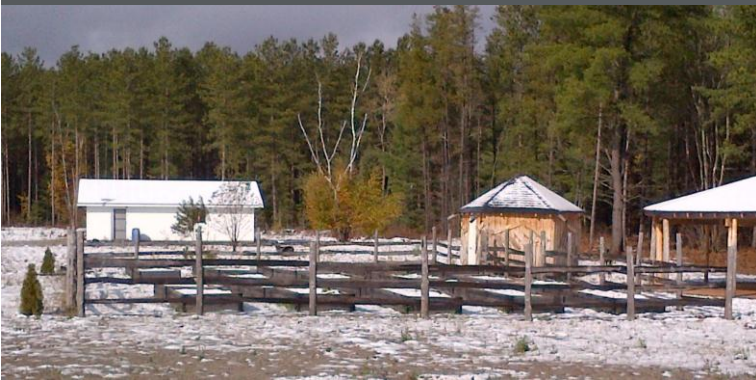


REPORT

Garden River First Nation Land Use Plan



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BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the GARDEN RIVER FIRST NATION		Cash free balance						
		Capital account	\$ _____					
Date of duly convened meeting	<table border="1"> <tr> <td>D</td> <td>M</td> <td>Y</td> </tr> <tr> <td>17</td> <td>09</td> <td>13</td> </tr> </table>	D	M	Y	17	09	13	Province Ontario
D	M	Y						
17	09	13						
		Revenue account	\$ _____					

DO HEREBY RESOLVE:

GARDEN RIVER LAND USE PLAN

Whereas, the Garden River First Nation Economic Resource and Community Development department is seeking Chief and Council approval and support in regards to the final draft of the Garden River First Nation Land Use Plan;

Whereas, the Garden River First Nation Economic Resources and Community Development department has been working with Urban Systems to develop and finalize the Land Use Plan as a long term vision for the future of Garden River First Nation lands by identifying different types of land uses appropriate for the reserve, and policies to support those land uses;

Whereas, the Land Use Plan will be intended to provide policy direction to Garden River First Nation departments, Chief and Council and members with an important tool to guide decision-making regarding land use development in its three stages of developed action in terms of vision, planning and action whereby Garden River First Nation can reinforce the land use guidelines with the establishment of formalized zoning regulations, subdivisions, and development regulations that will allow effective management of the First Nations lands;

Therefore be it resolved that the Garden River First Nation Economic Resources and Community Development department is seeking Chief and Council approval and support to endorse the final draft of the Land Use Plan as a tool to guide decision-making for the Garden River First Nations land use development.

Quorum _____

(Councillor)

(Councillor)

(Councillor)

(Chief)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
_____ Signature		_____ Date	_____ Signature		_____ Date
Approving officer - Approuvé par			Approving officer		
_____ Signature		_____ Date	_____ Signature		_____ Date

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Part 1 – Introduction and Vision

1.0 Introduction

This Land Use Plan provides a long-term vision for the future of Garden River First Nation lands. By identifying different types of land uses appropriate for the reserve, and policies to support those land uses, the Plan provides Garden River First Nation departments and Chief and Council with an important tool to guide decision-making regarding land use development.

While this plan is primarily intended to provide policy direction to Garden River First Nation, it also provides guidance that will be used to ensure the implementation of quality development while protecting land that has environmental or sacred value. In the future, Garden River First Nation can reinforce this land use guidance with the establishment of formal zoning regulations, subdivision, and development regulations, and other tools to manage development on Garden River First Nation lands.

The basic goals of this Land Use Plan are to:

- Establish a vision for how the community should grow /develop over the next 20 years;
- Set goals, objectives, and priorities for how that vision will be achieved;
- Regulate the type, location, and intensity of future development; and
- Create an implementation plan to ensure the success of the land use plan.

1.1 Plan Development Process

Key stages in the development of this plan included:

- Extensive consultation with Garden River First Nation (GRFN) – Chief and Council, as well as staff were consulted to gain their input on key land use issues;
- Background research – further background research using a variety of sources (i.e. internet, interviews, etc.) was undertaken to further understand the local and regional context; and
- Development of draft Land Use Plan – based on input and research, a draft land use plan was prepared in consultation with key GRFN staff, which is the focus of this report.

1.2 Purpose of Plan

This plan documents the community's visions for land development in the future. It provides guidance on how certain land uses should be developed in order to achieve this vision. The preparation of this Land Use Plan was listed as a key action item in the recently completed Comprehensive Community Plan (CCP) and it is intended that this Land Use Plan support the ongoing implementation of the CCP. In particular, the Land Use Plan is also required to help the Band identify how and where future residential land will be developed.

1.3 Outline of Plan

This plan has been developed into three parts including:

- **Part 1 – Introduction and Vision** – this part of the Land Use Plan provides an introduction to the plan process, a summary of the history of Garden River First Nation, a review of key community characteristics such as population demographics, and the community vision and guiding principles for the evolution of the community.
- **Part 2 – Land Use Plan** – the land use plan provides objectives and policies for land use planning in the community.
- **Part 3 – Action and Implementation Plan** – this part of the Land Use Plan outlines an action and implementation plan for moving forward.

2.0 History

The Garden River First Nation reserve was created in 1850 with the signing of the Robinson-Huron Treaty. Before that date however, Garden River did exist. The Ojibway-Chippewa-Algonquin Indians controlled a vast area of land stretching from the Atlantic Coast to the foot hills of the Rocky Mountains.

Oral tradition and recordings on birch bark scroll reveal that the Anishinaabe originally came from eastern North America. According to legend, a prophecy came to an elder in a vision, telling him that he must move his people inland to be able to continue practicing the traditional ways of life and avoid impending European settlement. They traveled along the St. Lawrence River, stopping at Mooniyaang (present day Montreal), Wayaanag-gakaabikaa (present day Niagara Falls) and an area near present day Detroit. This is where the Anishinaabeg people split into six groups, one of which was the Ojibway. The Ojibway group continued to Manidoo Minising (Manitoulin Island) which became their cultural centre, and finally arrived in the outlet of Lake Superior which would become the people's political centre. Early French missionaries named the area Sault Ste. Marie, meaning "jump" or "rapids", and referred to the Ojibway as Saulteurs. The Ojibway-Chippewa peoples controlled the vast area of land surrounding the great lakes for centuries. They lived a mainly sedentary lifestyle in bands, with men participating in hunting and fishing to supplement women's cultivation of maize, squash and wild rice. The land provided everything that was needed, and a rich cultural tradition and way of life was passed on from generation to generation.

A great event in the history of the Ojibway people is a battle at the west end of the St. Mary's Straits where Saulters, Ottawa, Nipissing and Anikouets claimed victory over an Iroquois war party. This occurred in the 1660's. Between 1794 and 1798, a series of attacks were carried out on traders in the St. Mary's Straits, by the local Band. This forced the various traders in the area to ask for British protection and fostered fears that Native hostility might turn against whites in general. The idea behind these raids was to force the traders and other non-natives to recognize the existence of Aboriginal rights. After the British colonial government and the traders became more disposed to respect Native prerogatives, the raids stopped. Different Trade and Intercourse Acts passed by the U.S. Congress attempted to restrict the movement of Natives across the border in 1796, 1799 and 1802.

By the early 1700s, French and later British trading posts were established in the area, and the Anishinaabe balance of life began to shift. Acquiring furs, maple sugar and other supplies to trade for new European goods such as guns and pots, became an increasingly important activity. Many found their lives increasingly reliant upon European weapons, steel and sometimes food supplies. Various treaties and alliances were formed in the period leading up to the War of 1812 to negotiate land ownership and aboriginal sovereignty.

During the War of 1812, Chief Shingwaukonce led a group of 700 warriors into battle alongside Chief Tecumseh and the British to defend Canada in the War of 1812 – of those 700 – only two returned, one of them being Chief Shingwaukonce. Shingwaukonce was one of the 12 Chiefs awarded a medal from the British government for helping defend Upper Canada.

Through the 1840s, the provincial and federal governments attempted to ease the way for white settlement and resource development in Anishinaabe territory. As these settlers continued to encroach into Ojibway Territory, Chiefs of the Sault Ste. Marie area and the British government recognized a need for a formal agreement to establish legislated territory boundaries and land rights. This resulted in the Robinson-Huron Treaty, with its aim to:

- establish mutual government-First Nations respect;
- set aside specific lands for the exclusive use of the Anishinaabe;
- provide unrestricted traditional hunting and fishing to First Nations people; and
- provide each Anishinaabe family with a guaranteed annual payment to offset living expenses.

The outcome of the treaty would have permanent effect on the lives of the Anishinaabe people, as the government failed to follow-through on many of its promises. The First Nations of the Sault Ste. Marie area were also for the first time restricted to a particular permanent territory, hindering them from practicing their traditional way of life.

Prior to signing the Robinson-Huron Treaty, the Ojibways of Garden River occupied the entire area of Echo Bay and Sault Ste. Marie. Shingwaukonce, as Chief of the Garden River First Nation, signed the Treaty in 1850, and took a tract of land extending from Maskinongé Bay to above Garden River, and ten miles inland; with the inclusion of Partridge Point and Squirrel Island.

In more recent times, the Garden River First Nation helped form the North Shore Tribal Council or Mamaweswen in 1985. The Tribal Council Program (TCP) is a component of the First Nation Indian Government Support Funding Program, and aims to “deliver products and services that enhance the collective sustainability of our member communities.” It provides technical advice and services to communities in the areas of health services, second level education services, administration, financial management, economic development, employment and training services.

In 1994, the band celebrated a victory of upon recovering 9,200 hectares of land that was lost to them in the Pennefather Treaty of 1856. Today, people of the Garden River First Nation enjoy the freedom and sense-of-belonging that is offered by their community and remain proud of the role they have played in Canada’s development.

3.0 Technical Background

3.1 Population

Garden River First Nation has a total population of 2,688 people (as of April 2013). Of this population, 43% live on-reserve and 57% live off-reserve. **Table 3.1** summarizes the number of people in key age categories.

Table 3.1: Population Demographics

Age	On Reserve Population	% of on reserve population	Off Reserve Population	% of off reserve population	Total Population	% of Total Population	Regional Population
0 - 4	82	7%	77	5%	159	6%	5%
5 – 14	189	16%	163	11%	352	13%	10%
15 – 24	191	17%	243	16%	434	16%	13%
25 – 44	302	27%	437	28%	739	27%	22%
45 – 64	281	24%	448	29%	729	27%	31%
65+	107	9%	168	11%	275	10%	19%
Total	1,152		1,536		2,688		

As can be seen in **Table 3.1**, Garden River has a relatively young population. Approximately 40% of the on-reserve population is younger than 25 years old while 32% of the off-reserve population is less than 25 years old. In comparison, 28% of the regional population is less than 25 years old. Conversely, while only 10% of the Band's population is over the age of 65, this proportion is almost double in the Sault Ste. Marie region.

A further indication of Garden River's relatively youthful population is through the analysis of the median age of the population relative to other communities. Median age is defined as the age in which half the population is older, and half the population is younger. It is useful to calculate median age in order to compare demographics between communities. The median age for the on-reserve population is 30 years old while the median age for the off-reserve population is 39. In the Sault Ste. Marie area, the median age is over 45. What this indicates is that Garden River, particularly the on-reserve population, has a much younger population than the Sault Ste. Marie region. This has an impact on housing programs, economic development opportunities, and community development.

The Band's population is growing at an average of 2.6% per year. This means that the Band's on-reserve population could increase between 20 and 30 people per year. The Band projects the need and demand for up to 10 houses/dwelling units per year over the next 10 years.

3.2 Land and Environment

The Garden River First Nation reserve is over 22,000 ha. It is located adjacent to the City of Sault Ste. Marie and is along the north bank of the St. Mary River, Lake George and Echo Bay. The area consists of dense boreal forest with a mix of tree species including maple, pine and spruce. The reserve consists of two distinct areas including:

- North of Highway 17
- South of Highway 17

3.2.1 *NORTH OF HIGHWAY 17*

This area of the reserve north of Highway 17 is approximately 20,060 ha in size and is largely undeveloped with the exception of gravel pits, the landfill, and the golf course. For the most part, the area consists of dense forest and is used for camping, hunting, fishing, logging, and cultural and spiritual practices. The land consists of rolling hills, rocky terrain and marsh and wetlands. The Garden River crosses the land as it makes its way between Garden Lake and the St. Mary River.

Some of the key land-based issues in this area include ensuring that resource extraction activities are undertaken with a high degree of environmental sensitivity, ensuring that there is more tracking of people establishing camps in the area, and protecting the ecosystem and sacred areas in this area.

3.2.2 *SOUTH OF HIGHWAY 17*

This area of the reserve south of Highway 17, north of the St. Mary River, Lake George and Echo Bay is where the developed areas of the reserve are located. There is a mix of residential, commercial, and institutional uses in this area of the reserve, which consists of 2150 ha of land. These land uses have been developed at relatively low density. With this low density in place, there are still a number of forested areas on the reserve. In addition, there are large portions of the reserve which consist of marshland and swamps which provide valuable habitat.





It is important to note that large portions of this area are undevelopable as they are rights-of-ways. These include rights-of-way for provincial highways, hydro-lines, and the rail line. The location of these right-of-ways has an impact on the developability of portions of the land base.

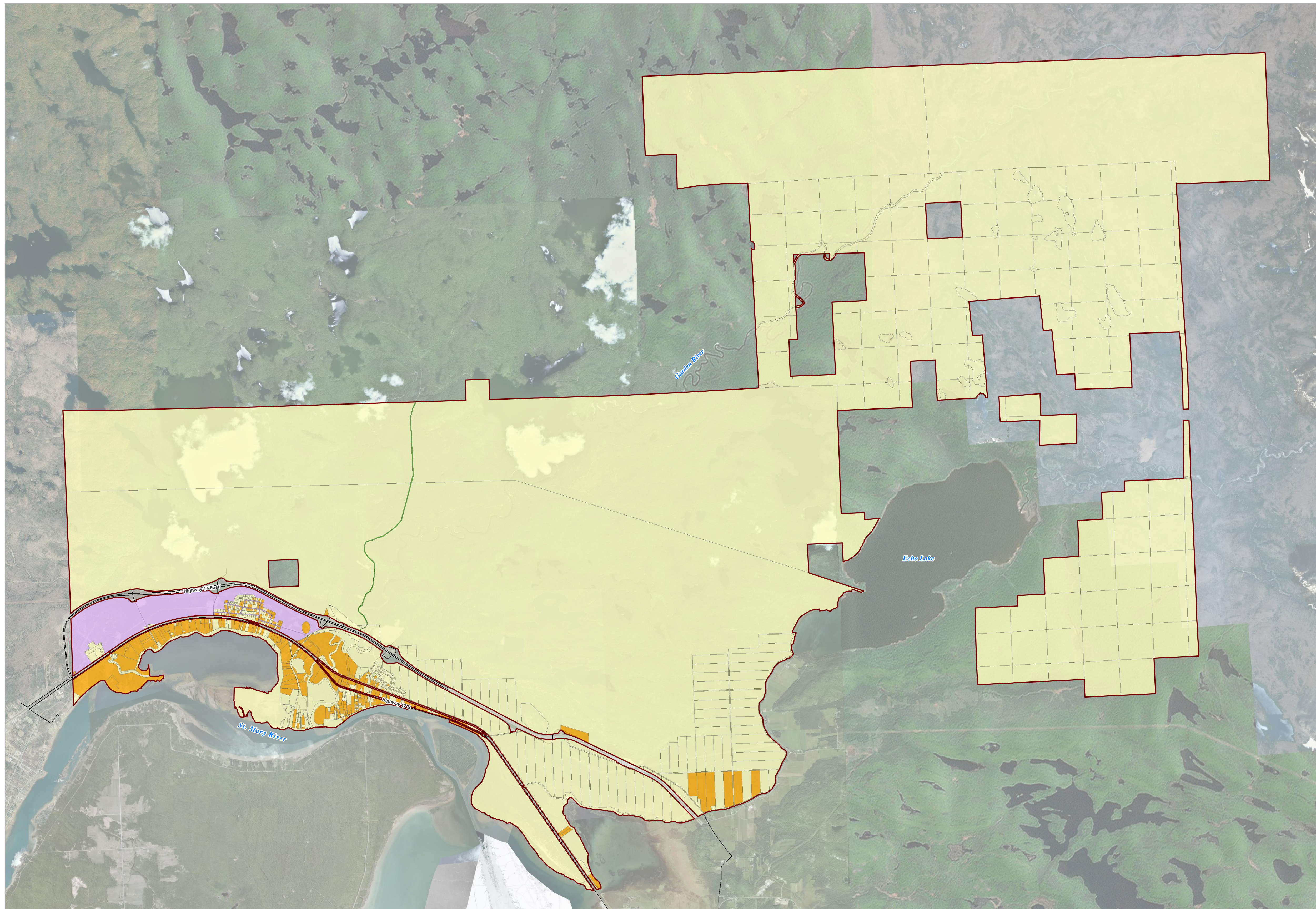
Some of the key land-based issues in this area include ensuring that developable land is used efficiently; reducing potential conflicts in land uses; creating a core area of uses; developing better integration with the waterfront; and the amount of CP land in this area of the reserve. **Figure 3.1** illustrates the various land tenures on the reserve.



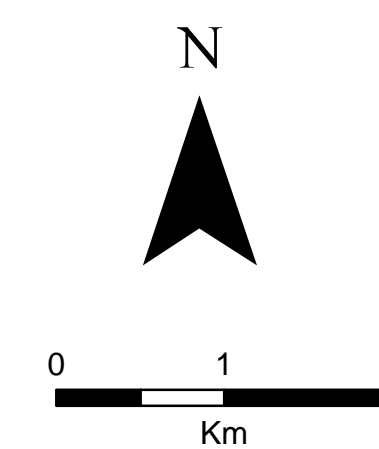
Garden River First Nation

Figure 3.1 Ownership (Entire Reserve)

-  Reserve Boundary
- Ownership**
-  Band Land
-  Band Land/Permit (RW)
-  Lawful Possession
-  Recent Parcels - No Interest



NOTE:
LOT OWNERSHIP BASED ON INFORMATION FOUND ON ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT CANADA'S INDIAN LANDS REGISTRY SYSTEM. OWNERSHIP STATUS SHOULD BE CONFIRMED BY GARDEN RIVER FIRST NATION.



Current as of September 19, 2013

3.3 Economy

Garden River's economy is influenced by the regional economy focused on Sault Ste. Marie. The main economic drivers of the Sault Ste. Marie economy include steel making, forestry, call centres, and the Ontario Lottery and Gaming Commission.

Garden River First Nation has a number of economic endeavours that generate employment and revenue for the Band and its members including resource extraction, general commercial, recreation and tourism. Specific endeavours include:

- Gravel pit
- Campground
- Community Hall
- Bingo Hall
- Golf Course
- Recreation Center
- Anishinabek Information Technology Center

GRFN provided sand and gravel for the creation of the Highway 17 and the needs within their own community. There is a history of forestry in the community.

Garden River has a seasonal camp ground and related services to cater to tourism and recreation in the area. In 2006 the unemployment rate on the reserve was 12.8%. The First Nation manages the businesses of the Minnehaha camp ground, the Silver Creek golf course, the Anishinabek Information Technology Center, the Garden River Recreation Center and the Garden River Bingo Hall.

Factors influencing economic development for Garden River include:

- The stagnant economy of the Sault Ste. Marie area;
- The proximity of the reserve to the main population area in Sault Ste. Marie;
- The location along Highways 17 and 17B, which are the main highways in the area;
- Availability of natural resources, including gravel, forests, and potentially mineral resources, on the Garden River reserve; and
- Location along French Bay and the St. Mary's River providing scenic views.

At a regional level, key economic drivers include manufacturing (steel processing), alternative energy, forestry, agriculture, tourism, government service, and science and technology.

4.0 Vision and Guiding Principles

4.1 Vision

According to the Comprehensive Community Plan, the Band's vision statement is:

In the spirit of our ancestors and our Treaty, we endeavour to conduct ourselves in a manner that is consistent with the Seven Grandfather Teachings given to us by the creator. We envision a harmonious community that is built on mutual respect that maintains a healthy balance through prosperity and well-being. Through these actions we intend to create a self-sustaining community that fulfills the emotional, physical, mental and spiritual well-being of all citizens built on an understanding of who we are as a community and as families.

4.2 Value Statements

According to the Comprehensive Community Plan the Band's value statements are:

- *We value strong relationships among generations to build a foundation of families to support community life.*
- *We are an open and respectful community. We value every individual's freedom to make their own choices and find their own paths.*
- *We value visiting with one another. Through these visits important ideas, lessons and teachings are shared and passed on.*
- *We value vigilance in protecting our treaty rights.*
- *Our cultural relationship with the land defines us. We will respect all that the land and waters offer, and will protect them as our source of life.*
- *We believe education and learning happens throughout one's life and value opportunities to learn from one another about our history, language and traditions.*
- *Home is where the heart is. We value thoughtful and careful design and construction of environmentally friendly and appropriate homes for our community citizens.*
- *Built on openness and community trust, we value our leadership as trailblazers with a seven-generation vision.*
- *We value the teachings and knowledge of our ancestors and revere the wisdom of our Elders.*
- *We value the rejuvenation of our traditional Ojibway language.*
- *We recognize, value and celebrate the accomplishments of all community citizens.*

4.3 Guiding Principles

Guiding principles provide a framework for future decision making. Guiding principles have been developed for land use that reflect the guidance provided in the Comprehensive Community Plan. These principles include:

- *Protect heritage and culture* – sacred lands will be protected and culture will be considered as part new development.
- *Protect the natural environment* – land will be developed and utilized in a responsible manner that ensures that the natural environment is protected.
- *Make the community better* – Garden River will only undertake land development initiatives that contribute to a stronger and healthier community. Land use should support community and environmental health and well-being.
- *Ensure land is being utilized at efficiently* - land will be developed for the highest and best use.
- *Achieve employment and income for Band from land development* – Garden River will allow land to be used for development that results in employment for community members and income to the Band.
- *Ensure uses are complementary to one another* – Garden River will ensure that land uses create synergies rather than being conflicting.
- *Ensure high quality development* – Garden River will ensure that infrastructure and buildings will be built to achieve high quality.

Part 2 – Land Use Plan

This section of the Land Use Plan describes objectives and future directions relating to land use and land development at Garden River First Nation. This section also identifies where certain of land uses will be allowed in specific areas of the community.

5.0 Community-wide Context

It is likely that there will be significant development of land on Garden River. Moving forward, the GRFN community has expressed a desire that development be undertaken sensitively and with respect to sacred land and environmentally sensitive areas. In this regard, there are several policies and actions that apply to the community at large.

5.1 General Policies

It is the policy of Garden River First Nation to:

- i. Update GRFN's Zoning Bylaw once this Land Use Plan is adopted by Chief and Council in order to provide more direction on how certain land uses should be developed including addressing issues such as permitted uses, lot sizes, setbacks of buildings, etc.;
- ii. Ensure that prior to any development taking place, that subdivision and/or engineering feasibility studies be completed. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Undertake investigation of land that has been previously developed where new information suggests that the land may have sacred value due to the presence of medicines, burial grounds, or places of historical or cultural significance, and develop a plan to protect and preserve the sacred value of the land;
- iv. Seek funding to undertake an Environmental Baseline Inventory and Traditional Knowledge Study to proactively define areas with environmental significance, species at risk, and/or invasive species and develop plans to address key issues appropriately;
- v. Work on developing more accurate surveys of the reserve land base;
- vi. Require that all new buildings and uses on land identified for Residential, Commercial, Community and Institutional, and Industrial uses meet stringent standards for environmental protection, and health and safety;
- vii. Develop a building permit process to administer the construction of new buildings, renovation of old buildings, excavation and earthworks;
- viii. Require that Chief and Council approve any changes to land use once the Land Use Plan is adopted; and
- ix. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development.

6.0 Residential

6.1 Background

There is currently a shortage of serviced residential lots available for construction of new housing. As of October 2012, there has been a moratorium on the establishment of new residential lots on common land until the land use plan is adopted by Chief and Council.

Most community members live in single unit dwellings, though there are a few multi-unit dwellings. Lots are of varying size. All residential lots are serviced through the community water system and have on-site septic fields. The construction of new lots will likely require the expansion of water infrastructure and potentially new roads. Thus, the size of new lots will have a direct impact on the cost of development.

The community has a housing policy that clarifies the process for building and developing a lot, this includes site plans and approval process. Garden River First Nation has a policy on the development of market housing for members of the community. There are a variety of programs to support diverse tenure types. There are three tenure types that the community utilizes. These include:

Garden River First Nation Owned Housing

Approximately 140 houses are owned by Garden River First Nation. Tenures include:

Section 95 Rental & Rent-to-Own Social Housing

- These are houses with mortgages currently under the CMHC Section 95 subsidized housing program, which are owned by GRFN and rented to community members. These housing units fall under two programs:
 - Pre-1996 - rent-geared-to-income; and
 - Post 1996 with set rental rates.

Rent-to-own housing units

- These are subsidized houses that have a specific tenancy agreement with GRFN which gives the tenant the option to buy when the mortgage is paid out. These housing units are owned by GRFN until ownership of the housing unit is formally transferred.

Privately Owned Housing

Most houses on Garden River First Nation are privately-owned. There are several programs that enable privately-owned dwellings. These programs include:

Demonstration Housing

- These are houses which were built by GRFN and are owned by the occupants through loans from GRFN.

Non-Social Housing

- These are privately-owned housing units which were renovated through the Non-Social Program offered by the First Nation. The program offered small loans and the loans were payable to the First Nation. Only renovation costs were approved.

Privately-Owned

These include:

- Houses that have been built and paid for by the home owner;
- Houses which are privately financed (such as those under the On-Reserve Mortgage Program);
- Section 95 subsidized houses with paid out mortgages where the tenant has no arrears or debts to GRFN and purchases the house from GRFN;
- Non-Social Housing Units;
- Housing units that have been purchased from the original owner or GRFN; or
- Older INAC homes that are deemed by GRFN to be owned by the residents.

Privately-Owned Rentals

- Housing units that are privately owned but are not occupied by the owner.

Garden River also has a number of housing programs to assist with housing. These programs include:

Residential Rehabilitation Adaptation Program (RRAP) – this helps finance major renovations to homes. It is a forgivable loan and there are two loans available per year.

Home Adaptation for Seniors Independence – this program is for homeowners over 65 years of old to help them live longer in their homes by installing items such as grab bars and larger toilets. There is one allocation per year for this program.

Other programs include:

- On-Reserve Mortgage Program;
- Garden River Renovation Loan Program;
- Government funding programs; and
- GRFN Market Housing Fund.

Based on population projections, it is expected that there will be a need for 130 new houses in the next 10 years. Given the relative young population, this need for new housing could continue for a large period of time as community members begin to create new households. At the same time, there is a

need to develop more seniors/Elders' housing to accommodate this need and to better enable community members to remain on the reserve as they age.

6.2 Objectives

It is the objective of Garden River First Nation to:

- i. Ensure that members have an opportunity to access housing on the reserve;
- ii. Ensure that there is a diverse supply of housing available for members of different household compositions;
- iii. Increase the supply of rental housing;
- iv. Ensure that housing is constructed in a sustainable manner and is developed to be energy and water efficient;
- v. Ensure that land developed for housing is easily serviced by water and roads;
- vi. Ensure that development can easily access the transportation network, including an active transportation network;
- vii. Ensure that land is used efficiently by ensuring that lots are appropriately sized and provide room to grow over the long-term;
- viii. Ensure that new housing development encourages community integration of household types and age demographics;
- ix. Continue offering a range of housing tenures to meet the varying needs of community members;
- x. Ensure that new house construction meets the National Building Code and/or the Ontario Building Code, whichever is more stringent;
- xi. Consider the development of a building bylaw and building inspection service;
- xii. Continue to encourage privately-owned dwellings; and
- xiii. Ensure standardization of building residential lots with site plans that include setbacks, water and septic.

6.3 Policies

6.3.1 *GENERAL RESIDENTIAL*

It is the policy of Garden River First Nation to:

- i. Direct land for general residential development on lands identified as General Residential on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally

sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);

- iii. Permit the development of single family and duplex housing units on general residential lots;
- iv. Ensure that areas developed for general residential use has efficient access to water services;
- v. Require that new general residential lots be of sufficient size to enable the installation, maintenance and replacement on-site septic systems;
- vi. Encourage larger lot holders on lands identified for general residential development to subdivide their lots to create more density and use infrastructure more efficiently;
- vii. Require that mobile homes installed at Garden River meet CSA A277 standards and proof that they are less than 10 years old;
- viii. Encourage energy conservation and efficiency when contemplating new General Residential areas;
- ix. Encourage new homes to be designed so that elders and seniors can easily visit the home. This would include enabling the future construction of wheelchair ramps, having a bathroom on the main floor, and making doorways wider to accommodate a wheelchair;
- x. Consider carefully the establishment of new home-based industries such as welding shops, sawmills, mechanic shops, etc.;
- xi. Encourage a diversity of housing styles within neighbourhoods; and
- xii. Require that large areas developed for general residential development allocate 5% of the development area for parks and recreation uses.

6.3.2 AGRICULTURE RESIDENTIAL

It is the policy of Garden River First Nation to:

- i. Direct land for Agriculture Residential development on lands identified as Agriculture Residential on **Schedules A and B**;
- ii. Require that lands identified as Agriculture Residential are serviced by wells and on-site septic and be greater than 1 hectare in size;
- iii. Ensure that large lots have proof they can provide their own clean drinking water that meets the Canadian Guidelines for Drinking Water through the use of wells;
- iv. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- v. Ensure that Agriculture Residential lots have some sort of agricultural use on the land including, but not limited to raising livestock, horses, poultry, fruit and vegetable gardening, and bee-keeping;

- vi. Ensure that lots identified for Agriculture Residential are located within 250 m of a regularly maintained road;
- vii. Require that mobile homes installed at Garden River meet CSA A277 standards and proof that they are less than 10 years old;
- viii. Encourage energy conservation and efficiency when contemplating new General Residential areas; and
- ix. Encourage new homes to be designed so that elders and seniors can easily visit the home. This would include enabling the future construction of wheelchair ramps, having a bathroom on the main floor, and making doorways wider to accommodate a wheelchair.

6.3.3 *MULTI-UNIT RESIDENTIAL*

It is the policy of Garden River First Nation to:

- i. Direct land for multi-unit residential development on lands identified as Multi-Unit Residential on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Permit the development of townhomes, seniors/elders housing, and apartments on multi-unit residential lots;
- iv. Ensure a maximum density of 40 dwelling units/ha; and
- v. Require that multi-unit residential development be located in close proximity to community parks and recreation facilities, commercial facilities and institutional facilities.

7.0 Commercial

7.1 Background

Garden River has a number of privately and community-owned businesses. These developments provide employment for community members and income for Garden River. Commercial businesses include gas stations, retail stores, professional services, and campgrounds. The businesses that operate service local and regional needs.

7.2 Objectives

It is the objective of Garden River First Nation to:

- i. Use commercial land to create economic development, including jobs and income;
- ii. Ensure that commercial land has good access to the local and regional transportation network;
- iii. Ensure commercial development does not harm or endanger the surrounding environment;
- iv. Ensure that Band members have access to land to support business development;
- v. Encourage the development of home-based businesses;
- vi. Ensure that commercial land availability and policies support economic development and entrepreneurship in the community; and
- vii. Proactively market the availability of commercial land and target businesses to take advantage of opportunities.

7.3 Policies

7.3.1 *HIGHWAY COMMERCIAL*

It is the policy of Garden River First Nation to:

- i. Establish Highway Commercial uses in areas identified Highway Commercial on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Ensure that development along the Highway 17 bypass corridor presents a positive visual image of the Reserve by establishing and enforcing design standards, requiring paved parking lots, landscaping along the front of the property, and appropriate signage;
- iv. Ensure that the design of new development, including aesthetic considerations, is approved by the Economic Resource and Community Development Department;

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- v. Ensure that land designated for Highway Commercial leverages the location of this land next to the Highway 17 bypass to ensure that it is developed for uses that can best benefit from the high profile location and for uses that have a more regional impact (i.e. draws people from Sault Ste. Marie as well as pass-by traffic on the highway);
 - vi. Ensure that development of Highway Commercial land occurs in a timely manner by having provisions in the Certificate of Occupancy stipulating how long the occupant has to develop land;
 - vii. Work with the Ministry of Transportation to ensure that land has safe and efficient access from Highway 17;
 - viii. Undertake a Highest and Best Use Study to identify the preferred land uses for Highway Commercial development and begin to target businesses that could fill these needs;
 - ix. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development; and
 - x. Support the development and land uses such as fast food restaurants, large format retail stores, car sales, gas stations on land identified for Highway Commercial development.

7.3.2 GENERAL COMMERCIAL

It is the policy of Garden River First Nation to:

- i. Establish general commercial uses in areas identified General Commercial on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Encourage uses such as gas stations, retail stores, commercial services, offices, etc. to locate on land identified for General Commercial;
- iv. Ensure that development of General Commercial land occurs in a timely manner by having provisions in the Certificate of Occupancy stipulating how long the occupant has to develop land;
- v. Ensure that land is developed that contributes to positive community aesthetics in Garden River. Prior to development, a landscape plan and building design should be presented for approval by the Economic resource and Community Development Department;
- vi. Ensure that building facades are aesthetically pleasing. In this regard, avoid corrugated metal exteriors and large blank walls that lack windows or other design features;
- vii. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development; and
- viii. Ensure that general commercial land can be used as a means for Band members to start their own businesses.

7.3.3 COMMERCIAL RECREATION

It is the policy of Garden River First Nation to:

- i. Establish commercial recreation uses in areas identified Commercial Recreation on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Allow uses that are recreationally based but are done for commercial purposes including uses such as campgrounds, golf course, amusement parks, and gaming facilities, including the Bingo Hall, in areas identified as Commercial Recreation;
- iv. Ensure that development of Commercial Recreation land occurs in a timely manner by having provisions in the Certificate of Occupancy stipulating how long the occupant has to develop land;
- v. Ensure that Commercial Recreation areas support the employment of Garden River First Nation members and provide revenue to the Band;
- vi. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development; and
- vii. Ensure that Commercial Recreation areas do not block Band member access to key areas of significance such as the waterfront.

7.3.4 HOME-BASED BUSINESSES

It is the policy of Garden River First Nation to:

- i. Recognize the value of home-based businesses as a means of promoting entrepreneurship in the community and as an affordable entry point into starting new businesses while at the same time promoting the use of commercial facilities for business in Garden River;
- ii. Ensure that home-based businesses are clearly incidental to the primary residential use of the property;
- iii. Prohibit any home-based business that will have a detrimental effect on surrounding properties in terms of unsightliness, noise, traffic, or parking congestion;
- iv. Permit home-based business such as small scale home sales (i.e. Avon, Tupperware), artist's studios, teacher or tutors, dressmaker or tailor, pet grooming, baked goods, personal services (i.e. barber, hairdresser, therapist, etc.), and daycare (provided they meet regulations established by the provincial and federal government);
- v. Carefully consider the development of new home-based industries such as welding shops, sawmills, mechanic shops, and equipment storage within Garden River residential lands;

- vi. Establish a permitting and approval process for the development and operation of home based businesses to ensure that they adhere to government regulations specific to the business or industry that they are operating and to ensure that designs are submitted which illustrate exterior changes to the house including, but not limited to provision of parking, signage, and storage areas;
- vii. Encourage home-based businesses to relocate to commercial facilities as appropriate; and
- viii. Recognize existing home based businesses by 'grandfathering' existing uses.

8.0 Community and Institutional

8.1 Background

Community and Institutional lands are designated for vital community functions such as parks, infrastructure, schools, and administrative buildings. Currently, Garden River has a number of these uses distributed throughout the community. These facilities, and the programs that accompany them, form the backbone of the community and contribute greatly to quality of life.

8.2 Objectives

It is the objective of Garden River First Nation to:

- i. Provide programs and service to the community that enrich the wellbeing of the people living there;
- ii. Ensure that development in these areas reflects the Band's heritage and culture;
- iii. Preserve the community access and recreational use of shoreline;
- iv. Ensure that land is available for a variety of community uses;
- v. Ensure that Garden River First Nation infrastructure and public works balances capital and operational costs with reasonable levels of service;
- vi. Ensure that the location and operation of infrastructure and public works is environmentally sustainable; and
- vii. Ensure that the community and institutional uses contribute to the development of a healthy and vibrant community.

8.3 Policies

8.3.1 *INSTITUTIONAL*

It is the policy of Garden River First Nation to:

- i. Allocate land for institutional uses, such as the Band office, police station, etc. in areas designated Institutional on **Schedules A and B**;
- ii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iii. Ensure high quality architectural development that reflects the Band's heritage and culture;
- iv. Ensure current facilities are maintained to ensure high quality;

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- v. Ensure that Institutional facilities are appropriately located to enable a variety of transportation options and access;
 - vi. Provide facilities that enable the effective delivery of Garden River community services; and
 - vii. Ensure that institutional uses contribute to the development of a vibrant core area.

8.3.2 *PARKS AND RECREATION*

It is the policy of Garden River to:

- i. Direct parks and recreation uses to those areas designated Parks and Recreation on **Schedules A and B**;
- ii. Ensure easy to access Parks and Recreation opportunities in all areas of the community;
- iii. Maintain, improve and expand the trail network on Garden River lands and ensure connectivity;
- iv. Ensure that parks and recreation infrastructure meets a variety of needs;
- v. Require that new playgrounds that are developed meet the latest health and safety requirements in order to protect children;
- vi. Ensure that there is ongoing inspection and maintenance of playground equipment to ensure health and safety;
- vii. Utilize parks land to continue to enhance community garden opportunities and enable members to grow their own food on-reserve;
- viii. Utilize traditional/native plants as part of landscaping for parks and recreation areas to provide an opportunity to educate members on traditional foods and medicines derived from plants;
- ix. Ensure that park space protects the natural environment, particularly riparian areas on the rivers and lakes on Garden River land;
- x. Review opportunities to create a trails system along the waterfront as well as between key neighbourhoods and subdivisions on the reserve;
- xi. Require that at least 5% of land in newly subdivided areas be allocated for green space, trails, and parks; and
- xii. Develop a Parks, Recreation and Trails Master Plan which will identify where neighbourhood and community-wide parks should be located, the facilities they should have, and the programs that should be operated.

8.3.3 *PUBLIC WORKS AND INFRASTRUCTURE*

It is the policy of Garden River to:

- i. Allocate land for public works and infrastructure use in areas designated Public Works and Infrastructure on **Schedules A and B**;

- ii. Develop an infrastructure and asset management plan so that infrastructure renewal is fiscally responsible, timely and sustainable;
- iii. Review the potential relocation or expansion of the landfill;
- iv. Review the feasibility of diverting more waste from landfill by introducing curbside recycling and compost pick-up service;
- v. Ensure that the landfill is managed properly and cleaned up;
- vi. Ensure that the landfill is designed to minimize wildlife conflicts;
- vii. Explore opportunities to undertake wood-chipping of wood waste and utilize woodchips in the construction of trails and in gardens;
- viii. Develop a strategy for dealing with contaminated soils, in particular, identifying whether the Band should provide this service themselves or work with a 3rd party contractor;
- ix. Ensure that new water reservoirs are constructed to complement the surrounding landscape;
- x. Ensure the efficient utilization of existing infrastructure when considering new development;
- xi. Review the potential for developing sidewalks and curb and gutter on the reserve;
- xii. Review the potential of developing a community sewer system in order to reduce the size of new residential lots and reduce the need for individual septic fields; and
- xiii. Establish a subdivision servicing strategy for new development to provide direction on levels of service (i.e. sidewalks, curbs, open ditches, etc.).

9.0 Community Core Area

9.1 Background

Currently, commercial land development at Garden River is dispersed and, other than the area around the Band's administration area/community hall, there is not a distinct community core area. Based on surveys from the community, there is a desire to create a distinct core area that would serve as 'downtown Garden River' and would incorporate higher density of development with a mix of complementary residential, commercial, and institutional land use development.

Two areas have been identified which could potentially serve as a core area where there would be a concentration of development. These include the area around the Band office and the area around the Bingo Hall.

If the area around the Band office is selected, it is recognized that this area around has a limited amount of land available. However, there is a concentration of community-oriented facilities, such as the Band office, day care and community hall which provides the start of a core area. In the long-term, if this area is to become a Community Core, consideration should be given to moving the Public Works centre and the Fire Hall to other locations on the reserve in order to open up land for other uses such as Multi-unit Residential and General Commercial.

If the Bingo Hall area is selected for the Community Core Area, GRFN should consider encouraging higher density residential and general commercial areas that could combine to create a core area. In addition, long-term consideration should be given to moving the Band office and other important community and institutional uses to this area.

9.2 Objectives

It is the objective of Garden River First Nation to:

- i. Identify a Community Core Area;
- ii. Ensure that the Community Core Area is widely accessible and promotes alternative transportation;
and
- iii. Ensure that the Community Core Area supports a variety of land uses including Multi-unit Residential, General Commercial, Institutional and Community Uses.

9.3 Policies

It is the policy of Garden River First Nation to:

- i. Establish a community core area in one of the areas identified as Community Core Area on **Schedules A and B;**

- ii. Support a range of land uses in the Community Core Area including multi-unit residential, general commercial, institutional, and parks and other uses that would be typically found in a downtown area;
- iii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessments, and the cost of servicing with water (initial costs and ongoing operational costs);
- iv. Ensure a high quality of architecture and site design for development in the Community Core Area that reflects the culture and heritage of Garden River First Nation by developing design guidelines for the Community Core Area which will provide greater detail on what kind of development will be supported and how it should look;
- v. Ensure that land uses are complementary to one another in the Community Core Area and create a synergy of activity. For example, locating Multi-unit Residential development near a convenience store helps to create a synergy of use by concentrating a number of people in the area to take advantage of this commercial service;
- vi. Ensure that the Community Core Area is accessible and attractive to pedestrians and cyclists by ensuring there are trails connections and/or wide, paved shoulders on roads to enable safer alternative transportation;
- vii. Prioritize walking and cycling by having the front doors of buildings located close to the front property line with parking areas in the back of buildings and minimize the distance between buildings;
- viii. Consider the use of sidewalks in this area to offer people, particularly those with mobility challenges, easier access in this Community Core Area; and
- ix. Ensure that development uses land efficiently and emphasizes pedestrian and cyclist access by placing buildings at the front of properties and reviewing whether parking requirements can be reduced for certain developments.

10.0 Industrial

10.1 Background

Garden River has a variety of industrial uses which support employment on the reserve. These include truss manufacturing, and the sawmill among others. There have also been a number of resource extraction activities including gravel extraction, mining, and forestry.

10.2 Objectives

It is the objective of Garden River First Nation to:

- i. Create employment and revenue for the community through industrial development; and
- ii. Ensure that industrial development has minimal impact on the natural environment.

10.3 Policies

10.3.1 GENERAL INDUSTRIAL

It is the policy of Garden River First Nation to:

- i. Direct industrial uses to those areas identified Industrial on **Schedules A and B**;
- ii. Ensure that industrial development is compatible with surrounding land uses;
- iii. Require subdivision and/or engineering feasibility studies to be completed prior to the subdivision and development of land. These studies should include a review of soil conditions, environmentally sensitive areas, archeological assessment, the cost of servicing with water (initial costs and ongoing operational costs);
- iv. Limit the amount of heavy industrial activity south of the Highway 17 bypass;
- v. Identify potential industrial development synergies such as co-locating certain industries to take advantage of economies of scale and scope;
- vi. Ensure that industrial development does not cause adverse noise or visual impacts on the surrounding area;
- vii. Continue to promote opportunities to leverage the reserve's proximity to rail lines and the provincial highway to attract industrial development;
- viii. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development.

10.3.2 RESOURCE EXTRACTION

It is the policy of Garden River First Nation to:

- i. Direct resource extraction activities to those areas identified Resource Extraction on **Schedules A and B**;
- ii. Ensure that there are proper environmental controls to ensure that resource development minimizes environmental impact during the exploration, construction, operation, and reclamation phases of the project;
- iii. Require that all resource extraction has a remediation plan in place to restore the natural landscape to the greatest extent possible;
- iv. Require that an archaeological assessment be undertaken prior to development;
- v. Work to minimize the impact of resource access roads into natural areas by ensuring proper design and maintenance;
- vi. Identify the potential for alternative sources of energy on reserve such as wind and solar by undertaking a screening assessment of sun and wind resources; and
- vii. Ensure that the proper designation or surrender process is followed, if applicable, prior to the authorization and start of development.

11.0 Environmentally Sensitive Areas

11.1 Background

Garden River has large areas of environmentally significant lands, which they would like to protect from development and pollution. The reserve has large areas that remain forested and other areas that are marshes or wetlands that provide valuable ecological habitat and would be challenging to develop. In addition to that, Open Space is important to the community. Open Spaces are areas to preserve natural features and keep green space in the community.

11.2 Objectives

It is the objective of Garden River First Nation to:

- i. Ensure the protection of the natural environment, including natural habitat, ecosystems and species;
- ii. Ensure the protection of key riparian areas including along rivers, streams, lakes, and wetlands;
- iii. Educate community members about key issues of environmental protection;
- iv. Build an awareness of conservation by preserving and conserving significant lands to ensure that future generations have access to lands of their ancestors; and
- v. Ensure that the natural environment is safe by prohibiting development in areas that are steep or prone to flooding.

11.3 Policies

11.3.1 ENVIRONMENTALLY SENSITIVE AREAS

It is the policy of Garden River First Nation to:

- i. Ensure that areas identified as Environmentally Sensitive Areas on **Schedules A and B** are protected from development;
- ii. Ensure that Environmentally Sensitive Areas protect habitat and species;
- iii. Require that an environmental assessment be undertaken prior to any development occurring to identify environmentally sensitive areas. The Land Use Map in **Schedules A and B** should be amended once new Environmentally Sensitive Areas are identified;
- iv. Limit development of steep slopes and areas where soil stability and flooding could be of concern;
- v. Undertake an Environmental Baseline Inventory and Traditional Knowledge Study to proactively define areas with environmental significance, species at risk, and/or invasive species and develop plans to address key issues appropriately;

- vi. Require that new development is located at least 30 m from the top of the bank of a river or stream;
and
- vii. Develop plans for environmentally sensitive areas to ensure their enhancement in the future.

11.3.2 OPEN SPACE

It is the policy of Garden River First Nation to:

- i. Direct activities for open space to those areas identified Open Space on **Schedules A and B**;
- ii. Ensure that open space areas are available to the community for passive recreational uses that do not compromise the environmental integrity of these lands; and
- iii. Prohibit the development of large structures in open space areas.

12.0 Sacred Lands

12.1 Background

Protecting sacred lands is of utmost importance for Garden River First Nation. These sacred lands include cemeteries, Pow Wow grounds and ceremonial lands and are intended to preserve the medicines, heritage, legacy, and culture of Garden River First Nation.

12.2 Objectives

It is the objective of Garden River First Nation to:

- i. Protect sacred lands from development; and
- ii. Utilize sacred lands as a means of reinforcing the culture and tradition of Garden River First Nation and teaching members about medicines.

12.3 Policies

It is the policy of Garden River First Nation to:

- i. Identify and protect land that is sacred, as indicated on **Schedules A and B**;
- ii. Ensure that any development of land identified as having sacred value is sensitive to the protection of the sacred land or value and is approved by Chief and Council;
- iii. Ensure that any development that occurs on reserve protect sacred lands and values;
- iv. Develop a Sacred Lands inventory to ensure that all land with values important to Garden River's heritage and culture is protected from development;
- v. Ensure that land that has medicines located on it is identified and protected from development;
- vi. Ensure land is used for the enhancement of cultural traditions;
- vii. Identify land suitable for the creation of new cemetery;
- viii. Ensure adequate space to facilitate the celebration of culture (i.e. heritage sites, Pow Wow events, etc.);
- ix. Investigate existing developed land to determine if there are sacred values, and, if there are sacred values, prepare plans that document the appropriate measures to preserve and protect the sacred value; and
- x. Use Sacred Lands to educate community members on the Band's history, culture, and traditions.

13.0 Natural Resource Area

13.1 Background

The Natural Resource Area generally includes the large area of the reserve located north of the Highway 17 bypass. This land is largely undeveloped but the land has been used for a number of different types of uses. There has been a plan for this area in the past, but this plan was focused mainly on timber and the Band acknowledges that this is now out of date and intends to update the plan in the next few years. It is, however, important that key land use policies be documented in advance of the update of this plan and that the scope of this future plan be broadened to include all Natural Resource activities including logging, mining, hunting and fishing, spiritual practices, and camps that occurs in this area

13.2 Objectives

It is the objective of Garden River First Nation to:

- i. Ensure that Band members have access to natural areas for traditional cultural and spiritual activities;
- ii. Ensure that land is protected from intensive development;
- iii. Ensure that environmental values are incorporated into new development in this area;
- iv. Provide sustainable economic activity such as logging; and
- v. Ensure that the forest management area is a key community resource.

13.3 Policies

It is the policy of Garden River First Nation to:

- i. Identify land to be part of the Natural Resources Area as illustrated on **Schedules A and B**;
- ii. Update and expand the scope of the Natural Resources Area Plan which will stipulate what activities will be supported and where they can occur;
- iii. Utilize the Natural Resources Area as a means of passing knowledge to youth about traditional activities, foods, medicines, and spiritual practices;
- iv. Require that Band members wanting to establish a camp obtain a permit from Garden River First Nation;
- v. Prior to establishing a camp, Band members should provide a map showing the location of the camp and briefly describe any structures that will be constructed along with identifying whether cell phone coverage is available;
- vi. Require that people that establish camps do so in an environmentally responsible manner and in a manner that ensures health and safety;

- vii. Forbid the transferring of ownership of camp facilities without the approval of Chief and Council;
- viii. Ensure that GRFN has the capacity to monitor activities in the Natural Resources Area;
- ix. Enable the use of the Natural Resources Area land by Band members for commercial activities such as hunting and guiding, fishing, firewood collection and sales; and
- x. Require that anyone undertaking commercial activities in the Natural Resources Area to obtain a permit from GRFN to operate in this area. A condition of this permit should be the development of an environmental plan which will describe how the activity will be undertaken in a manner that protects the natural environment, and also describes decommissioning and remediation plans to ensure the land is returned to its natural state.

14.0 Future Development

14.1 Background

There are a number of areas on the reserve where a specific land use has not been identified as part of this plan. These lands are, in many cases, larger parcels of land that could be used for a mix of uses. Rather than identifying a land use at the time of development of this Land Use Plan, it is advisable that a more comprehensive plan that considers a variety of residential, commercial, and community uses be developed for each of these parcels once there is greater interest in development.

14.2 Objectives

It is the objective of Garden River to:

- i. Maintain value in future development lands by ensuring compatibility of adjacent land uses;
- ii. Allow a mix of uses on areas identified for future development;
- iii. Ensure that the infrastructure servicing of future development lands is efficient and cost effective;
- iv. Ensure that potential environmentally sensitive and sacred areas are identified and protected from development;
- v. Ensure that efficient access to future development lands is maintained in the development of adjacent parcels; and
- vi. Ensure that developable lands are available to meet future residential and economic development needs.

14.3 Policies

It is the policy of Garden River to:

- i. Establish land for future development in areas designated Future Development on **Schedules A and B**;
- ii. Require the development of a neighbourhood plan for areas designated as Future Development lands prior to any new development which should include:
 - o Proposed land use;
 - o Infrastructure servicing (including water, wastewater, and stormwater management);
 - o Transportation access;
 - o Density and siting (i.e. location of structures, orientation of buildings, parking areas, and landscaped areas);
 - o Incorporation of parkland and pathways where appropriate and desirable by Garden River;

- Integration of new structures and land uses with existing development to ensure consistency and compatibility of new development; and
 - Identification of environmentally sensitive areas, archaeological sites, and sacred areas and plans for protection of these areas.
- iii. Consider establishing Development Area Guidelines for future development lands which would provide guidance on building siting, form and character, landscaping, building materials, parking, buffers/fencing, etc.; and
- iv. Maintain key environmental buffers from rivers and other important natural features.

Part 3 – Action Plan and Enforcement

15.0 Action Plan

Table 15.1 summarizes any implementation or action item stated within the Land Use Plan.

Table 15.1: Action Plan

Section of the Plan	Action	Description
Section 5.1(i) General Policies	Update Zoning Bylaw	Update the zoning bylaw to provide more direction on permitted uses, lot sizes, building setbacks, etc.
Section 5.1(iii) General Policies Section 12.2.1 (iv)(ix) Sacred Lands	Investigate land to determine sacred value	Investigate all lands that have been recently identified as potentially having sacred values including presence of medicines, burial grounds, places of historical or cultural significance
Section 5.1(iv) General Policies Section 11.3.1 (v) Environmentally Sensitive Areas	Undertake Environmental Baseline Inventory and Traditional Knowledge Study	Seek funding to undertake study to proactively define areas with environmental significance, species at risk, and/or invasive species and develop plans to address key issues appropriately
Section 5.1(v) General Policies	Develop more accurate surveys of the reserve land base	Better define property boundaries and the survey of land
Section 5.1(vii) General Policies	Develop a building permit process	Develop a permitting system to administer the construction of new buildings, renovation of old buildings, excavation and earthworks
Section 7.3.1(iii) Highway Commercial	Develop design standards for Highway Commercial land	Develop design standards that will provide guidance on how land should be developed along the Highway 17 bypass corridor. Design standards will address issues such as landscaping, signage, etc.
Section 7.3.1(viii) Highway Commercial	Undertake a Highest and Best Use Study for Highway Commercial Land	Undertake a Highest and Best Use study for this land to identify which types of development would make the best use of the land and achieve the highest value for GRFN
Section 7.3.4 (vi) Home-Based Businesses	Establish a permitting and approval process for the development and operation of home-based businesses	Develop a process that will allow GRFN to monitor the development and operation of Home Based Businesses and ensure that home based businesses do not conflict with other uses, and comply with government regulations
Section 8.3.2 (xii) Parks and Recreation	Develop a Parks, Recreation and Trails Master Plan	Develop a plan which will identify the location and type of parks, recreation and trails infrastructure and programming to be developed to serve the community's needs

Section of the Plan	Action	Description
Section 8.3.3(ii) Public Works and Infrastructure	Develop an infrastructure and asset management plan	Develop a plan to identify the age and condition of key infrastructure and assets and determine when these will need to be replaced, and how much money will be required to replace these assets
Section 8.3.3 (iii) Public Works and Infrastructure	Review the potential relocation of the landfill	Identify whether relocation of the landfill is necessary, and, if it is, identify a location for the landfill
Section 8.3.3 (iv) Public Works and Infrastructure	Review the feasibility of diverting more waste from landfill	Review the feasibility of introducing curbside recycling and compost pick-up service
Section 8.3.3 (vii) Public Works and Infrastructure	Undertake wood-chipping of yard waste	Chip yard waste and use as part of compost or trails development
Section 8.3.3 (viii) Public Works and Infrastructure	Develop a strategy for dealing with contaminated soils	Develop a strategy that will determine the best way to deal with soils contaminated by septic systems or other environmental issues
Section 8.3.3 (xi) Public Works and Infrastructure	Review the potential for developing sidewalks and curb and gutter on the reserve	Determine if sidewalks and curb and gutter systems are cost effective
Section 8.3.3 (xii) Public Works and Infrastructure	Review the potential of developing a community sewer system	Secure funding to develop a study to determine the feasibility of either connecting to Sault Ste. Marie's sewage system or developing its own system
Section 8.3.3 (iv) Public Works and Infrastructure	Establish a Subdivision Servicing Strategy	Develop a strategy which will identify the level of infrastructure service for new subdivisions
Section 9.3.1 (iv) Community Core Area	Establish development design guidelines for the Community Core Area	Establish a set of guidelines which will provide further guidance on how new development in the Community Core Area should look
Section 10.3.1 (vi) Industrial	Identify the potential for alternative sources of energy	GRFN land may be suitable for a variety of alternative energy developments including solar, wind, and biomass. Consideration should be given to undertaking a screening level assessment of the potential for alternative energy in order to support economic development
Section 12.2.1 (vii) Sacred Lands	Identify land suitable for the development of a new cemetery	GRFN will be needing more cemetery space and will need to identify whether existing cemeteries can be expanded or if a new one needs to be developed
Section 13.3.1 (ii) Natural Resource Area	Update and expand the scope of the Natural Resources Area Plan	Develop a detailed plan which will cover all the uses of the Natural Resources Area including logging, fishing, hunting, camping, mining, etc.

16.0 Enforcing the Land Use Plan

GRFN wants to ensure that the Land Use Plan is adhered to as new development occurs and as new initiatives are undertaken by GRFN. This section outlines how the Land Use Plan should be used in reviewing new development and policies that should be followed to ensure that it is referred to as part of new initiatives.

16.1 Adoption and Applicability

The Land Use Plan:

- Will be adopted by Chief and Council through a Band Council Resolution.
- Applies to all people and companies seeking to develop on GRFN lands including Band members, non-Band members and GRFN itself.
- Will be referred to as part of future initiatives undertaken by GRFN. Prior to a new initiative being implemented, the Land Use Plan should be referred to in order to determine if certain policies in the Land Use Plan support or not support the new initiative.

16.2 Approval Process for New Development

Figure 16.1 summarizes the development review process. In general, the approval process for new development includes the following elements:

Types of Development that must be Reviewed

- Each and every development, including subdivision, excavation and grading, and/or construction of buildings on GRFN land must be reviewed by the Economic, Resource and Community Development (ERCD) Department for consistency with all applicable aspects of the Land Use Plan.

Requirement for Submittal of Site Plan Package

- In order to help the ERCD Department assess the merits of a potential development, the developer must submit to the ERCD Department a Site Plan Package.
- A Site Plan Package for a small development¹ must include:
 - Current Land Use type for the land as identified on the relevant Land Use Plan map (i.e. is the land identified as General Residential, Highway Commercial, Institutional, etc.);
 - The Land Use type in the Land Use Plan that best describes the proposed development;

¹ A small development is any development that is less than 3 lots/residential units and less than 1 acre in total for residential development, and less than 1 acre and less than 750 sq. ft. in floorspace size for commercial and institutional development

-
- A drawing that shows the location of buildings in relation to property lines and adjacent buildings;
 - A landscape drawing illustrating the location of trees and vegetation and type of ground cover (i.e. grass);
 - Conceptual drawings illustrating the development, including buildings; and
 - A description of development.
 - A Site Plan Package for a large development² must include:
 - Current Land Use type for the land as identified on the relevant Land Use Plan map;
 - The Land Use type in the Land Use Plan that best describes the proposed development;
 - A drawing that shows the location of buildings in relation to property lines and adjacent buildings;
 - A landscape drawing that illustrates the location of trees and vegetation and type of ground cover (i.e. grass);
 - Conceptual drawings illustrating the development;
 - A guarantee of funding/financing to complete the construction;
 - Description of impacts to the Garden River economy, environment, and community;
 - For commercial and industrial development, a business plan summarizing who will be operating the business, how many people will be employed, opportunities for Garden River First Nation members to be employed, typical operating characteristics must be submitted;

Compliance of Site Plan Package with Land Use Plan

- If, in the opinion of the ERCD Department, the Site Plan Package complies with the Land Use Plan (i.e. the development proposal adheres to the policies for the type of Land Use allowed for the piece of land under consideration), then the ERCD Department will authorize the development to proceed.

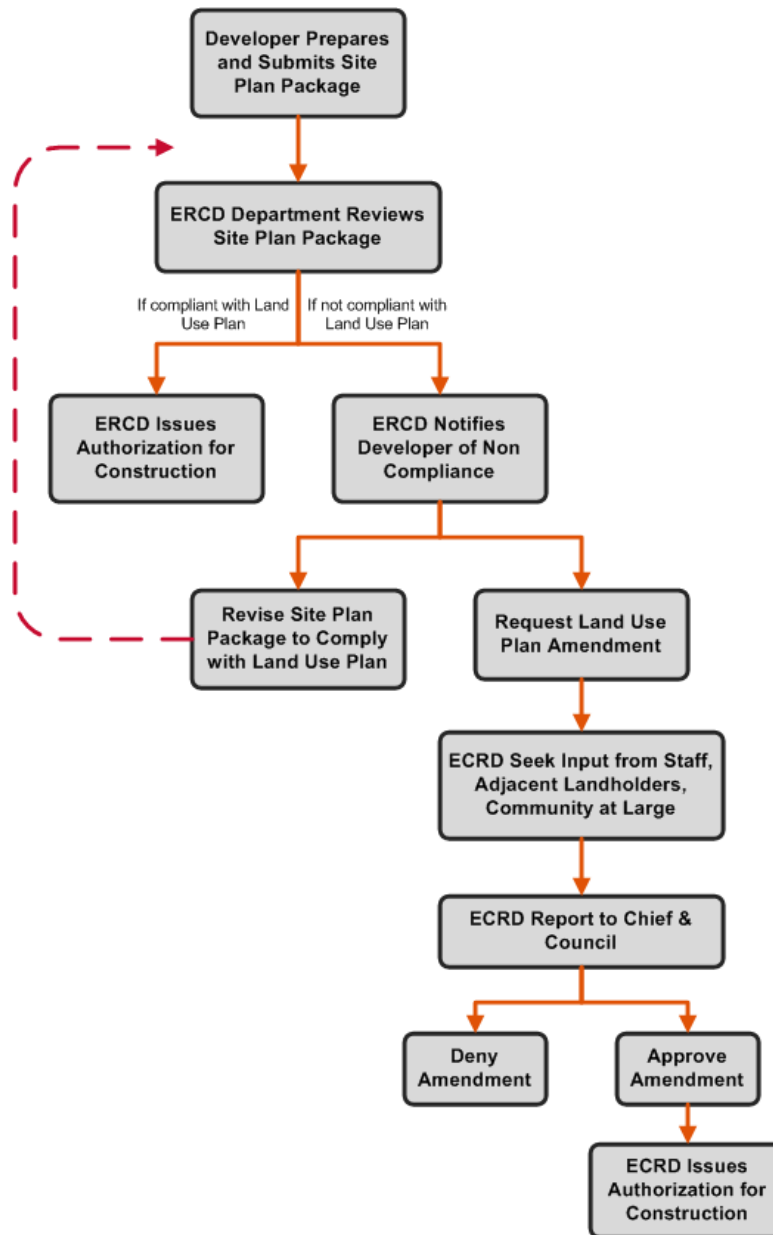
Non-compliance of Site Plan Package with Land Use Plan

- If the ERCD determines that the Site Plan Package does not comply with the Land Use Plan (i.e. the developer has proposed to construct commercial buildings in an area identified for residential use), the developer has the option to either revise their Site Plan Package to comply with the Land Use Plan or seek an amendment to the Land Use Plan.
- If the developer chooses to revise their Site Plan Package, they will resubmit their revised application to the ERCD Department for review. If the Site Plan Package complies with the Land Use Plan, then the developer will receive authorization to proceed with their development.

² A large development is any development that consists of more than 3 lots/residential units and/or more than 1 acre in total for residential development and more than 1 acre and/or more than 750 sq. ft. in floorspace for commercial and institutional development. It also includes all industrial and natural resources development

- If the developer chooses to request a Land Use Plan amendment, the ERCD Department will seek input from GRFN staff, adjacent landholders, and the community at-large, depending on the nature of the proposed development. The ERCD Department can also request further information from the developer depending on the nature of the proposed development.
- The ERCD Department will write a report to Chief and Council describing the proposed development, summarizing the Site Plan Package, and summarizing the input received from GRFN staff, adjacent landholders and the community at-large. The report will also summarize whether, in the opinion of the ERCD Department, an amendment to the Land Use Plan should be approved by Chief and Council. Amendments changing the land use should only be approved if the proposed development will provide long-term benefit to the community and will not negatively impact adjacent existing land uses or undermine the opportunity for future land development in the area.
- Chief and Council will review the ERCD Department report. If an amendment is supported by Chief and Council, the Land Use Plan, as it applies to the subject property, will be amended by Band Council Resolution. The ERCD Department will then authorize the development to proceed.
- If Chief and Council deny the amendment, the developer, after a 90 day period, will have the opportunity to revise and resubmit their Site Plan Package, and go through the review process again.

Figure 16.1: Development Review Process



16.3 Amending the Land Use Plan

Periodically, the Land Use Plan will need to be amended to facilitate new development. This will particularly be the case when a developer proposes to develop on land that is identified as Future Development (i.e. amending a piece of land identified as Future Development to facilitate General Residential development). Other key considerations when the Land Use Plan is amended include the following:

- Band Council Resolutions that are passed relating to the amendment of the Land Use Plan should be kept with a 'master copy' of the Land Use Plan to ensure that these are easily accessed when the plan is updated.
- Any amendments authorizing the change of land use type for a piece of land should be reflected on an updated Land Use Plan map immediately after the amendment is approved by Chief and Council.
- All applications for amendments must be made by the person seeking to develop the land. Amendments in land use will not be considered for land where a Site Plan Package has not been developed.

16.4 Update of Land Use Plan

Updating the Land Use Plan periodically will help to ensure that it will remain relevant to GRFN throughout the years. In order to keep the Land Use Plan up-to-date, the following should be done:

- Review the action plan in **Section 15** annual basis to determine the progress made on key action items.
- Update the Land Use Plan in 5 years in order to incorporate amendments made and ensure policies reflect current thinking at GRFN.

Schedule A

Land Use Plan Map South of Highway 17 Bypass



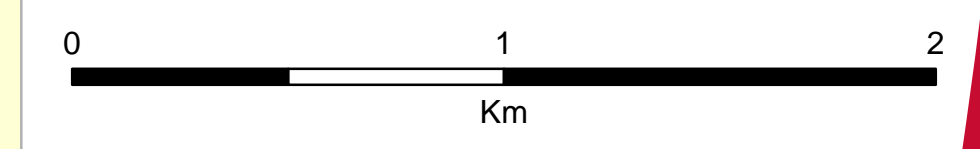
Garden River First Nation

Schedule 1 Land Use



- RESERVE BOUNDARY
- EASEMENT/RIGHT-OF-WAY
- Land Use**
- Residential**
- GENERAL RESIDENTIAL
- MULTI-UNIT RESIDENTIAL
- AGRICULTURAL RESIDENTIAL
- Commercial**
- GENERAL COMMERCIAL
- HIGHWAY COMMERCIAL
- COMMERCIAL RECREATION
- Industrial**
- INDUSTRIAL
- RESOURCE EXTRACTION
- Community & Institutional**
- INSTITUTIONAL
- PARKS & RECREATION
- SACRED/CEREMONIAL LANDS
- ENVIRONMENTALLY SENSITIVE AREAS
- PUBLIC WORKS AND INFRASTRUCTURE
- OPEN SPACE
- FOREST MANAGEMENT AREA
- FUTURE DEVELOPMENT

NOTE:
LAND USE DATA PROVIDED BY GARDEN RIVER FIRST NATION. THIS DATA WAS COMPILED FROM SITE OBSERVATIONS, GOOGLE EARTH AND NRCAI. THIS DATA REPRESENTS THE LAND USE AS OF APRIL 2008 AND MUST BE VERIFIED.



Current as of September 19, 2013

GARDEN RIVER OWNS ONLY A PORTION OF SQUIRREL ISLAND. FUTURE PLANNING DECISIONS WILL NEED TO BE NEGOTIATED WITH PRIVATE LAND OWNERS AND THE PROVINCE OF ONTARIO. THERE IS POTENTIAL THAT THERE ARE GRAVE SITES ON SQUIRREL ISLAND. THIS WILL HAVE TO BE EXPLORED FURTHER.

SWEETGRASS LOCATED ON BOTH SIDES OF HIGHWAY 17B

CRANBERRIES LOCATED IN THIS AREA



THE ACCURACY & COMPLETENESS OF INFORMATION SHOWN ON THIS DRAWING IS NOT GUARANTEED. IT WILL BE THE RESPONSIBILITY OF THE USER OF THE INFORMATION SHOWN ON THIS DRAWING TO LOCATE & ESTABLISH THE PRECISE LOCATION OF ALL EXISTING INFORMATION WHETHER SHOWN OR NOT.

Schedule B

Land Use Plan Map Whole Reserve

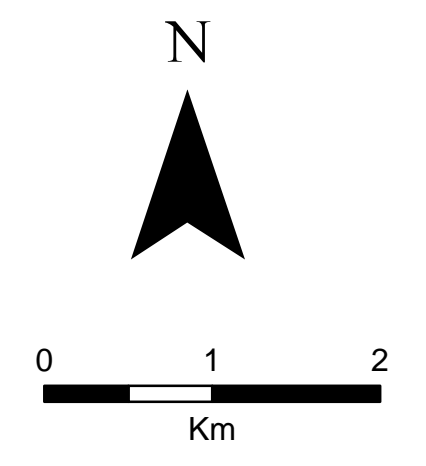


Garden River First Nation

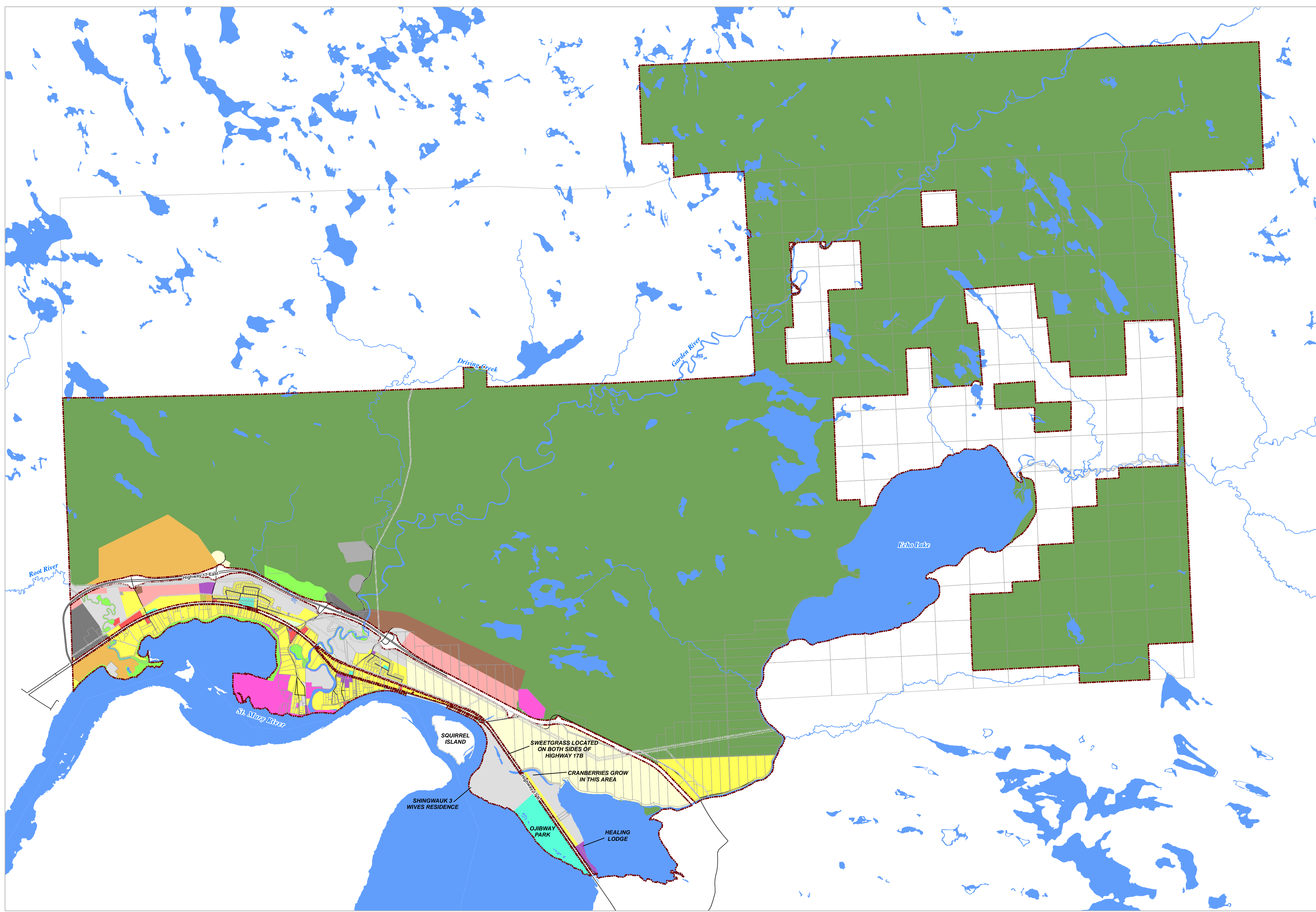
Schedule 2 Land Use

- RESERVE BOUNDARY
- EASEMENT/RIGHT-OF-WAY
- Land Use**
- Residential**
- GENERAL RESIDENTIAL
- MULTI-UNIT RESIDENTIAL
- AGRICULTURAL RESIDENTIAL
- Commercial**
- GENERAL COMMERCIAL
- HIGHWAY COMMERCIAL
- COMMERCIAL RECREATION
- Industrial**
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