrial designation shall include:
 - a) Manufacturing, processing, assembling, fabricating, servicing, storage of goods and raw materials, warehousing, shipping and receiving, wholesaling and service sector industries including transportation, communication, business services, government services, medical and other health laboratories, ports, and airports.
 - b) Mineral exploration, mining, mineral aggregate resource extraction operations and waste disposal sites shall also be permitted.
 - c) Uses that are incidental or ancillary to industrial uses, such as office, retail, or wholesales, may be permitted in the Industrial designation.
 - d) An accessory dwelling may be permitted provided it is limited in size and does not conflict with the principal industrial use.
2. On lands designated Industrial that are not serviced by municipal water and sanitary sewer services, new development shall be subject to approvals for private services from the Thunder Bay District Health Unit or designated authority.
3. 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.
4. Industrial uses shall be subject to Site Plan Control pursuant to Section 41 of the Planning Act.
5. The Comprehensive 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.
6. In determining potential impacts of industrial uses on surrounding land uses, studies may be required in accordance with Ministry of the Environment, Conservation and Parks' (MECP) D-Series Guidelines, and supporting studies may be required to demonstrate the level of impact on the sensitive land uses, or vice versa, in addition to identifying appropriate mitigation measures.
7. The potential influence areas (i.e., areas within which adverse effects may be experienced) for industrial facilities which would trigger a study in accordance with the MECP D-Series Guidelines are shown in **Table 5-1**.



Table 5-1: Potential Influence Area of Industrial Uses (MECP D-6 Guidelines)

Industrial Class	Potential Influence Area
Class I (Small-scale)	70 m
Class II (Medium-scale)	300 m
Class III (Large-scale)	1,000 m

8. The minimum separation distances between industrial facilities and sensitive land uses are shown in **Table 5-2**.

Table 5-2: Minimum Required Separation Distances for Sensitive Land (MECP D-Series Guidelines)

Industrial Class	Required Separation Distance
Class I (Small-scale)	20 m
Class II (Medium-scale)	70 m
Class III (Large-scale)	300 m

In determining what constitutes a Class I, II, or III industrial facility, reference should be made to the MECP D-Series Guidelines.

Under no circumstance can a separation distance be less than the required separation distances for a Class I, II, or III industrial use.

9. Wherever industries, including the CNR railway corridor, abut residential, institutional, recreational, or other sensitive uses, adequate buffering shall be required using measures such as landscaping, plantings, fencing, and separation distances in order to minimize the impact of the industrial activity, including visual appearance.
10. Industrial uses which are developed adjacent to Highway 17 shall be developed in an attractive manner. To achieve this, building and site design shall have consideration for 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 shall generally be restricted to side and rear yards;
 - c) All industrial activities shall be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use shall be suitably screened and buffered from Highway 17; and
 - d) Development or redevelopment of industrial uses shall comply with the applicable standards of the MECP regarding emissions and noise.
11. Aggregate extraction operations may be allowed in the Industrial designation area, subject to an amendment to the Comprehensive Zoning By-law, provided that:



- a) The operation is compatible with surrounding land uses;
 - b) They shall be restricted from locating within Groundwater Protection Zones 1, 2, and 3 identified on **Schedule D**;
 - c) Adequate buffering is provided;
 - d) 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. Stormwater 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.
 - e) There is a need for additional aggregate extraction operations;
 - f) The necessary Environmental Compliance Approvals are obtained from the MECP; and
 - g) No excavation, building, equipment, machinery or stockpiling of material is allowed:
 - i. Within 1,000 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 that a lesser distance can be considered;
 - ii. Within 1,000 metres of any area designated Residential, unless it has been demonstrated through an appropriate study and the application of suitable mitigation measures that a lesser distance can be considered;
 - iii. Within 30 metres of any road or road allowance; and
 - iv. Notwithstanding i. above, a quarry with blasting operations is to be setback a minimum of 800 metres from a residential building.
12. 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 are determined on a site-specific basis in consultation with the Town of Marathon and with the MECP through the issuance of an Environmental Compliance Approval. Aggregate processing operations shall not be allowed within 1,000 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 that a lesser distance can be considered.

13. 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.
14. The redesignation of Industrial lands for alternative land uses shall be considered where it has been demonstrated that:
 - a) There is an identified need for the removal of the industrial lands and the land is not required for employment area uses over the long term;
 - b) The proposed uses would not negatively impact the overall viability of the employment area (i.e., Industrial designation) by:
 - i. Avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with the policies of **Section 4.8 Land Use Compatibility**; and
 - ii. Maintaining access to major goods movement facilities and corridors;
 - c) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
 - d) The Town has sufficient employment lands to accommodate projected employment growth to the horizon of this Official Plan.
15. It is anticipated that the Marathon Airport (YSP) will not require an expansion over the life of this Plan as per the feasibility study, Airfield Upgrade Roadmap Final Report (March 15, 2024) that was completed by Octant.

5.8 Parks and Open Space

The primary land uses for areas designated as Parks and Open Space on **Schedules A and B** shall be for a full range of outdoor recreational and park uses. The Town is home to a great number of outdoor parks, trails, and amenities, including Pebble Beach, Penn Lake, the Voyageur Trail, boat launch, Peninsula Golf Course, and Marathon Cross Country Ski Club, among others, that are envisioned to continue to provide outdoor recreational value to residents and tourists alike. It is intended that the Parks and Open Space designation recognize these valuable outdoor resources, as well as facilitate the development of future uses.

Red Sucker Point and Craig's Pit, both of which are Nature Reserve Class Provincial Parks, are located in the Parks and Open Space designation. These parks are protected for their significant features and values, and it is intended that permitted uses within these areas shall continue to be restricted to educational, research, and passive recreational activities.



5.8.1 Objectives

1. Preserve and conserve those lands which are ecologically sensitive and those areas of scenic qualities.
2. Provide community and cultural facilities to serve the Town's residents and visitors.
3. Enhance access to park and open space features, including the Town's waterfront and shorelines, for local residents and visitors.
4. Consider future potential redevelopment plans for the Town's waterfront and mix of outdoor recreational uses that are envisioned for this area in the long-term.

5.8.2 Policies

1. Permitted uses in the Parks and Open Space designation shall include:
 - a) Active and passive recreational uses, public and private parks, marinas, boathouses, pump houses, outdoor event spaces, facilities uses such as change rooms, warming huts, maintenance, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, and wildlife management areas.
 - b) Small-scale commercial uses, which are ancillary to, and support the permitted recreational and open space uses may also be permitted subject to an amendment to the Zoning By-law. Such uses that support tourist commercial opportunities, subject to Policy 5.6.1.3. of this Plan, could include, but are not limited to: concession stands, food trucks, small-scale restaurants, and cafés.
2. Open space linkages which access recreational and open space uses in the Town shall be encouraged.
3. 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.



4. 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.
5. Development within lands designated Parks and Open Space shall be planned and designed to respect and celebrate the surrounding natural environment.
6. It is the policy of the Town that in the design and development of parks, open space areas, and recreational facilities, accessibility, mobility, and consideration of age-friendly design and features shall be strongly encouraged.
7. Penn Lake is an important recreational resource for the Town and is located within the Groundwater Protection Zone 1 as identified on **Schedule D** of this Plan, 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. Boating and water sport activities shall be limited to non-motorized transport such as canoes, kayaks, wind sail boards, paddle boats, etc.
8. With respect to planning for the lands designated as Parks and Open Space in the vicinity of the Lake Superior shoreline, the Town shall cooperate with the Ministry of Natural Resources (MNR) or other relevant agencies, in their efforts to establish recreational facilities and a functional water-oriented open space network, including planning for, and protection of shoreline Provincial park areas.
9. Red Sucker Point and Craig’s Pit, both of which are Nature Reserve Class Provincial Parks, shall be subject to the policies and regulations of the MNR. The Town shall co-operate with the MNR or other relevant agencies in establishing recreational facilities and functional nature and water-oriented open space networks.

5.9 Environmental Protection

The Environmental Protection designation may consist of natural heritage features, including significant habitat of endangered and threatened species, significant wildlife habitat, significant wetlands, and significant Areas of Natural and Scientific Interest (ANSIs). Lands designated as Environmental Protection may also include natural landscapes and features that are identified as having local significance to the Town and general area, such as the Hawks Ridge hiking trail.

While there are no significant natural heritage areas or features identified through Provincial mapping at this time, this designation may be employed in the future should the need arise if new areas or features are identified or mapping is made available. Generally, development shall be restricted in the Environmental Protection designation so as to protect these areas and



features which comprise the local and regional natural heritage system and ensure stewardship of the lands.

5.9.1 Objectives

1. The Town recognizes the existence of diverse and important natural heritage features and areas within Marathon, and promotes the need for careful and wise management in order that these features and areas can be protected.

5.9.2 Policies

1. Uses permitted in or adjacent to lands designated as Environmental Protection are to be non-intrusive uses, such as conservation, provided that such land uses maintain or enhance the natural features of the area.
2. Development or site alteration on lands designated as Environmental Protection shall not be permitted unless it has been demonstrated, through the completion of an Environmental Impact Statement (EIS), that there shall be no negative impacts on the natural heritage features and areas or their ecological functions.
3. No development or site alteration shall be permitted within significant portions of the habitat of endangered or threatened species.
4. Development or site alteration proposed on lands adjacent to lands designated Environmental Protection, which includes significant habitat of endangered and threatened species, shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through the completion of an EIS, that there shall be no negative impacts on the natural features and areas or their ecological functions.
5. For the purposes of this Section of the Plan, the term “adjacent” shall be defined as: lands within 120 metres of significant wetlands, significant wildlife habitat, significant habitat of endangered and threatened species, and significant life science ANSIs. Adjacent shall be defined as within 50 metres of all significant earth science ANSIs. A greater or lesser distance for adjacent lands may be defined based on site-specific and species-specific factors.

5.10 Future Development

Lands designated as Future Development on **Schedules A and B** include areas within the Town of Marathon that represent an opportunity for future urban development, recreation, and/or revitalization, but cannot be readily serviced at this time and/or may require the completion of additional studies to determine the appropriate planned function of these lands, as well as approvals prior to development.



5.10.1 Objectives

1. The Town shall recognize the significance of Future Development-designated lands and their potential for contribution to the creation of complete communities in Marathon.
2. The Town's waterfront comprises a major opportunity for future urban development, recreation, and/or revitalization. Conceptual planning has been undertaken by the Town as part of the Waterfront Master Plan (2025). It is the intent of this Plan to designate a portion of the waterfront lands as Future Development, while due diligence and implementation of the Waterfront Master Plan proceeds.
3. Lands designated as Future Development shall be planned cohesively with surrounding neighbourhoods and uses, and shall be adequately serviced for their intended uses.

5.10.2 Policies

1. New uses shall not be permitted to establish that would preclude the future, orderly development and revitalization of lands designated as Future Development.
2. Existing uses and uses accessory thereto are permitted to continue.
3. For development to proceed, an amendment to this Official Plan shall be required to redesignate Future Development lands to the appropriate land use designation.
4. A proposed redesignation of Future Development lands shall be supported by the completion of required studies, as determined by the Town, in addition to the requirements in **Section 9.10 Planning Applications** of this Plan.
5. The completion of a Record of Site Condition may be required, as determined by the Town, prior to Council's approval of an Official Plan Amendment for lands within the Future Development designation.
6. Development shall not be permitted in areas with the Future Development designation susceptible to flooding or any other hazards, in accordance with the policies in **Section 6.1 Natural Hazards Overlay**.
7. The proposed use shall be required to meet criteria established by the Province related to separation distances from incompatible land uses established in this Plan.
8. Lands designated as Future Development shall be zoned appropriately in the Comprehensive Zoning By-law.

6 Policy Overlays

This Section of the Official Plan establishes Policy Overlays that apply to certain geographic areas in Marathon that are recognized as requiring unique planning approaches due to the presence of certain features. These areas require additional considerations in planning for new development or redevelopment.

Policy Overlays are identified on **Schedules A and B** of this Plan, in addition to the land use designations. The policies contained in this Section should be considered in addition to the policies of **Section 5 Land Use Designations**.

6.1 Natural Hazards Overlay

1. The Natural Hazards Overlay 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;
 - c) Where the floodplain extent of any watercourse or waterbody is not known, the horizontal area, 30 metres wide, on either side of the watercourse or waterbody, including a municipal drain; or
 - d) 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.
2. Permitted uses within the Natural Hazards Overlay shall be restricted to those uses that by their nature must be located within the area of natural hazards, such as flood or erosion control structures, shoreline stabilization works, water intake facilities, and marine facilities, subject to the approval of the Town. Uses such as agriculture, forestry, conservation, fisheries management, wildlife management, outdoor education uses and similar activities shall be permitted, provided that no associated buildings or structures are location in the natural hazard area.
3. Development shall generally be directed to areas outside of:
 - a) Hazardous lands adjacent to the shorelines of the Lake Superior and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
 - b) Hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and



- c) Hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
 - d) Hazardous sites.
4. Development and site alteration shall not be permitted within:
- a) Areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
 - b) A floodway regardless of whether the area of inundation contains high points of land not subject to flooding.
5. Development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
- a) An institutional use including hospitals, long-term care homes, retirement homes, preschools, school nurseries, day cares and schools;
 - b) An essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations; or
 - c) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
7. 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.
8. With the exception of flood or erosion control works, a public bridge, docks, boathouses and pump houses, construction shall not normally occur on lands within the Natural Hazards Overlay.
9. Proposals for development within the Natural Hazards Overlay, including construction of buildings or structures, or additions thereto, shall 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 despite naturally occurring hazards, such as flooding and erosion.

10. On an existing lot of record, 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 6.1.4 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 including hospitals, long-term care homes, retirement homes, schools, nursery schools, and daycares, essential emergency services such as that provided by fire, police, and ambulance bases, and electrical substations, or the disposal, manufacture, treatment, or storage of hazardous substances.
11. Where new lots are being created, part of which will be located within the Natural Hazards Overlay, there must be sufficient area of land outside of the natural hazards area to place and proposed buildings and services in accordance with the policies of this Plan, the provisions of the Comprehensive Zoning By-law, and any other application regulations.
12. No plans to divert, channelize, dam, 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 must also be obtained.
13. 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.
14. Any applications within the Natural Hazards Overlay 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 (MNR) and/or the Town. There is no public obligation to either permit development within or to purchase any lands within the Natural Hazards Overlay, particularly if the environmental hazard would be difficult or costly to mitigate or overcome.

15. Lands part of the Natural Hazards Overlay may not be considered acceptable as part of a parkland dedication pursuant to the Planning Act.
16. Within the Natural Hazards Overlay, the retention of natural vegetation shall be encouraged.
17. The Natural Hazards Overlay shall be further implemented through the Comprehensive Zoning By-law.
18. 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.

6.2 Natural Heritage Overlay

The Town's rivers, streams, wetlands, shoreline, woodlots, forests, natural areas, and habitat areas are to be protected and celebrated to ensure their long-term sustainability. The objective of the Natural Heritage Overlay is to protect for the long-term preservation of a diverse and connected system of natural features, areas, and biological and ecological functions. Natural areas, features, and functions should be maintained, restored, and where possible improved, recognizing links and corridors between them.

Lands part of the Natural Heritage Overlay on **Schedules A and B** of this Plan indicate the general location of known natural areas, features and hazard lands, and may include environmental features such as wetlands, woodlands, floodplains, valleylands, shorelines, significant wildlife or fish habitats, among others. Such features are also illustrated on **Schedule C: Environmental Constraints** of the Official Plan.

This mapping should not be construed as representing the precise boundaries or all of the known natural areas, features, and hazard lands. The Natural Heritage Overlay, features, and hazard areas may be defined more precisely through watershed, environmental planning studies, Environmental Impact Studies (EIS), and/or Ministry of Natural Resources (MNR) or other government or regulatory authority mapping.

A significant modification to the Natural Heritage Overlay shall require an amendment to this Plan. Minor boundary adjustments shall not require an Official Plan Amendment. **Schedules A through C** of this Plan may be updated as additional natural areas and features are identified, or where more accurate mapping is available.

1. Where planning applications to establish a new use, or expand a permitted use, are not subject to the Environment Assessment Act, an approved Environmental Impact Statement



(EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment, or site alteration within or adjacent to natural areas and features. Protection or mitigating measures may be implemented.

2. Lands within the Natural Heritage Overlay shall be zoned to prohibit the erection, location, or use of any buildings or structures other than those which legally exist on the date that this Plan came into full force and effect.
3. Subject to other policies of this Plan, expansion of an existing use located within or adjacent to a natural area or feature may be permitted if an approved EIS is submitted that demonstrates that the proposed development will have no negative impact on the natural feature or its ecological functions, to the satisfaction of the Town.
4. Where development or site alteration is proposed adjacent to lands part of the Natural Heritage Overlay:
 - a) Newly created lots shall not extend into the lands to be retained in a natural state or any required or recommended buffers, as identified through an EIS.
 - b) The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a single block and zoned to protect their natural features and ecological functions.
5. The Town shall, where deemed appropriate, pursue the acquisition of natural areas or features by way of land dedication or other means, and which will be adequately sized to support the protection of natural features and their function, access, and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the Planning Act.
6. The Town encourages lands part of the Natural Heritage Overlay, whether in private or public ownership, to be maintained as accessible to the public at the discretion of the owner, where appropriate.
7. The Town shall encourage and provide assistance, where possible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of natural areas and features.
8. Due to their confidential nature, significant wildlife habitat areas and fish habitat are not mapped on the Schedules of this Plan.
9. Other environmental features in and around the Town are illustrated on **Schedule C** to this Plan.

7 The Environment

The Town of Marathon is located in Ecoregion 3W, within the Ontario Shield. While there are no significant natural heritage features identified in Marathon (i.e., Provincially Significant Wetlands or Coastal Wetlands, Areas of Natural and Scientific Interest (ANSI), etc.), the Town recognizes the importance of protecting the local natural heritage system, including the lands, water, wildlife habitat, and shorelines of Lake Superior, and many coves, bays, lakes, and rivers in the area.

As the Town continues to grow and evolve over the life of this Official Plan, planning and development shall strongly consider the environment, including the natural heritage system and geological resources, while also recognizing the effects of a changing climate. Natural heritage features and areas, as well as geological resources, including mining sites, are illustrated on **Schedule C** of this Plan. Such values are subject to change and evolution, and will be updated as new information becomes available.

7.1 General

1. The Provincial Planning Statement, 2024 defines adjacent lands for the purpose of environmental protection to be lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives. For the purposes of this Plan, adjacent lands are determined to include all lands within the specific distance of the boundary of natural heritage features and areas as set out in **Table 7-1**.

Table 7-1: Natural Heritage Features and Adjacent Lands

Natural Heritage Area or Feature	Extent of Adjacent Lands
Significant Habitat of Endangered and Threatened Species	120 metres
Provincially Significant Wetlands	120 metres
Significant Coastal Wetlands	120 metres
Significant Wildlife Habitat	120 metres
Provincially Significant Areas of Natural and Scientific Interest (ANSI) – Life Science	120 metres
Provincially Significant Areas of Natural and Scientific Interest (ANSI) – Earth Science	50 metres
Fish Habitat	Inland lake trout (at capacity) on the Canadian Shield: 300 metres All other fish habitat: 120 metres



2. As certain natural heritage features (in particular, significant wildlife habitat, habitat of endangered or threatened species, or fish habitat) could occur in any area within the municipality, the potential for the presence of these features should be considered in the review of every development or site alteration proposal.
3. No development or site alteration shall be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Statement (EIS) prepared by a qualified professional in accordance with the applicable policies of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

7.2 Mineral Aggregate and Mineral Resources

The Provincial Planning Statement, 2024 states that minerals and petroleum resources shall be protected for long-term use. Mineral aggregate resources are defined in the Provincial Planning Statement, 2024 as gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes. Mineral aggregate resources do not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act. Mineral deposits and sand and gravel resource areas are illustrated on **Schedule C** of this Official Plan.

1. Mineral aggregate operations shall be zoned appropriately in the Comprehensive Zoning By-law, and protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. To permit continued development of the extractive industry in a logical and controlled fashion, protection of areas having high quality mineral aggregate or mineral 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. In the Rural designation as shown on **Schedules A and B**, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) The 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.
3. Non-extractive land uses or developments shall be prohibited in those areas identified as having a mineral 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.
4. Progressive and final rehabilitation to accommodate subsequent land uses shall be required to accommodate new land uses, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration. An Official Plan Amendment to redesignate the subject lands may be required to implement the subsequent land use.
 5. Mineral extraction shall be undertaken in a manner which minimizes social and environmental impacts.
 6. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
 7. Existing mineral and mineral aggregate operations shall be permitted to continue without the need for Official Plan Amendment and/or Zoning By-law Amendment under the Planning Act.
 8. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations.
 9. Development of these areas for purposes other than resource extraction shall not be permitted in accordance with Policy 7.2.1. If such development is permitted, the underlying designation will apply.
 10. Development in or adjacent to an area of known mineral or mineral 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.
 11. New or expanding mineral aggregate or mineral extraction operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded mineral aggregate or mineral extraction operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.
 12. Cultural heritage resources shall be considered when new areas for mineral extraction or aggregate operations are being considered. Prior to the establishment of new operations or the expansion of existing operations, Council will require the mitigation of any negative



impacts on cultural heritage interest or value through the use of Cultural Heritage Evaluation Reports, Heritage Impact Assessments and/or Archaeological Assessments.

7.3 Climate Change, Energy, and Sustainability

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. It is important for municipalities, including the Town of Marathon, to be prepared for the effects of climate change, despite our best efforts at reducing our greenhouse gas emissions in the future.
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 encouraging a mix of uses in the Town. However, a broader approach is required in order to establish more comprehensive mitigation.
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 preparing for the effects of climate change on the community.
4. 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.
5. 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.
6. 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. Certain alternative energy and renewable energy systems are required to obtain a Renewable Energy Approval (REA) from the Ministry of Environment, Conservation and Parks (MECP), which must meet the requirements of O.Reg. 359/09 under the Environmental Protection Act.
7. The Town shall be consulted through the Provincial REA process. The Town shall 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 REA is required. The proponent must then supply the Town's comments to the Province with their REA Application.

7.4 Forestry

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) Natural buffers between land uses; and
 - g) Natural amenities.



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 (MNR).
3. Due to the potential for adverse impact on groundwater resources, forestry harvesting activities shall be prohibited on land within Groundwater Protection Zones 1, 2, and 3, as illustrated on **Schedule D** of this Plan.
4. The maintenance of forest cover and riparian vegetation along shorelines, including river and stream banks is required and reforestation in areas where forest resources have been depleted is encouraged.

7.5 Groundwater Resources and Water Quality

Groundwater resources are used as a source of potable water supply in the Settlement Area of Marathon. The Ontario Safe Drinking Water Act places certain responsibilities that municipalities must take to ensure that drinking water supplies are protected from pollution or degradation. The Town recognizes the importance of protecting, improving, and restoring the quality and quantity of water.

1. No development or site alteration shall be permitted that result in the contamination of groundwater resources.
2. Development and site alteration shall only be permitted if they will not have negative impacts on:
 - a) The quantity and quality of surface and ground water;
 - b) The functions of ground water recharge and discharge areas, aquifers and headwaters;
 - c) The natural hydrologic characteristics of watercourses such as base flow;
 - d) Surface or ground water resources adversely impacting on natural features or ecological functions of the Natural Area or its components;
 - e) Natural drainage systems, stream forms and shorelines; and
 - f) Flooding or erosion.
3. The Town shall promote the use of Best Management Practices to minimize the impacts of development on water quality, which may include measures such as:
 - a) Large lot sizes and increased frontage requirements;
 - b) Enhanced setbacks for buildings, structures, and septic systems;
 - c) Protection of lakeshore vegetated buffers;
 - d) Avoidance of steeply graded lots;



- e) Restrictions on the amount of impervious surfaces, such as parking areas and patios;
 - f) The use of lot-level stormwater management practices such as infiltration from roof leaders to reduce runoff;
 - g) Limitations on the use of fertilizers; and
 - h) The use of erosion control measures during site development and construction.
4. 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.
5. Stormwater Management Plans shall be prepared in accordance with the Ministry of Environment, Conservation, and Parks (MECP) Stormwater Management Planning and Design Manual, 2003, or its successor, and with watershed and/or environmental planning studies for the area.

7.5.1 Groundwater Protection Zones

The Town prepared a Groundwater Management Strategy in 2003, with an update in 2009, which identified a number of strategies and initiatives that provide for the protection of the groundwater resources and the municipal water supply.

1. The Groundwater Protection Zones shown on **Schedule D**, derived from Marathon's Groundwater Management Strategy, 2003; Updated 2009, identify the groundwater aquifer source area of the municipal water supply that is sensitive to potential contamination:
 - a) Groundwater Protection Zone 1 represents the 0-2 year capture zone and is the most sensitive to contamination;
 - b) Groundwater Protection Zone 2 represents the primary groundwater source area and is the 2-25 year capture zone; and
 - c) Groundwater Protection Zone 3 represents possible source areas for future wells.
2. Within each of the Groundwater Protection Zones, certain types of land uses whose activities have the potential to adversely impact on groundwater resources shall be prohibited.
3. For the purposes of this section, certain industrial land uses are considered to pose risk to contamination of the groundwater aquifer of the municipal water supply, and are categorized as shown in **Table 7-2**.



Table 7-2: Industrial Land Use Categories – Potential Sources of Groundwater Contamination

Category	Type of Land Use
Category A	• Lagoons, landfills, disposal of abattoir and rendering wastes; and • Auto wrecking and automobile salvage yards.
Category B	• Foundries; • Non-ferrous and precious metal smelting and refining; • Metal rolling, casting and extruding operations including steel pipes and tubes; • Manufacturing of unfinished fabricated metal products and parts; • Metal finishing operations, i.e. electroplating, electrocoating, galvanizing, painting, application of baked enamel; • Manufacturing of cable, wire and wire products; • Jewellery and silverware manufacturing; • Assembly of aircraft parts, motor vehicles, truck, bus bodies, trailers, rail cars, mobile homes, ships and boats; • Manufacturing of engines, engine parts, steering and suspension parts, wheels and brakes; • Manufacturing of agricultural, commercial and industrial machinery; • Manufacturing, packaging, crating or bottling of chemicals, resins, paints, varnish, printing inks, adhesives and dyes; • Manufacturing of pharmaceuticals and medicines; • Petroleum products refining and asphalt batching; • Manufacturing of electronic components such as semiconductors, printed circuit boards and cathode ray tubes; • Manufacturing of wet electrical and industrial equipment and wet batteries; • Commercial or industrial dry cleaning of textiles and textile products; • Leather tanning and finishing; • Wood and wood product preservation and treatment; • Transportation terminals for chemicals or hazardous substances; • Warehousing and bulk storage of oil, gasoline, or petroleum products, and gasoline stations;



Category	Type of Land Use
	• Warehousing of cleaning products, pesticides, herbicides, fungicides and chemicals; and • Snow storage and disposal facilities.
Category C	• Rubber products manufacturing; • 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); • Manufacturing of electrical light bulbs and tubes; • Manufacturing of dry batteries; • Manufacturing of soaps and toiletry products; • Finishing and dyeing of textiles; • Manufacturing of plastic and foam parts and products; • Furniture, casket, cabinet and other wood products manufacturing and assembly; • Manufacturing of coated glass; • Manufacturing of paper, newsprint and boxes; • Photographic development facilities (other than accessory to other retail uses); • Printing of newspaper, packaging and books; • Repair of industrial machinery; • Repair of motor vehicles, aircraft, water craft, rail vehicles, trucks, buses and machinery; • Golf courses; • Airports, train and public transit terminals; • Medical, health and other laboratories (other than clinics associated with commercial plazas); and • Contractors' establishments and yards.

4. On lands within Groundwater Protection Zone 1, 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 in **Table 7-2** 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 the Town's Groundwater Management Strategy.
5. On lands within Groundwater Protection Zone 2, the following land use restrictions shall apply:
- a) Those land uses identified as Category "A" or "B" Industrial Land Uses in **Table 7-2** shall be prohibited;
 - b) The use of underground storage tanks shall be prohibited;
 - c) Category "C" Industrial Land Uses in **Table 7-2** 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 the Town'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.
6. On lands within Groundwater Protection Zone 3, the following land use restrictions shall apply:
- a) Those land uses identified as Category "A" Industrial Land Uses in **Table 7-2** shall be prohibited;
 - b) The use of underground storage tanks shall be prohibited; and
 - c) Category "B" and "C" Industrial Land Uses in **Table 7-2** may be permitted within Groundwater Protection Zone 3, 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.
7. Existing uses that are considered to be Category "A" and "B" Industrial Land Uses in **Table 7-2**, which are located within Groundwater Protection Zones 1 and 2 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 1 and 2.

8. 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.
9. 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.
10. 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 1, 2, and 3 shall be restricted.

7.6 Human-Made Hazards

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

7.6.1 Abandoned Mine Hazards

As defined in the Provincial Planning Statement, 2024, mine hazards include any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. The Ministry of Energy and Mines (MEM) maintains the Abandoned Mines Inventory System (AMIS) which contains information relating to known and recorded mine sites.

1. Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations, or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. 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 Energy and Mines requires a plan to be submitted should the progressive rehabilitation not meet provincial standards.

3. Development on lands within 1,000 metres of an abandoned mine hazard site shall be permitted only following applicant consultation with the MEM, and the completion of any required rehabilitation or remediation measures to address and mitigate the hazard in accordance with the requirements of the MEM. Abandoned mine hazard sites 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 through the Abandoned Mines Information System (AMIS), which is maintained by the MEM.
4. Where a rehabilitated mine is identified within 1,000 metres of a proposed development, written consent of the Minister of MEM is required prior to any disturbance of rehabilitated mine features.
5. 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.
6. 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.

7.6.2 Contaminated Sites

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, or other uses. Site contamination can result from the disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses, such as gasoline stations and automotive repair garages, have similar potential to result in site contamination.

1. An application for development or redevelopment requiring a building permit, rezoning, minor variance, consent, subdivision, or amendment to this Plan for lands that are known or suspected of being contaminated shall require an environmental site assessment which must be prepared by a qualified professional. If necessary, a site remediation plan prepared in



accordance with the Provincial “Guidelines for Use at Contaminated Sites in Ontario,” shall be required.

2. Where remediation work is required, it will be a condition of approval of the development or redevelopment that appropriate measures are taken to implement the components of the site remediation plan. A Record of Site Condition (RSC) shall also be required which identifies the extent of possible contamination, and summarizes information about the site including the site condition achieved through restoration. The RSC shall be prepared by a qualified consultant in accordance with O.Reg. 153/04 and received by the Ministry of Environment, Conservation and Parks (MECP). 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 MECP guidelines.

7.7 Wildland Fire Hazards

Hazardous forest types for wildland fire are forest types assessed as being associated with a high or extreme risk of wildland fire, as illustrated on **Schedule E**. These areas are generally composed of forest fuel types including natural conifer forests and unmanaged conifer plantations.

Schedule E is provided for information purposes and is intended to assist in screening to identify areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, **Schedule E** may be revised without requiring an amendment to this Plan.

1. 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. 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.
3. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources (MNR).
4. In the absence of detailed municipal assessments, proponents submitting a planning application shall undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent lands, to the extent possible. If development is proceeding where high to extreme risk for wildland fire is present, measures should be identified by proponents to outline how the risk will be mitigated.
5. Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in significant wildlife habitat, unless it has been demonstrated that there will



be no negative impacts on the natural features or their ecological functions, in accordance with the policies of **Section 7.8.3 Significant Wildlife Habitat** of this Plan.

7.8 Natural Heritage System

7.8.1 Areas of Natural and Scientific Interest (ANSI)

The Provincial Planning Statement, 2024 defines Areas of Natural and Scientific Interest (ANSI) as areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Life Science ANSIs represent significant segments of specific types of forests, valleys, prairies, savannahs, alvars and wetlands found in Ontario, and their native plants and animals and supporting environments. They also contain relatively undisturbed vegetation and landforms, and their associated species and communities. Earth Science ANSIs represent significant examples of bedrock, fossils and landforms found in Ontario, including ongoing geological processes.

The Ministry of Natural Resources (MNR) has not identified any ANSIs in the Town of Marathon. The Town recognizes that ANSIs may be identified in the future, in which case, the following policies shall apply.

1. The identification of ANSIs and candidate ANSIs shall be determined in consultation with the Province's Natural Heritage Information Centre (NHIC) or Geospatial Ontario, as well with the MNR.
2. Development and site alteration may be permitted within ANSIs or on adjacent lands provided it does not negatively impact on the natural features or ecological functions for which the area has been identified.
3. Where development or site alteration is proposed within 50 metres of an Earth Science ANSI or within 120 metres of the boundary of a Life Science ANSI, the proponent shall prepare an Environmental Impact Statement (EIS) that demonstrates, to the satisfaction of the Town, that there will be no negative impacts on the ANSI or on its ecological function. Where warranted by species and site-specific factors, development or alteration that is proposed further than 120 metres from significant portions of the ANSI may also require an EIS.

7.8.2 Fisheries and Fish Habitat

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. Under the Fisheries Act, fish habitat is defined as spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. The Department of Fisheries and Oceans Canada has a mandate to protect and



preserve fish habitat on Crown and private lands under the Fisheries Act, and the MNR has a lead role in supporting planning authorities in carrying out their responsibilities.

1. 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.
2. 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 beyond 120 metres of a fish habitat, provided that it has been demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the fish habitat or its ecological functions;
 - b) 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
 - c) 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.
 - d) Where required by the Town, proponents shall be required to submit a Fisheries Assessment as part of a development application. The Fisheries Assessment shall be evaluated by the MNR as part of the development review process.

7.8.3 Significant Wildlife Habitat

The Provincial Planning Statement, 2024 defines wildlife habitat as area where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Significant wildlife habitat areas are not illustrated on the Schedules of this Plan, as the exact locations of these areas must be determined on a site-specific basis, in accordance with the criteria for determining significance provided in the Ministry of Natural Resources (MNR) 2010 Natural Heritage Reference Manual and the Ecoregion criteria.

1. Wildlife habitats may include one or more of the following characteristics:
 - a) Seasonal concentrations of animals, such as deer wintering habitat;
 - b) Rare vegetation communities and specialized habitats for wildlife;



- c) Habitats of species of “special concern” and other wildlife habitats, such as provincially rare plants, reptiles, amphibians, and birds, as well as nests of raptors such as osprey; and
 - d) Animal movement corridors.
- 2. Lands identified as wildlife habitat are important components of natural heritage systems in the Town of Marathon and must be protected from incompatible development and site alteration.
- 3. 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.
- 4. 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.
- 5. Where preliminary assessments indicate proposed development is within or adjacent to significant wildlife habitat, an Environmental Impact Statement will be required to determine whether there will be negative impacts on the natural features or their ecological functions.
- 6. Any evaluated wildlife habitat that is deemed to be significant will be granted the protections afforded in this Section without the need for an amendment to this Plan.

7.8.4 Extirpated, Endangered, and Threatened Species

- 1. Development and site alteration shall not be permitted in habitat of extirpated, endangered, and threatened species, except in accordance with provincial and federal requirements.
- 2. Development and site alteration shall not be permitted on adjacent lands to the significant habitat of extirpated, endangered, and threatened 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.
- 3. Where a habitat regulation under the Species Conservation Act, 2025 (SCA) 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 Planning Statement, 2024.
- 4. Where preliminary assessments indicate the potential presence of significant habitat of extirpated, endangered, and threatened species, the Ministry of Environment, Conservation, and Parks (MECP) be contacted for review and confirmation of the information.



5. It is the responsibility of the proponent to ensure that any development or activity does not contravene the Species Conservation Act, 2025 (SCA). All development and site alteration must be planned and considered in accordance with the provisions of the SCA. If proposed development is located in lands adjacent to significant habitat of extirpated, endangered, and threatened species an Environmental Impact Study (EIS) will be required to determine whether there will be negative impacts on the natural features or their ecological functions.
6. 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.
7. The presence of species listed on the Protected Species in Ontario List (extirpated, endangered or threatened species) shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with the Ministry of Environment, Conservation, and Parks (MECP)
8. The Species Conservation Act, 2025 (SCA) prohibits the killing, harming, capture, or taking of a member of a species that is listed on the Protected Species in Ontario List, and the damaging or destroying of their habitat. As a result, an Environmental Impact Statement (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 SCA. 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 extirpated, 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.
9. 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 Statement (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 Statement
10. If impacting an extirpated, endangered, or threatened species listed on the Protected Species in Ontario List cannot be avoided, a permit or agreement under the Species Conservation Act,



2025 should be obtained before the activity proceeds. Town staff should work directly with MECP to develop agreements or permits when required.

7.8.5 Wetlands

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 Town of Marathon.

1. Within an identified wetland area, no development or site alteration will be permitted in it or adjacent to it. Lands adjacent to a provincially significant wetland are defined to be within 120 metres.
2. A wetland evaluation must be performed before any planning approvals are processed for wetlands that have characteristics or components of a significant wetland, including significant species or functions. Guidance for wetland evaluations can be found in the MNR Ontario Wetland Evaluation System – Northern Manual (2013).
3. Any evaluated wetland that is deemed to be significant will be granted the protections afforded in this Plan, without the need for an amendment to this Plan.
4. Any proposed development and site alteration on or adjacent to a wetland shall require the preparation of an Environmental Impact Statement (EIS) prepared by a qualified environmental professional and in accordance with this Plan to demonstrate that there will be no negative impact on the natural feature and its ecological function.

7.8.6 Provincially Significant Wetlands

The Town of Marathon recognizes that Provincially Significant Wetlands (PSWs) must be protected and conserved. While no PSWs have been identified in the Town, the Town recognizes the potential for unevaluated wetlands to be identified as PSW in the future.

1. Development and site alteration shall not be permitted within a PSW unless it is demonstrated, through the preparation of an Environmental Impact Statement (EIS) by a qualified professional and in accordance with the policies of this Plan, that there will be no negative impact on the natural feature or its ecological function.
2. Where development or site alteration is proposed within 120 metres adjacent to the boundaries of a PSW, the proponent shall provide the Town with an EIS, prepared by a qualified professional and in accordance with this Plan, which demonstrates that there will be no negative impact on the natural feature or its ecological function. Where warranted by site and species-specific factors, development or site alteration proposals further than 120 metres from significant portions of a PSW may also require the preparation of an EIS.



3. Any change or interference within or adjacent to a PSW may require a permit from the Ministry of Natural Resources (MNR).

7.9 Shoreline Development and Lake Capacity

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. 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.
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.

8 Community Services, Infrastructure, and Facilities

8.1 Objectives

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.
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.
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. In accordance with the hierarchy of services identified in the Provincial Planning Statement, 2024, 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 Planning Statement and the policies of this Plan, individual on-site private sewage and water services.
5. Infrastructure shall be planned and designed to ensure long-term fiscal sustainability through advanced design standards, asset management programs, and provisions for efficient, cost-effective operations.

8.2 Community Facilities and Services

1. The services provided by the Town Fire Department, the Ontario Provincial Police and other Provincial agencies are considered adequate to meet the needs of the residents of the Town.
2. The Town shall continue to collaborate with the local school board to plan for educational facilities that meet the needs of the community.



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. There are a number of services in the townsite of Marathon that are accessed by the Biigtigong Nishnaabeg (Pic River First Nation) and Netmizaaggamig Nishnaabeg (Pic Mobert First Nation). The Town of Marathon is committed to continuing the positive working relationship with the neighbouring Biigtigong Nishnaabeg (Pic River First Nation) and Netmizaaggamig Nishnaabeg (Pic Mobert First Nation).

8.3 Non-Hazardous Solid and Liquid Waste Disposal

1. The Town owns and maintains the Marathon Wastewater Treatment Plant and Wastewater Collection System. Disposal of waste shall be in accordance with the Town Waste Management By-law.
2. Any new solid waste disposal sites shall be planned in accordance with the requirements of the Environmental Assessment Act and Environmental Protection Act and should:
 - a) Avoid areas of high groundwater;
 - b) Be restricted from locating within Groundwater Protection Zones 1, 2, and 3 as identified on **Schedule D** of this Plan;
 - 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, Conservation and Parks (MECP).
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 MECP that the facility may be established without adverse impacts on surrounding land uses and the natural environment. An Environmental Compliance Approval from the MECP is required for all liquid waste disposal sites.

8.4 Recreation and Open Space

1. 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.
2. The Town recognizes that the former mill lands along the waterfront by Jellicoe Cove provide numerous opportunities to increase public waterfront park and open space land. The Town shall pursue opportunities to acquire waterfront lands, including Pebble Beach and lands in



the vicinity of the boat launch at Jellicoe Cove, for public waterfront park development purposes, and undertake long-term planning for these lands in accordance with the Waterfront Master Plan.

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 interest groups and abutting landowners to create trail connectivity to abutting areas, including Pukaskwa National Park.
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.

8.5 Transportation Network

1. The Town shall aim to develop a transportation network, which is supportive of a variety of transportation modes, including vehicles, freight, snowmobile, and active transportation such as pedestrian and cycling.
2. Maintenance will be provided on all roads under the jurisdiction of the Town of Marathon and the Ministry of Transportation (MTO).
3. It is anticipated that significant freight traffic growth may occur over the lifetime of this Plan due to operations associated with the existing Hemlo Mine and the planned Port of Marathon and Generation Mine. It is the policy of this Plan to recognize the importance of Highway 17 and Peninsula Road as primary haul routes for local and regional transportation, and that the functionality of these corridors be protected so that the Town is prepared to be freight-supportive should the planned Port and mining operations be developed over the planning horizon to 2051.
4. The Town shall consider connections to the Province-Wide Cycling Network (PWCN) along Highway 17 and Peninsula Road, where appropriate. In collaboration with the Ministry of Transportation, the Town shall consider opportunities for paved shoulders, cycling lanes, or shared-use facilities when undertaking road reconstruction, resurfacing, or major capital works.

8.5.1 Road Classifications

1. The classification of roads in the Town is as follows:
 - a) Provincial Highways: includes the numbered provincial highways under the jurisdiction of the Ministry of Transportation (MTO). Development along Provincial highways is subject to the Permit Control of the MTO 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 MTO; and



- b) **Municipal 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.

8.5.2 Provincial Highways

1. 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 Town, typically on two (2) to four (4) traffic lanes. Highway 17 is the Provincial Highway located in the Town.
2. 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 MTO's access management practices and principles. A new MTO entrance permit is required for ownership changes, land use changes, or reconstruction of an existing entrance.
3. In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the MTO's Permit Control Area under the Public Transportation and Highway Improvement Act, as amended, will also be subject to MTO approval. Early consultation with the MTO 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 MTO's permit control area will be subject to MTO's policies, standards and requirements.
4. A Transportation 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.
5. The MTO's policy is one (1) highway entrance for one (1) lot of record. Back lot development cannot use another entrance for access to a Provincial highway.
6. Any new proposed access connection (i.e., public road or signalized intersection) onto a Provincial highway shall meet the MTO's access management practices and principles.
7. Any proposals for snowmobiles or trail crossings of Provincial highways will require the prior approval of the MTO. Trails running along the right-of-way of a Provincial highway are not



permitted. In addition, recreational trails along or crossing Provincial highways must comply with MTO's Snowmobile Trails Along the Provincial Highway Right-of-Way Policy.

8. A Stormwater Management and Drainage Report and Plan shall be prepared by the proponent, and reviewed and approved by the MTO for those developments located adjacent to, or in the vicinity of, a Provincial highway whose drainage would impact the highway and/or downstream properties.
9. Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible to the traveling public.
10. Entrances serving home occupations, or businesses located adjacent to Provincial highways requires the approval of an entrance permit by the MTO.

8.5.3 Municipal Roads

1. It is the intention of the Town to provide safe and energy efficient movement of people and goods within the Town by creating a transportation system which addresses the projected needs of the Town, and supports the use of zero- and low-emission vehicles.
2. The Town shall plan for a multi-modal transportation system which addresses, maintains, and improves where possible the connections within and to and from adjacent jurisdictions and communities. 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.
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 the following standards:
 - a) Consideration of pedestrians by including a sidewalk on at least one side of the road, where appropriate;
 - b) Protection of major goods movement facilities and corridors;
 - c) Consideration of bicycles and other active transportation traffic, where appropriate;
 - d) Conformity with a Class Environmental Assessment under the Environmental Assessment Act; and
 - e) All other municipal standards for assumption of roads into the municipal road system.
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.
5. Unless it is clearly in the public interest, private roads will not be assumed by the Town into the Town road system.



6. The right-of-way width of municipal roads shall generally be a minimum of 20 metres. As a condition of development, the Town may require the dedication of road widenings to achieve the 20 metres road right-of-way widths where they presently do not exist. An alternative right-of-way standard of 18 metres may be considered for minor residential roads.
7. The Town supports creating a second access to the Marathon Settlement Area for goods movement purposes and emergency response planning, however the feasibility is directly related to the availability of funding.

8.6 Sewage Disposal

1. All new residential, commercial, institutional and industrial development within the Settlement Area of Marathon shall be connected to the municipal sanitary sewage treatment system. Any sewage line extensions outside of the Settlement 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.
2. The Town operates and maintains the sanitary sewage treatment and distribution system in the Settlement 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, Conservation and Parks (MECP).
3. Private individual septic tanks and tile field systems shall be the primary means of sewage disposal in the area outside of the Settlement Area of Marathon.
4. The need for public sanitary sewage disposal in the area outside of the Settlement Area 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 Settlement Area subject to the approval of the appropriate approval authority.
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.
6. All new individual private sewage disposal systems shall require the approval of the appropriate approval authority.
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.



8. Extension of sanitary sewer services to the industrial park along Old Heron Bay Road and Industrial Court is supported by Council subject to the availability of funding and Council will endeavour to seek funding partnerships with other levels of government.
9. The Town may undertake the preparation of a Multi-Year Servicing Plan to assist with long-term planning for servicing capacity.

8.7 Stormwater Management

1. The management and removal of stormwater 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 (MTO).
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. A Stormwater Management Plan and/or Report must be reviewed and approved by MTO for those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream.
3. Stormwater management shall be considered a part of the development approval process, particularly for subdivisions, multi-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 stormwater management practices shall be used to minimize storm water volumes and contaminant loads, utilize best practices for stormwater management in accordance with Ministry of Environment, Conservation and Parks (MECP) 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 Stormwater Management and 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 stormwater to waterbodies should be avoided where possible.
4. The management and removal of stormwater on properties in proximity to municipal wells shall provide adequate protection of the municipal water supply from the adverse impacts of stormwater and be directed away from municipal wells.



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.

8.8 Water Supply

1. Municipal water services shall remain the preferred form of servicing for lands within the Settlement Area of Marathon. All new development within the Settlement Area shall be connected to the municipal water supply system.
2. Any water line extensions outside of the Settlement 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.
3. It is recognized that the industrial park along Old Heron Bay Road and Industrial Court is partially serviced with municipal water services. Extensions or improvements to the water service shall only be permitted for infilling and minor 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. The need for public water supply to the area outside the Settlement Area is not considered feasible over the life of this Plan.
5. The source of water supply in areas beyond the Settlement Area 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.
6. The responsibility for water supply in those areas outside of the Settlement Area will be with each property owner.
7. Individual private wells serve as an adequate supply of water for the rural development of the Town. It is intended that lots be of adequate size and maintain suitable conditions to ensure that private wells remain the primary source of water in the Rural area of the Town.
8. Where municipal services are unavailable, the Town may support multi-unit or multi-lot developments proposed to be serviced by communal water systems, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

9 Administration

9.1 The Town's Role in Implementation

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 the:
 - a) Preparation, adoption, and enforcement of the Comprehensive Zoning By-law;
 - b) Preparation, adoption, and enforcement of other municipal by-laws such as property maintenance and occupancy standards by-laws, and interim control;
 - c) Consent, Draft Plan of Subdivision, and Draft Plan of Condominium processes;
 - d) Site Plan Control process; and
 - e) Participation in programs funded by Federal and Provincial levels of government for housing, infrastructure, community improvement, etc.

9.2 Amendments and Review of the Official Plan

1. No developments or activities shall occur which contravene the intent and policies of this Plan.
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.
3. The Official Plan shall be amended to reflect other municipal policies that may impact on land use planning matters in the Town.
4. The Official Plan shall be reviewed no later than ten (10) years after coming into effect, and shall be subject to an update at least once every five (5) years thereafter, pursuant to Section 26 of the Planning Act.
5. 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.
6. Prior to considering an amendment to this Plan, the Town shall pre-consult with the Ministry of Municipal Affairs and Housing (MMAH), as required, 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.



7. Sufficient land within the Town's Settlement Area is available for growth over the life of the Plan. Should there be a future need to consider an expansion to the Settlement Area, the policies in **Section 3.2 Settlement Area** shall apply.

9.2.1 Technical and Minor Amendments

1. Technical and minor amendments to this Plan may include updating of Planning Act and other legislation references, Ministry names, renumbering of sections, and the correction of typographical, grammatical, or cross-referencing errors provided they do not result in changes to policy.
2. Technical and minor amendments to the Schedules such as updates to base mapping features, lot and parcel fabric, street and feature names, and natural heritage features, may be updated based on new information and data without an amendment to the Official Plan.
3. Public notification and public meetings shall not be required for technical and minor amendments to this Plan.

9.3 Community Improvement

Community improvement involves a range of public and private activities that maintain, rehabilitate, and revitalize the condition of the physical environment. Such improvements are often used to address various social and economic priorities of the community, through municipal initiatives, private sector investment, and partnerships with senior levels of government.

9.3.1 Objectives

1. Maintain, rehabilitate, and revitalize the physical environment in the Town as a means of improving the quality of life for residents, workers, and visitors in the Town.
2. Consider community improvement as an important part of the Town's commitment to local economic development and support for commerce, industry, and tourism in Marathon.
3. Supporting the redevelopment of brownfields sites and their reintegration into the urban fabric.
4. Encouraging the maintenance of existing housing stock through rehabilitation, renovation, and repair of existing buildings.
5. Promoting Downtown and waterfront revitalization, and improving the overall streetscape and aesthetics of commercial and industrial areas of the Town.
6. Encouraging property maintenance and occupancy standards.
7. Preserving historically and/or architecturally significant buildings or areas.



8. Encouraging and incentivizing the construction of affordable housing through intensification, and housing forms that allow residents to age in place, and other housing needs of local residents.
9. Promoting, where feasible, energy efficient conservation through energy efficiency land uses.
10. Working with business leaders and private investors in the community to identify and facilitate improvements.

9.3.2 Community Improvement Project Areas

1. The Settlement Area of Marathon is designated as a Community Improvement Project Area.
2. It is the intent of Council that the Community Improvement Project Area may be further designated by by-law, in whole or in part, as one or more defined Community Improvement Project Areas for which detailed Community Improvement Plans may be prepared.
3. The following designation criteria shall be used to identify Community Improvement Project Areas:
 - a) Deficiencies in hard services, such as roads, sidewalks, curbs, municipal water and sewer systems, and storm sewers;
 - b) Presence of substandard building conditions and housing in need of improvement and revitalization;
 - c) Opportunity to expand the housing stock through the redevelopment or conversion of underutilized lands and/or buildings;
 - d) Need to provide or improve affordable housing for low to moderate income households;
 - e) Presence of vacant lands and/or buildings that could be developed, redeveloped, or converted to another use;
 - f) Presence of brownfield sites that are underutilized, derelict, or vacant and may be contaminated;
 - g) Need to upgrade the streetscape or aesthetics of an area;
 - h) Need to upgrade elements of the transportation system, including but not limited to substandard road conditions and road widths, and intersections in need of improvement;
 - i) Need to provide or improve recreational and cultural facilities and public open spaces, including parkland acquisition, facilities improvement, and trails enhancement;
 - j) Presence of incompatible land use activity;
 - k) Presence of hazard lands that have an impact on the Town's pattern of development, such as contaminated sites or areas requiring drainage improvements;



- l) Presence of buildings and/or lands of cultural heritage or archaeological significance or interest in need of protection, improvement, or revitalization;
- m) Areas requiring shoreline management and improvements to enhance public use; and
- n) Presence of points of interest and/or significant amenities, such as the downtown and waterfront, that provide opportunities for tourism, and which could benefit from protection and enhancement.

9.3.3 Implementation

1. In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Town may undertake a range of actions in accordance with the Planning Act, including:
 - a) Acquisition of land within the Community Improvement Project Area and subsequent:
 - i. Clearing, grading, or other preparation of this land;
 - ii. Construction, repair, rehabilitation, or improvement of buildings on this land;
 - iii. Sale, lease, or disposition of this land to any person or government authority.
 - b) Providing grants or loans to owners, tenants, and their assignees to pay for the whole or part of the eligible costs of the Community Improvement Plan;
 - c) Providing municipal tax relief as an incentive for building and/or land development, redevelopment, or improvements;
 - d) Encouraging public participation in the preparation of Community Improvement Plans;
 - e) Upgrading municipal services; and
 - f) Applying for financial assistance from federal or provincial government programs.
2. Further to the above, it is Council's intention to implement the community improvement policies by:
 - i. Participating in Federal and Provincial community improvement programs;
 - ii. Enforcing the Property Maintenance and Occupancy Standards By-law;
 - iii. Defining specific municipal projects based on deficiencies, as identified from time to time.
 - iv. Encouraging activities aimed at developing the economic viability, brownfields redevelopment, and attractiveness of the Town; and
 - v. Coordinating with existing and prospective business and landowners in making improvements to the Town, including providing information on financial assistance programs and other government assistance programs.



9.4 Engagement

9.4.1 Objectives

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 statutory requirements of the Planning Act.
2. The Town may forego public notification and public meetings in connection with technical and minor amendments to the Official Plan or Comprehensive Zoning By-law if such an amendment will not affect the provisions and intent of the Official Plan, the Comprehensive Zoning By-law, or amendments thereto.
3. Indigenous communities shall be engaged with early in the planning process in order to identify opportunities for consultation, potential issues, opportunities, and mitigation measures for any adverse impacts, prior to finalizing the application(s) or project.

9.4.2 Engagement

1. For major planning initiatives in the Town, including but not limited to, a new Official Plan or Official Plan Review, Comprehensive Zoning By-law Review, or development of a new Community Improvement Plan or update, the Town may consider additional means of public engagement such as open houses and/or workshops, pop-up events, social media and internet-based engagement and postings, newspaper coverage, and community surveys.
2. Where required, notice of public open houses and public meetings must be given in accordance with the Planning Act.
3. All in-person public meetings, open houses, and/or workshops shall be held at physically accessible locations.

9.4.3 Indigenous Engagement

1. The Town acknowledges and is respectful of the cultural values and heritage of local Indigenous communities.
2. At a minimum, the Town shall fulfill its duty to consult and engage early with Indigenous communities, and shall also:
 - a) Consult on land use planning matters or development applications proposed in proximity to reserve lands or on lands that may be of interest to local Indigenous communities to facilitate knowledge sharing, support consideration of Indigenous interests in land use decision making, and support the identification of potential impacts of decisions on treaty rights;



- b) Consult on cultural heritage matters and archaeological assessments related to proposed developments where areas of Indigenous interest or values and/or the potential for encountering Indigenous artifacts have been identified;
- c) Consultation prior to the approval by Council of future Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Plans or Condominium, or Site Plan Control, where an Archaeological Assessment has identified the potential for encountering Indigenous artifacts; and
- d) Support Indigenous engagement in Stage 2, 3, and 4 Archaeological Assessments, where a Stage 1 Archaeological Assessment identifies areas of historical interest to Indigenous communities and/or areas of archaeological potential.

9.5 Interim Control

- 1. In defined areas, buildings, or structures 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 study area has been directed, the Town may approve an Interim Control By-law.
- 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 Comprehensive Zoning By-law may require an amendment to reflect the findings of the study and desired use.
- 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.

9.6 Land Division and Lot Creation

It is the general intent of this Plan that land division in the Town shall take place through the Plan of Subdivision and Plan of Condominium process. A consent (i.e., severance) may be granted by the Town in the case where a Plan of Subdivision is not necessary or required. Plans of Subdivision, Plans of Condominium, and consents shall conform with the policies of this Plan, Planning Act, and Provincial Planning Statement.

9.6.1 Plan of Subdivision and Plan of Condominium

Generally, the Town shall determine if a Plan of Subdivision or Plan of Condominium is required, prior to considering any consent (i.e., severance) application.

Plans of Subdivision will be required for lot creation in situations where lot creation by consent is not appropriate. Plans of Condominium will be required for the creation of units, common



elements, and exclusive use common elements through the registration of a Plan of Condominium in accordance with the Condominium Act and the Planning Act.

1. Subdivision of land by Plan of Subdivision or Plan of Condominium 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) Three (3) or more new lots are being created;
 - c) The plan is not deemed premature, subject to, among other things, consideration of the number of existing, vacant lots in the Settlement Area;
 - d) The lands can be provided with adequate services and utilities subject to the following:
 - i. in the Settlement Area of Marathon sufficient reserve capacity in the water and sanitary sewer systems shall be available to service the lots created by subdivision or condominium;
 - ii. in the area outside of the Settlement 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 1, 2, and 3 as shown on **Schedule D** of this Plan shall be restricted; and
 - iii. in the area outside of the Settlement Area, with Plans of Subdivisions or Plans of Condominiums consisting of more than five (5) lots where the proposed lots are one (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; will assess the risk to groundwater resources from the sewage disposal systems; and will verify that there is adequate capacity to accommodate the disposal of hauled sewage as per the Ministry of Environment, Conservation and Parks (MECP) D-5-4 Technical Guideline for Individual On-site Sewage Systems: Water Quality Impact Risk Assessment;
 - e) The development of land on partial services is discouraged except where it is necessary to address failed individual on-site sewage services and individual on-site water services in existing development, or to allow infilling and minor rounding out of existing development within the Settlement Area provided that site conditions are suitable for the long-term provision of such services with no negative impacts;
 - f) The development is not likely to adversely affect the economy or financial position of the Town if such subdivision or condominium is approved;



- g) The development is directed away from hazard lands and development and site alteration is not permitted within floodways of rivers and streams; and
- h) The development will not result in land use conflicts with neighbouring land uses.

9.6.2 Consents

1. 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 Settlement Area, and the retained and severed lot(s) can be adequately and safely serviced.
 - i. In areas not serviced by municipal sewage systems there must be adequate capacity to accommodate the disposal of hauled sewage and the Thunder Bay District Health Unit or designated authority shall be consulted prior to consent approval being given to obtain support for the consent proposal.
 - ii. 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 1, 2, and 3 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 (MTO) shall be consulted prior to consent approval being given to obtain input and support regarding access, entrance permit and lot frontage requirements. The policies in **Section 8.5.2** of this Plan shall also apply;
 - 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 neighbouring uses;
 - g) The lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
 - h) Adequate access to emergency services, such as fire and police services;
 - i) The consent does not result in land locked parcel(s) being created;



- j) The proposed use shall 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. The following may be considered as conditions of consent by the Town:
- a) Submission of a registered reference plan;
 - b) That the Comprehensive Zoning By-law be amended, if required;
 - c) 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;
 - d) That any necessary land for road widening, allowances, or easements be dedicated to the Town or the Province;
 - e) A servicing agreement with respect to any improvements or extensions of municipal services, roads, and/or site improvements, including grading, drainage, to a standard satisfactory to the Town and/or the Province;
 - f) Dedication of parkland or cash-in-lieu;
 - g) Fulfillment of any financial requirements of the Town;
 - h) 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
 - i) Any other condition reasonable to the granting of the consent.
3. Notwithstanding the policies of this section, consents may be granted for the following technical purposes, provided that the retained and severed lots are compliant with the requirements of the Comprehensive Zoning By-law:
- a) Boundary corrections or adjustments;
 - b) Lot enlargements;
 - c) Discharge of mortgage;
 - d) Road widening and road allowances; and
 - e) Easements.



9.7 Minor Variance

1. The Town or Town's Committee of Adjustment may approve minor variances for relief from regulations to the Comprehensive Zoning By-law, in accordance with Section 45 of the Planning Act, the rules of procedure and regulations issued by the Minister of Municipal Affairs and Housing (MMAH) under the Planning Act, and the policies of this Plan.
2. The Town may authorize variances to:
 - a) Vary from provisions of the Comprehensive Zoning By-law or an Interim Control By-law, where the existing or proposed use complies with the use provisions of the Comprehensive Zoning By-law which implements this Plan;
 - b) Allow the extension or enlargement of a legal non-complying use;
 - c) Allow a change in the use of land or buildings from one legal noncomplying use to another use that, in the opinion of the Town, is similar to the existing legal non-complying use or that is more compatible with the uses permitted by the Comprehensive Zoning By-law; and
 - d) Allow a use where the uses of land, buildings, or structures permitted in the Comprehensive Zoning By-law are defined in general terms.
3. Minor variances are discretionary and are to be considered from a land use planning and public interest perspective. In granting any minor variance, the Town shall be satisfied that:
 - a) The variance is desirable for the appropriate development or use of the land, building, or structure;
 - b) That the general intent and purpose of the Official Plan are maintained;
 - c) That the general intent and purpose of the Comprehensive Zoning By-law are maintained; and
 - d) The variance is minor in nature.
4. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance, such as site plan approval where required in this Plan, any reasonable requirements, recommendations of Town departments, or the submission of studies.

9.8 Non-conforming Uses

The policies and Schedules of this Official Plan provide guiding direction for future growth, land use, and development in Marathon. It is recognized that some land uses which are existing at the time of approval of this Official Plan may not conform with the policies and Schedules of this



Plan. Nothing in this Plan shall affect the continuation of any use that was legally established on the date that this Plan came into effect, regardless of conformity to this Plan.

1. Where a legally existing land use does not conform with the land use designations and applicable policies of this Plan, it may be zoned in the Comprehensive Zoning By-law in accordance with the existing present use, 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, environmental threat, traffic generation, or similar detrimental 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.
2. Where an existing land use is incompatible with Policy 9.8.1, it may be considered a legally non-conforming use in the Comprehensive Zoning By-law, recognizing that the use shall cease to exist in the long-term.
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 Comprehensive 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.
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.



9.9 Parkland Dedication

As a condition of a Plan of Subdivision or Condominium, consent, or Site Plan approval, the Township may request a dedication of land for park purposes, in accordance with the provisions of the Planning Act.

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:
 - 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.
2. To ensure that parkland dedications are of an acceptable quality, all sites to be dedicated as parkland shall be accepted by the Town and follow the below guidelines:
 - 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.

9.10 Planning Applications

9.10.1 Development Review of Planning Applications

1. The Town is responsible for the implementation of the development review function as it relates to matters of provincial interest and will ensure consistency with the Provincial Planning Statement when making decisions on planning applications, including Official Plan Amendments, Zoning By-law Amendments, Plan of Subdivision, Plan of Condominium, Consent, and Minor Variance. Where appropriate, the Town shall rely on the expertise of



Provincial Ministries, external agencies, and peer review, and may through the Ministry of Municipal Affairs and Housing, (MMAH) seek technical support from Provincial Ministries on matters of Provincial interest.

2. The Province has implemented a “One Window” planning service for Provincial review and approval of certain municipal planning applications at the MMAH. The “One Window” approach will allow for a coordinated Provincial input prior to a decision by Council, or the appropriate decision body. The MMAH shall rely on the expertise of other ministries, as appropriate.

9.10.2 Pre-application Consultation

1. While not mandatory, it is the policy of the Town that applicants are strongly encouraged to attend a pre-application consultation with the Town prior to the formal submission of development and site alteration applications. Applicants are encouraged to pre-consult with the Town in advance of submission of an application for, but not limited to:
 - a) Official Plan Amendment;
 - b) Zoning By-law Amendment;
 - c) Draft Plan of Subdivision;
 - d) Draft Plan of Condominium;
 - e) Site Plan Control;
 - f) Minor Variance
 - g) Consent;
 - h) Part Lot Control; and
 - i) Any other plan.
2. Pre-application consultation, where requested by the applicant, will determine what is required to be submitted to the Town in support of 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-application consultation may also require the involvement of the Province.

9.10.3 Required Plans and Studies

1. The Town Building Services & Economic Development Manager or designate shall be responsible for determining whether a submitted planning application is complete pursuant to the Planning Act. If a development application is submitted without adequate supporting



information and/or reports and any application review fees required by the Town, the application may be deemed incomplete.

2. Depending on the nature of the proposed development and planning application, the Town may require the following studies or additional information in support of, and to evaluate complete applications:
 - a) Aeronautical Report;
 - b) Aggregate/Minerals/Petroleum Resource Impact Assessment;
 - c) Agricultural Impact Assessment;
 - d) Air Quality/Odour Study;
 - e) Arborist Report;
 - f) Archaeological Assessment, including a Marine Archaeology Assessment if required;
 - g) Building Elevations;
 - h) Contaminant Management Plan;
 - i) Cultural Heritage Evaluation Report and/or Cultural Heritage Impact Assessment;
 - j) Economic Viability Assessment;
 - k) Electromagnetic Field Management Plan;
 - l) Environmental Impact Statement or Scoped Environmental Impact Statement;
 - m) Environmental Site Assessment;
 - n) Erosion and Sediment Control Plan;
 - o) Financial Impact Analysis;
 - p) Fisheries Assessment;
 - q) Flood Hazard Analysis;
 - r) Functional Servicing Report;
 - s) Geotechnical Report, including a Slope Stability Study if required;
 - t) Grading and Drainage Plan;
 - u) Groundwater Impact Assessment;
 - v) Human-made Hazard Impact Study/Assessment;
 - w) Hydrogeological Report;
 - x) Impact Assessment for Waste Disposal Sites/Former Landfill Sites;



- y) Lakeshore Capacity Assessment/Water Quality Impact Assessment;
 - z) Landscape Plan;
 - aa) Land Use Compatibility Study;
 - bb) Mine Hazard Study / Remediation Plan;
 - cc) Minimum Distance Separation (MDS) Formulae Assessment;
 - dd) Natural Hazard Impact Study / Assessment;
 - ee) Noise and Vibration Study;
 - ff) Planning Justification Report;
 - gg) Plan of Survey;
 - hh) Rail Safety and Risk Mitigation Report;
 - ii) Record of Site Condition (RSC);
 - jj) Servicing Options Report;
 - kk) Shoreline Riparian Control Study;
 - ll) Site Plan and/or Concept Plan;
 - mm) Stormwater Management Report/Plan;
 - nn) Shadow Study;
 - oo) Transportation Impact Study or Brief;
 - pp) Tree Conservation Report/Plan;
 - qq) Urban Design Brief;
 - rr) Utilities Plan;
 - ss) Wildland Fire Assessment; and
 - tt) Wind Study.
3. The studies and plans required under Policy 9.10.3.2 shall be prepared by a qualified professional to the satisfaction of the Town, and shall be at the expense of the applicant.
4. Notwithstanding the required studies and assessments listed under Policy 9.10.3.2, Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application.



5. The Town shall review all submitted studies and plans 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.
6. Should a Stormwater Management Plan be required, it shall be based on terms of reference developed in consultation with the Town and the Ministry of Environment, Conservation and Parks (MECP) Stormwater Management Planning and Design Manual, 2003, as amended.
7. Where required, an Environmental Impact Statement (EIS) shall be prepared by qualified professional, and 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.
8. Where required, planning approval will not be granted until an EIS has been completed to the satisfaction of the Town. Where necessary, a peer review may be required, and external agencies may be consulted to assist in the review of an EIS.
9. In cases where the development constitutes a relatively minor undertaking (e.g., construction on a single residential lot), or where the proposed development would result in minor encroachment of the adjacent lands zone, the Town may exercise discretion and request that the proponent prepare a scoped EIS. This typically involves a simple checklist approach of planning issues that only addresses the key issues identified at the initial assessment stage.

9.11 Property Maintenance and Occupancy Standards By-law

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*, as amended, 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.
2. The Property Maintenance and Occupancy Standards By-law may address the following:



- a) Physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
 - b) Adequacy of sanitation, including drainage, waste disposal and garbage; and
 - c) physical condition of all buildings, including accessory buildings and dwellings, and structures; and
 - d) conservation of cultural heritage resources.
3. After passing the above By-law, a Property Standards Officer shall be appointed, and a Property Standards Committee shall be established by the Town.

9.12 Secondary Plans

1. A Secondary Plan provides detailed land use direction and guidance for the development or redevelopment of a specific area of a municipality. The following may warrant consideration of a Secondary Plan process by Council:
 - a) Larger areas identified as having potential for new development, such as the lands that comprise the Town's waterfront and downtown in proximity to the proposed Active Living Centre;
 - b) Older residential, non-residential, or mixed use areas, which are in transition or experiencing land use compatibility issues;
 - c) Residential, non-residential, or mixed uses areas which are experiencing pressure for land use conversions or intensification; and
 - d) Other areas that would be suitable for a Secondary Plan process, as determined by the Town.
2. A Secondary Plan process and resulting Secondary Plan shall address, as appropriate:
 - a) Land use and local context;
 - b) Natural heritage and the environment;
 - c) Natural and human-made risks;
 - d) Transportation;
 - e) Water and wastewater servicing;
 - f) Stormwater management, including preparation of a sub-watershed or scoped sub-watershed study, as deemed appropriate by the Town;
 - g) Mitigation of negative impacts;
 - h) Climate change adaptation, resilience, and sustainable design;



- i) Urban design;
 - j) Archaeology, built, and cultural heritage;
 - k) Utilities;
 - l) Phasing of development; and
 - m) Costing (i.e., private and/or public).
3. Secondary Plans shall be undertaken with appropriate consultation with the public, stakeholders, and local Indigenous communities.
 4. At a minimum, a Statutory Public Meeting as required by the Planning Act will be held prior to consideration of adoption of the Secondary Plan by Council.

9.13 Site Plan Control

1. This Official Plan shall be implemented through the use of Site Plan Control subject to the provisions of Section 41 of the Planning Act. The entirety of the Town of Marathon shall be designated as a Site Plan Control Area.
2. Site Plan Control shall be required for all new non-residential development and residential development of eleven (11) or more units in accordance with the Planning Act. Site plan approval shall also be required for residential development of ten (10) units or less if the subject lands are included in a “prescribed area”, as defined and in accordance with the Planning Act and its Regulations.
3. The purpose of Site Plan Control is to ensure the:
 - a) the development of a safe and efficient transportation network, including considerations for vehicular and active transportation (i.e., pedestrian, cycling) options;
 - b) That development will not have a negative impact on, and is compatible with adjacent uses;
 - c) Parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact traffic flows or create adverse visual impacts;
 - d) On-site drainage and grading is adequately provided; and
 - e) Development is situated away from hazard lands.
4. The Town may adopt a Site Plan Control By-law that shall establish the thresholds for requiring Site Plan Control for certain classes of development, and require plans and technical studies in support of a proposed development to be submitted to the satisfaction of the Town. Such plans and studies will include any, or all the required information deemed necessary from the items listed in **Section 9.10.3 Required Plans and Studies**.



5. All types of development or redevelopment shall be subject to Site Plan Control, with the exception of:
 - a) Residential development containing ten (10) units or less, that is located:
 - i. More than 120 metres of wetland, lake, or river (including creeks and streams); and
 - ii. More than 300 metres of a railway line including active, heavy rail, but does not include light rail or decommissioned or abandoned railway lines.
 - b) Additions or renovations thereto;
 - c) Public utilities and utility installations;
 - d) Agricultural uses; and
 - e) The operation of licensed pits and quarries.
6. The following matters are not subject to Site Plan Control:
 - a) Interior design;
 - b) Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building;
 - c) The layout of interior areas, excluding interior walkways, stairs, elevators and escalators; and
 - d) The manner of construction and standards for construction.
7. 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) Site lighting;
 - e) 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 wastewater 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; and
- j) 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.

9.14 Zoning By-law

1. The Comprehensive Zoning By-law shall implement the policies of this Plan and shall divide the lands within the Town into a number of zones, each of which will have provisions to regulate the use of the lands, and establish lot and building standards.
2. The Zoning By-law shall ensure that all lands within the Town are zoned for purposes conforming with the Official Plan.
3. All amendments to the Zoning By-law shall be in conformity with the Official Plan.

9.14.1 Holding Provisions

1. In accordance with Section 36 of the Planning Act, the Town may approve a by-law, which introduces a holding provision and symbol (i.e., “H”) that identifies a use of land, but prohibits the actual development of this land until a later date when identified conditions have been met to the satisfaction of the Town, Province, and /or relevant agencies.
2. While the holding provision/symbol is in effect, uses permitted on the affected lands are limited to uses that were existing as of the time of passing of the by-law to enact the holding provision/symbol.
3. Prior to removal of the holding provision/symbol, the Town must be satisfied that the following conditions, where applicable, have been met:
 - a) Adequate infrastructure is available, including servicing and transportation/road network for the subject lands are identified;
 - b) Confirmation 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, Draft Plan of Subdivision, or Draft Plan of Condominium approval has been granted by the Town in accordance with the policies of this Plan and the Planning Act;



- d) Execution of any legal agreements, including a subdivision agreement, and other agreements pursuant to the Planning Act, to secure any of the matters required to satisfy the conditions of removal of the holding provision/symbol;
 - e) Fulfillment of any financial obligations, as required;
 - f) Completion of technical studies, as required;
 - g) Approval of a Secondary Plan encompassing one (1) or more parcels of land, including considerations for phasing of development, as appropriate;
 - h) Provision of affordable and attainable housing, where appropriate;
 - i) Existing mine hazards have been rehabilitated to the satisfaction of the Province;
 - j) An archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the Ontario Heritage Act, where archaeological potential has been identified. Any significant archaeological resources have been conserved through avoidance, where avoidance is not possible, through mitigation measures such as excavation and documentation, or preservation on site, to the satisfaction of the Province. A letter indicating that the report has been entered into the Ontario Public Register of Archaeological Reports will be required;
 - k) Identification of measures for protection of the natural environment, including tree preservation, where appropriate; and/or
 - l) Site contamination/remediation, natural hazards, or other environmental constraints have been appropriately addressed.
4. It shall be the responsibility of the applicant requesting the removal of the holding provision/symbol to demonstrate that the conditions for its removal have been satisfied.

9.14.2 Temporary Use By-laws

- 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.
- 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 Comprehensive Zoning By-law, prior to approval of a Temporary Use By-law.
- 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.



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 policies of **Section 9.14.2** of this Plan.

9.15 Fees

1. Pursuant to Section 69 of the Planning Act, the Town of Marathon may prescribe tariff of fees through the Fee & Charges By-law for the processing of applications made in respect to planning matters such as Official Plan Amendments, Zoning By-law Amendments, Plan of Subdivisions, Plan of Condominiums, Site Plan Control, Minor Variances, Consents, or any other planning matter.
2. The Fee & Charges By-law, as amended, 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.



10 Interpretation

10.1 Land Use Boundaries and Road Locations

1. It is intended that the boundaries of the land use designations, shown on **Schedules A and B** of this Plan, 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.
2. The location of roads as indicated on the Schedules to this Plan, shall be considered as approximate only. Amendments to this Plan, therefore, will not be required in order to make minor adjustments or deviations to the location of roads, provided that the general intent of this Plan is maintained.

10.2 Agency Names and Responsibilities and Legislation

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.
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.



11 Schedules

1. The Schedules forming part of this Official Plan include:
 - a) Schedule A: Land Use – Rural Area
 - b) Schedule B: Land Use – Settlement Area
 - c) Schedule C: Natural Heritage and Development Constraints
 - d) Schedule D: Groundwater Protection
 - e) Schedule E: Wildland Fire Hazards

Official Plan
Schedule A:
Land Use - Rural Area

- Parcel Boundary
- Municipal Boundary
- Settlement Area
- Provincial Highway
- Municipal Road
- Railway
- Water Body
- Water Course

Land Use Designations:

- Rural
- Residential
- Mixed Use
- Institutional
- Industrial
- General Commercial
- Highway Commercial
- Parks and Open Space
- Environmental Protection
- Future Development

Policy Overlays:

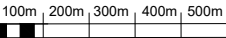
- Natural Hazard
- (Note: Please refer to
Section 6.1 of the Official Plan)
- Natural Heritage



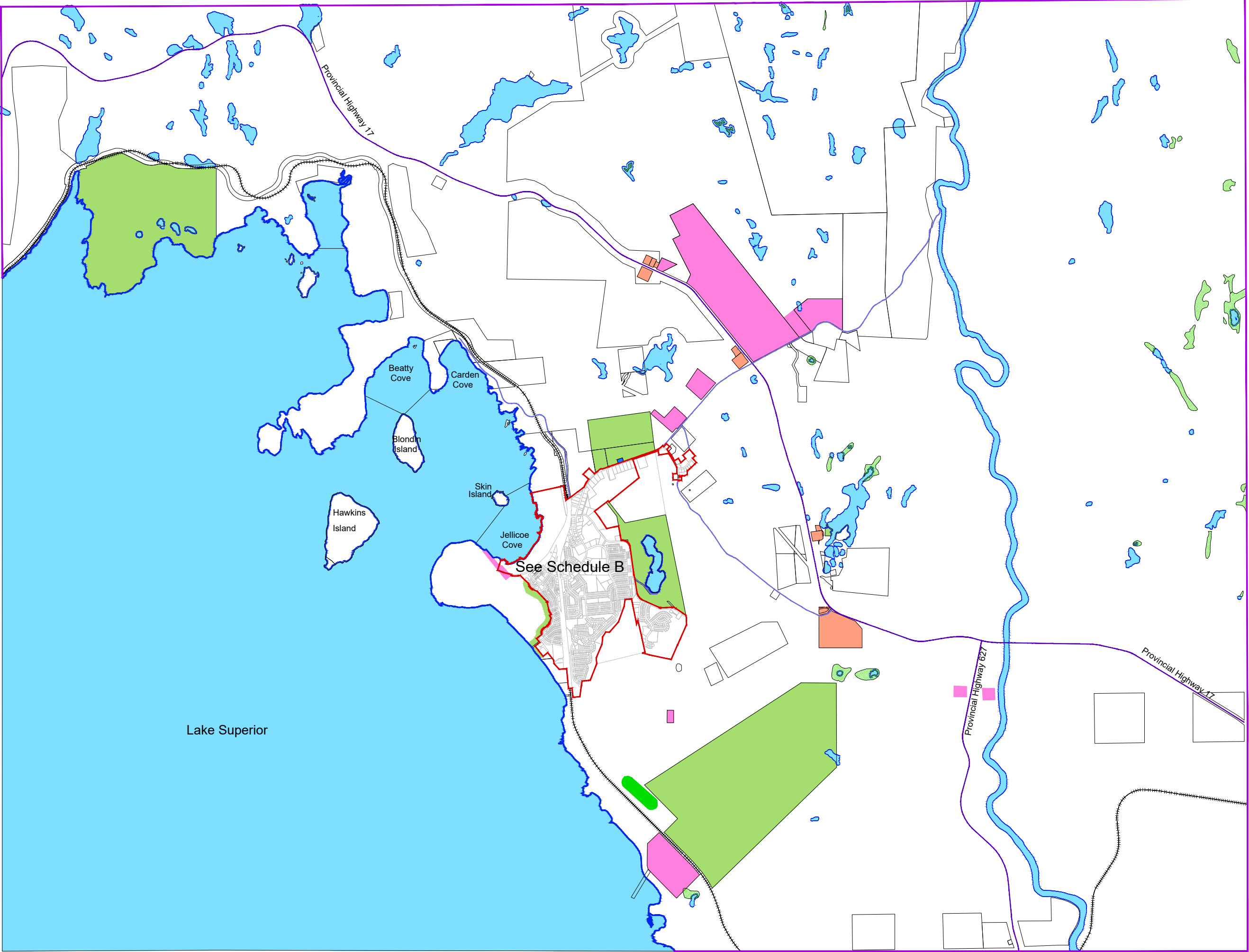
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variety of map sources and was used by permission of the
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location of plan features, recourse should be had to the original
source data.



**Official Plan
Schedule B: Land Use
Settlement Area**

Parcel Boundary
Municipal Boundary
Settlement Area
Provincial Highway
Municipal Road
Railway
Water Body
Water Course

Land Use Designations:

Rural
Residential
Mixed Use
Institutional
Industrial
General Commercial
Highway Commercial
Parks and Open Space
Environmental Protection
Future Development

Policy Overlays:

Natural Hazard
(Note: Please refer to
Section 6.1 of the Official Plan)
Natural Heritage



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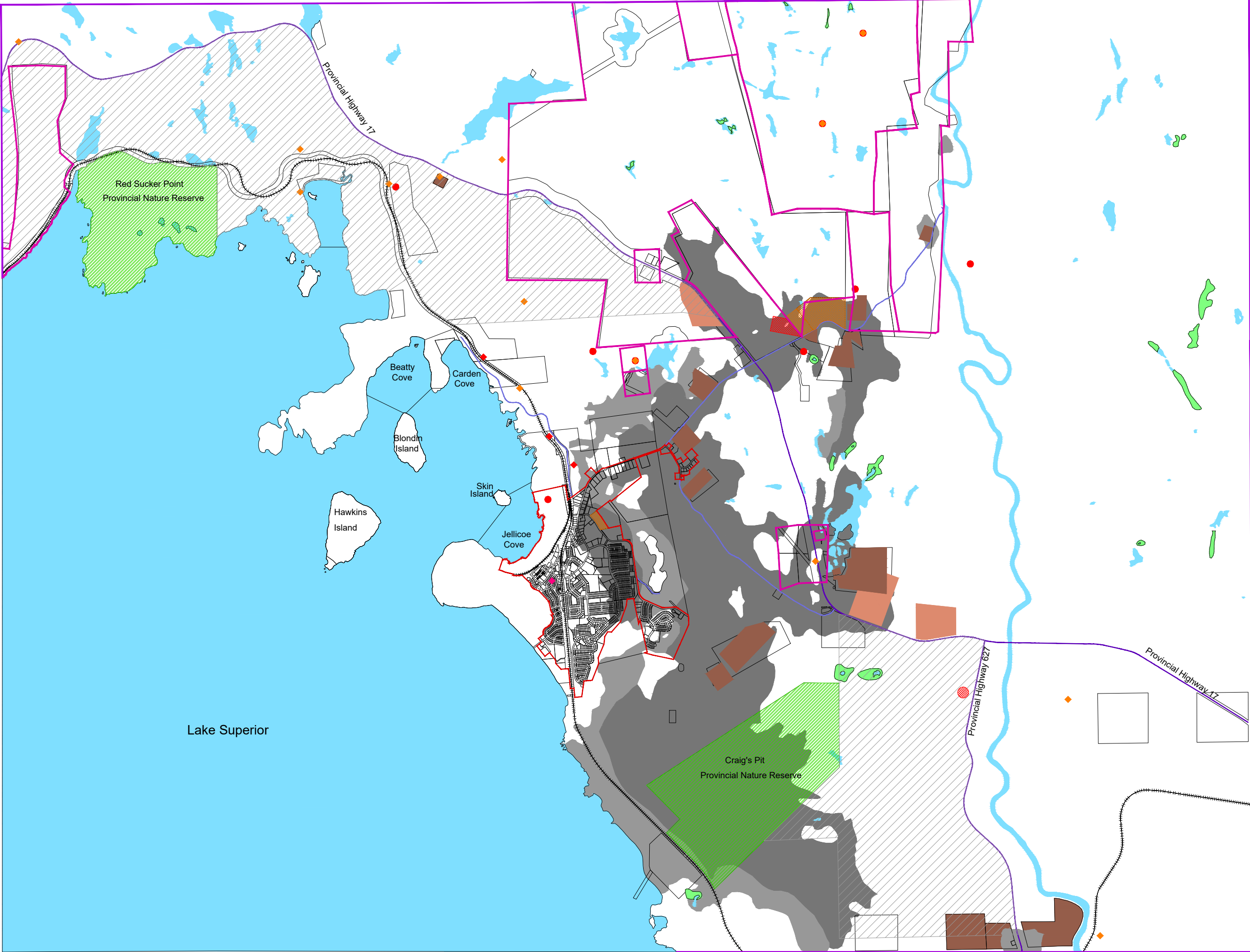
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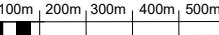
**Official Plan
Schedule C:
Natural Heritage and
Development Constraints**

- Parcel Boundary
Municipal Boundary
Settlement Area
Provincial Highway
Municipal Road
Railway
Water Body
Water Course
- Unevaluated Wetland
Provincial Park
Pit or Quarry
MTO Pit or Quarry
Abandoned Mine Site
Mining Land Lease
Mineral Occurrences:
-Developed Prospect without Reserves
-Occurrence
-Discretionary Occurrence
Waste Site - Closed
Waste Site - Open
Lake Superior Shoreline
Enhanced Management Area
Sand and Gravel Resource - Primary
Sand and Gravel Resource - Secondary
Sand and Gravel Resource - Tertiary



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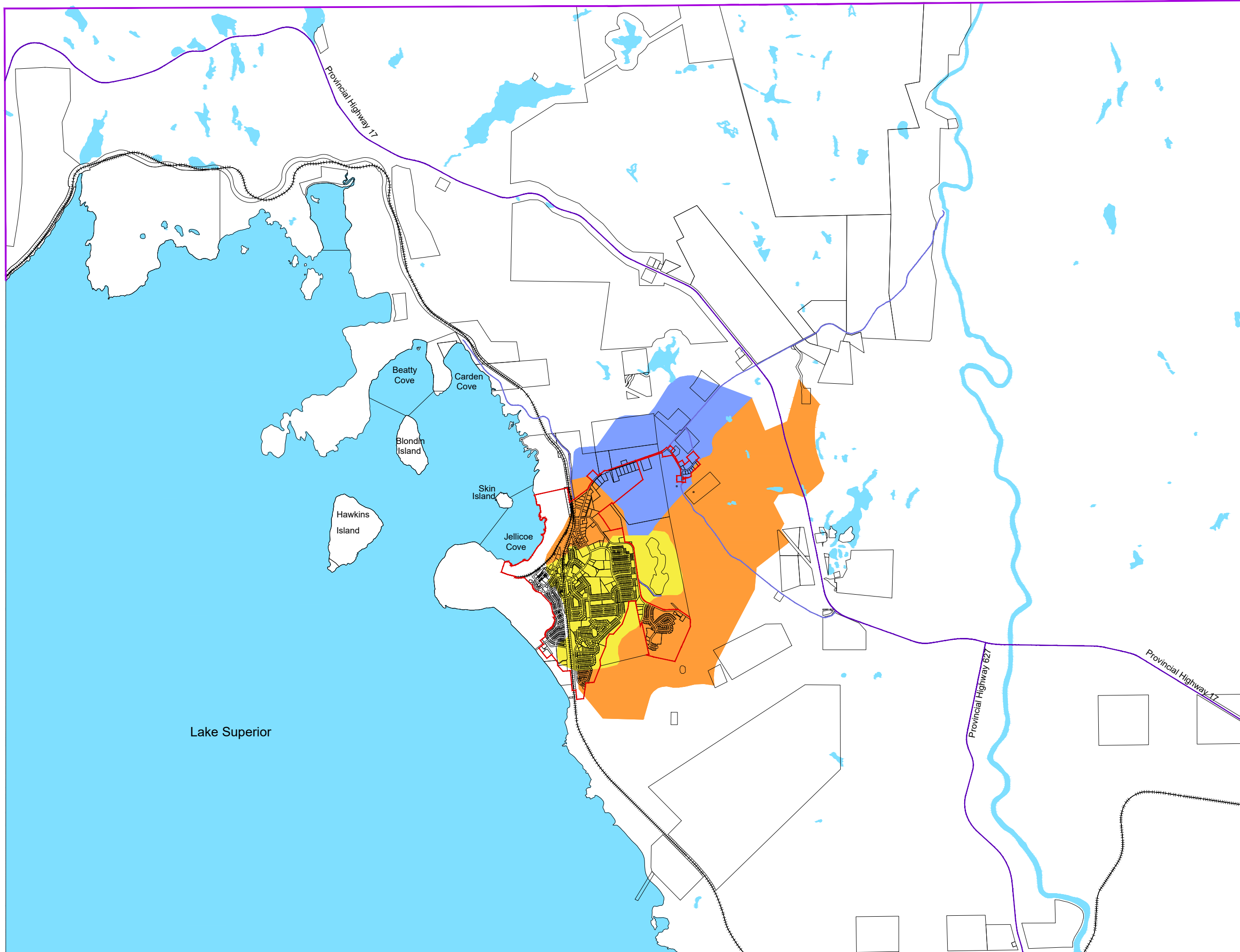
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**Official Plan
Schedule D:
Groundwater Protection**

Parcel Boundary
Municipal Boundary
Settlement Area
Provincial Highway
Municipal Road
Railway
Water Body
Water Course

Groundwater Protection:

Zone 1
Zone 2
Zone 3



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100m 200m 300m 400m 500m



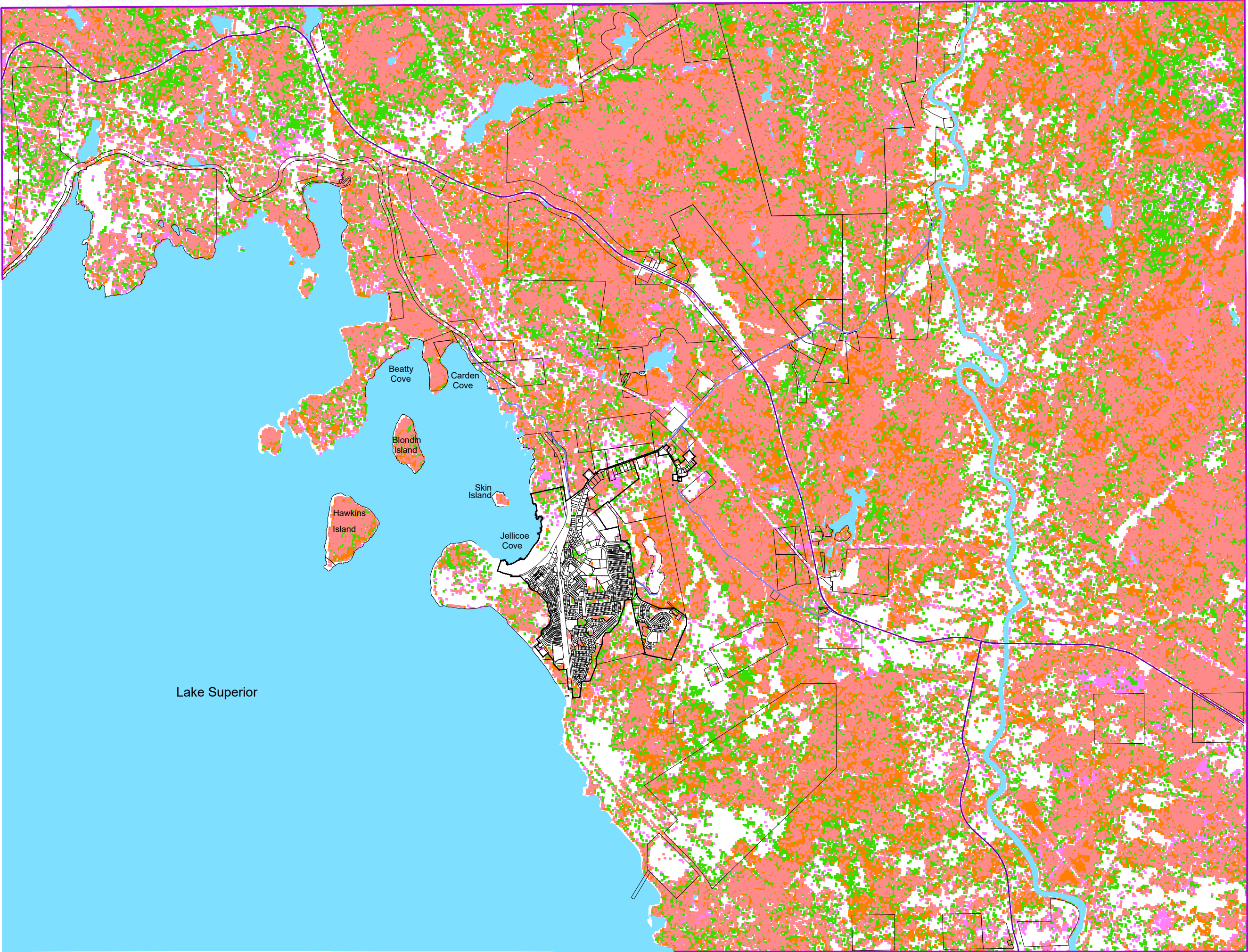
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**Official Plan
Schedule E:
Wildland Fire Hazards**

Parcel Boundary
Municipal Boundary
Settlement Area
Provincial Highway
Municipal Road
Railway
Water Body
Water Course

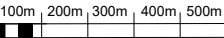


Wildland Fire Hazard:
Extreme
High
Moderate
Low



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