



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
COUNCIL WORKING SESSION  
AGENDA

Thursday, January 23, 2025, 6:30 P.M.  
Main Level Chambers

An audio recording of the Open Session of this meeting is being made and will be available through the Municipal Website as a public service to further enhance access to municipal government services and to continue to promote open and transparent government. As a visitor, your presence may be recorded and your name and address may be revealed during certain parts of the Council meeting.

Pages

1. **CALL TO ORDER AND ROLL CALL**

2. **ADOPTION OF THE AGENDA**

Draft Motion:

BE IT RESOLVED THAT the Working Session Agenda dated January 23, 2025 be adopted as presented.

3. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

4. **DELEGATIONS/PRESENTATIONS**

4.1 **Registered Delegations - With Presentations**

1. **Temagami Fire Department - Years of Service Award**

Draft Motion:

BE IT RESOLVED THAT Council Receive the presentation from Chief Sanderson regarding the Fire Fighter Years of Service awards.

AND FURTHER THAT Council Thank all of the firefighters for their dedicated service and commitment to our community.

4.2 **Invited Presentations**

1. **Temagami Official Plan Final Draft Review**

Draft Motion:

BE IT RESOLVED THAT Council receive the Staff Report regarding the Final Official Plan dated January 21, 2025;

AND FURTHER THAT Council adopt the Final Official Plan as prepared for the January 23, 2025, Council meeting and to send the Final Official Plan (subject to minor revisions as required) to the Ministry of Municipal Affairs and Housing for approval.

4.3 **Registered Delegations - Without Presentations**

5. **DISCUSSION ITEMS AND RELATED REPORTS**

5.1 **2025-M-019 - 2024 Emergency Management - Annual Report**

Draft Motion:

1

376

BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Temagami does hereby receive report from the Emergency Management Program Committee Chair on the 2024 Emergency Management Ontario annual Report submission

**5.2 Municipal Land Use By-law Public Consultation Process**

378

Draft Motion:

BE IT RESOLVED THAT Council receives Memo 2025-M-020 including the attached Draft Land Use By-law and the Draft Survey as presented;

AND FURTHER BE IT RESOLVED THAT Council approves the use of an online webinar, followed by an online survey as attached to seek public input on the Municipal Land Use By-Law.

AND FURTHER THAT Council Direct staff to prepare a summary of the comments to be discussed at the March Working Session Meeting.

**6. CORRESPONDENCE**

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

**9. BY-LAWS**

**9.1 25-1794 - Adopt Final Official Plan**

406

Draft Motion:

BE IT RESOLVED THAT By-law 25-1794, to adopt a new Official Plan for the Municipality of Temagami, be taken as read a first, second, and third time, and finally passed this 23rd day of January, 2025;

AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**10. NOTICE OF MOTION**

**11. QUESTIONS FROM PUBLIC - ITEMS ON THE AGENDA**

**12. CONFIRMATION BY-LAW**

408

Draft Motion:

BE IT RESOLVED THAT By-law 24-1795, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Temagami, be taken as read a first, second and third time and finally passed this 23rd day of January, 2025;

AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**13. ADJOURNMENT**

Draft Motion:

BE IT RESOLVED THAT this Council Working Session dated January 23, 2025, adjourn at XX:XX p.m.

<b>MUNICIPALITY OF TEMAGAMI</b>	
<b>Report Prepared For:</b>	Municipality of Temagami Council
<b>Report Prepared By:</b>	Jamie Robinson, BES, MCIP, RPP and Patrick Townes, BA, BEd MHBC Planning, Planning Consultants
<b>Subject:</b>	Final Official Plan and Recommendation to Council
<b>Report Date:</b>	January 23, 2025

This Report has been prepared to provide Council, agencies, stakeholders and members of the public with a summary of the revisions that have been made to Draft #2 of the Official Plan and to provide a summary of the Final Official Plan.

The Final Official Plan has been prepared following the Public Open House and the Statutory Public Meeting held on August 22, 2024. Following these meetings, comments were recommended to be provided on Draft #2 of the Official Plan by September 30, 2024. As Planning Staff worked towards the preparation of the Final Official Plan, an emphasis was placed on transparency and how comments have been considered in the preparation of the final document.

The meetings held on August 22, 2024, were productive and many written comments were received before the end of September, 2024. The nature of the comments were generally positive and highlighted that Draft #2 addressed the majority of comments/questions/concerns from Draft #1 of the Official Plan. Many comments were also helpful in improving the accuracy of the Final Official Plan.

For background purposes, the Report that was prepared for the Statutory Public Meeting on August 22, 2024, is attached to this Report as Attachment 1.

**SUMMARY OF KEY MODIFICATIONS TO FINAL OFFICIAL PLAN:**

A track changes copy of the Final Official Plan is included in this Report as Attachment 2. This copy of the Official Plan illustrates the revisions that have been made during the review of Draft #2 and the preparation of the Final Official Plan.

Some of the key changes made in the Final Official Plan include the following:

- Reference added to recognize the low density residential development and character of the shoreline areas throughout the Municipality.
- Recognize that the Memo of Understanding between Teme-Augama Anishnabai, Temagami First Nation and the Municipality requires updated as referenced in the comments provided by Temagami First Nation.
- Details and additional information added to support the requests to increase the importance of economic development within the Municipality.

- Reference added to the Crown Land Use Policy atlas when referring to Crown Land documents.
- Clarification on the number of lots permitted on Lake Temagami as being “non-cumulative” per calendar year.
- With the exception of the inclusion of Cross Lake and surrounding area, recognition that the boundary of the Skyline Reserve has been carried forward from the current Official Plan.
- Removal of Section D.2.6.10 and the references to land on the mainland of Lake Temagami.
- Additional principles and goals incorporated into the Rural Neighbourhood policies of the Official Plan.
- Removal of Section E.6 and the proposed Lake Service designation.
- Settlement Area boundary expansion policies updated based on the policies contained within the new Provincial Planning Statement.
- Inclusion of policy references to the FireSmart program.
- Cultural heritage policies were slightly modified based on the policies contained within the Provincial Planning Statement.
- Corrected references to the appropriate Provincial Government agencies.
- Reference added for Forest Management Plans.
- Policies were added to address comments received from TransCanada Pipelines Limited.
- Correction made to the number of lake access points based on the comments that were received.
- Policies updated to reflect recent legislation changes to permit Additional Dwelling Units without restrictions where there are municipal water and sewage services available.
- Clarification added to the Land Division policies to prohibit new Plans of Subdivision within both the Lake Temagami Neighbourhood and on lakes within all other Neighbourhoods.
- Reference added that owners should pre-consult with the Municipality prior to proposing new development on their properties, i.e. not mandatory but recommended.
- Added policy for the Municipality to consider developing a Climate Action Plan and/or a Climate Adaption Plan.

The above is a summary of the key changes that were made to the Final Official Plan based on further review by Planning Staff. In response to all the comments that were received, a comment summary table was prepared that includes the comments and responses. The comment response table includes policy and section references that apply to the section numbers in the track changes copy of the Final Official Plan. The written comments that were received encompass or repeat the verbal comments that were received and collected during the Public Open House and the Statutory Public Meeting. A copy of the comment response table is included as Attachment 3 to this Report.

## TEME-AUGAMA ANISHNABAI AND TEMAGAMI FIRST NATION:

Following the presentation made to the Joint Council of the Teme-Augama Anishnabai and Temagami First Nation and review of the comments received from Temagami First Nation staff on behalf of the Joint Council, the Final Official Plan has been modified to incorporate the comments. A copy of the consultation record has been included as Attachment 4 to this Report. A copy of the Official Plan was also provided to the Metis Nation of Ontario, and no comments were received.

One comment that did not result in changes being made to the Draft Official Plan was the comment requesting that policies be incorporated that require a Lake Capacity Study be completed on Lake Temagami prior to permitting the creation of five lots per year on the lake. Following a review of this comment, it is noted that Lake Temagami is not deemed to be at capacity from a lot creation perspective and the current Official Plan only requires additional information in regard to lake capacity for Cassels, Net and Rabbit Lake. The intent of limiting lot creation on Lake Temagami is to preserve the existing character and low density residential development on the shoreline. By limiting the number of new lots to five per year, there is no concern that Lake Temagami will be overdeveloped from a lake capacity perspective.

## ADDITIONAL ITEMS FOR COUNCIL CONSIDERATION:

Some of the comments and responses included in the comment response table require review and input from Council. These are items that Planning Staff did not feel that it was appropriate to change based on the nature and importance of the revisions.

These items can be discussed at the Council meeting on January 23, 2025, and based on the discussion that occurs, revisions can be made prior to submitting the Final Official Plan to the Ministry of Municipal Affairs and Housing for approval, or these sections can be recommended to be revised through the Ministry's review process.

### Site-Specific Mapping Requests:

Refer to Comments #2, #81 and #308 in Attachment 3.

In general, site-specific mapping or schedule requests should be made through an application process, rather than through the comprehensive update of a land use planning document. The exception to this is if there is a correction to be made based on the current use of a property.

Two requests were received for the properties located on Island 216 and Island 205 on Lake Temagami to amend the designation to the Tourist Commercial designation. Planning Staff

recommended to the owners to submit evidence that demonstrates that the property should be captured under the Tourist Commercial designation and not the current Shoreline Residential designation. While information was provided to demonstrate that there was a type of commercial use on the subject properties at some point in time, this information pre-dates the current Official Plan. In combination with evaluating the current residential zoning on the subject properties, Planning Staff were of the opinion that sufficient justification was not provided to support a designation change through the Official Plan Review and that future changes to the designation on these lots should be considered through site specific applications where neighbours and agencies are notified of the application.

#### Language – Should vs. Shall:

Refer to Comments #197 and #198 in Attachment 3.

It is Planning Staff's opinion that it is more appropriate when considering the objectives of the policies of Section F1.2.8 and F1.2.11, that directive policies be provided with some flexibility.

#### Lot Creation and Development Study:

Refer to Comments #204 and 303 in Attachment 3.

While a lot creation and development study is referenced in the current Official Plan, it has not been completed. There is also no plan to undertake such study. The lot creation policies in the current Official Plan have been effective in limiting lot creation on Lake Temagami and the proposed new Official Plan carries forward these policies. Based on the effectiveness of the lot creation policies in limiting development, we do see a need to proceed with a lot creation study at this time and for this reason no requirement for a study has been carried forward into the draft Official Plan.

#### Shoreline Setbacks:

Refer to Comments #290 in Attachment 3.

Requests and information have been received to support a requested 30 metre setback from the shoreline for new development. Planning Staff are not prepared to recommend such a change at this time. The basis for lake development under the context of the current Official Plan is based on a 15 metre setback from the lake. This setback is also referenced and required for a minimum setback of a principal dwelling (cottage) on shoreline properties in the Zoning By-law.

It is recognized that the Municipality and its lakes consist of low density residential development for the most part. Further setbacks, including 30 metre setbacks may be more appropriate for shoreline areas that contain higher densities and properties that are generally closer together.

Also, often times the further back on a property a dwelling is located, it could be elevated and have increased visual impacts in terms of views from the lake.

Although not studied, it is unknown whether some of the islands on Lake Temagami could support a 30 metre setback due to size and shape.

It is also recognized that for new lot creation, an Environmental Impact Study is required and sometimes there are environmental features present that recommend a different setback from the shoreline on a site by site basis.

Planning Staff are comfortable with the current approach and minimum setback. If a setback of 30 metres is recommended, it would have implications on the redevelopment of shoreline properties and increase the number of legal non-complying buildings, once the implementing Zoning By-law is updated with the same minimum setback.

## **SUMMARY:**

A copy of the Final Official Plan text is included in this Report as Attachment 5 and the associated Schedules and Appendices are included as Attachment 6.

Planning Staff have prepared a Final Official Plan that incorporates the comments that have been received throughout this process. It is recognized that this project has been on the books for some time, however through the positive discussions at the Public Open House and Statutory Public Meeting and the number of constructive comments that have been received, a document has been prepared that reflects the needs and character of the Municipality of Temagami.

It is recommended that the Final Official Plan, pending discussion on the remaining items required consideration at the Council table, be submitted to the Ministry of Municipal Affairs and Housing for a final review and approval.

Due to the new and unique process administered by the Ministry, where no written comments were received on any draft of the Official Plan, it is expected that the Ministry will have revisions to the document that has been prepared. Following adoption by Council, the Final Official Plan is in the hands of the Ministry for final modifications and approval.

A By-law to adopt the Final Official Plan has been prepared and included in this Report as Attachment 7. Following adoption of the Final Official Plan, a Notice of Adoption will be prepared and administered in accordance with the requirements of the *Planning Act*.

## RECOMMENDATION:

Council has the following recommended options in regard to the adoption of the Official Plan:

- 1) To receive the Staff Report regarding the Final Official Plan dated January 21, 2025;

AND, EITHER #2, #3 or #4

- 2) To adopt the Final Official Plan as prepared for the January 23, 2025, Council meeting and to send the Final Official Plan (subject to minor revisions as required) to the Ministry of Municipal Affairs and Housing for approval.

OR

- 3) To adopt the Final Official Plan as prepared for the January 23, 2025, Council meeting and to send the Final Official Plan to the Ministry of Municipal Affairs and Housing for approval with the following revisions as directed by Council: \_\_\_\_\_.

OR

- 4) To defer a decision on the adoption of the Final Official Plan as prepared for the January 23, 2025, Council meeting prior to sending the Final Official Plan to the Ministry of Municipal Affairs and Housing for approval to provide Planning Staff an opportunity to review and address comments received at the January 23, 2025 Council meeting.

## ATTACHMENTS:

- Attachment #1 – Staff Report for the Statutory Public Meeting
- Attachment #2 – Track Changes version of Final Official Plan
- Attachment #3 – Comment Response Table on Draft #2 of Official Plan
- Attachment #4 – Summary of Correspondence with TAA/TFN
- Attachment #5 – Final Official Plan Text
- Attachment #6 – Final Official Plan Schedules and Appendices
- Attachment #7 – By-law to Adopt Final Official Plan



<b>MUNICIPALITY OF TEMAGAMI</b>	
<b>Report Prepared For:</b>	Municipality of Temagami Council
<b>Report Prepared By:</b>	Jamie Robinson, BES, MCIP, RPP and Patrick Townes, BA, BEd MHBC Planning, Planning Consultants
<b>Subject:</b>	Public Meeting for the Official Plan Review and Draft 2 of the Official Plan
<b>Report Date:</b>	August 22, 2024

This report has been prepared to provide Council, agencies, stakeholders and members of the public with a status update of the Official Plan Review and to provide a summary of the changes that were made to the Official Plan in advance of the Statutory Public Meeting scheduled for August 22, 2024.

**STATUS OF OFFICIAL PLAN REVIEW**

Following review of all the comments that have been received to date, Draft 2 of the Official Plan has been prepared and posted on the Municipality’s website for further review and comments. The Official Plan has been updated in consideration of the comments that have been received from the following:

- The Ministry of Municipal Affairs and Housing;
- Members of the Public and Agencies;
- Temagami Lakes Association; and,
- Temagami First Nation.

The Notice of Public Open House and Public Meeting that was circulated included an anticipated timeline in order to bring the Official Plan Review to completion. Additional time for comments to be provided following the Public Open House and the Public Meeting has been provided. The anticipated timeline includes the following:

**Friday, August 2, 2024:** Draft #2 of Official Plan available for review on the Municipality’s website.

A Staff Report will be prepared in advance of the Public Open House and Public Meeting that summarizes the changes that have been made in Draft #2 of the proposed new Official Plan.

**Thursday, August 22, 2024:** Municipality to host Public Open House and Statutory Public Meeting.

**Monday, September 30, 2024:** Deadline to provide comments on Draft #2 of the Official Plan in order to be incorporated into the Final Official Plan.

- October, 2024:** Staff to review and incorporate comments on Draft #2 and prepare the Final Official Plan for Council adoption.
- Thursday, November 14, 2024:** Anticipated meeting date for Council to adopt the Final Official Plan.

Comments are to be sent to [clerk@temagami.ca](mailto:clerk@temagami.ca) with reference to "Official Plan Draft #2.

## **SUMMARY OF KEY MODIFICATIONS FROM FIRST DRAFT OF OFFICIAL PLAN**

1. Details added about MOU with Temagami First Nation and Teme-Augama Anishnabai
2. Skyline Reserve – policies modified to more closely align with in effect OP.
3. Vision updated
4. Objectives of Plan updated to include Tenets for Temagami
5. Focus of population growth in the Urban Neighbourhood
6. Limitation of Settlement Area Expansion into the Lake Temagami Neighbourhood
7. Inclusion of policies from current plan related to maximum of 5 lots per year on Lake Temagami.
8. Confirmation of existing uses being permitted within the Skyline Reserve.
9. Confirmation in the Residential Waterfront designation of cabin second dwelling, sleeping cabin and contractor's yard being permitted as accessory uses.
10. New designation added that applies to mainland properties on Lake Temagami. "Restricted Rural/Waterfront – Lake Temagami".
11. Updated Cultural Heritage policies included.
12. Modified lake capacity policies included.
13. Updated Secondary Dwelling Unit policies included.

## **SUMMARY OF COMMENTS ON DRAFT 1.2 OF OFFICIAL PLAN**

The basis for Draft 2 of the Official Plan was formulated from the comments that have been received. The following is a summary of the comments that have been received and how they have been addressed in Draft 2 of the Official Plan.

### Ministry of Municipal Affairs and Housing

Following direction of Council (2018 – 2022 term), the Draft Official Plan was submitted to the Ministry of Municipal Affairs and Housing in accordance with the requirements of the Planning Act, on February 16, 2022.

Historically, the Ministry provides comments on draft Official Plans within 90 days of receipt, but it was understood that the Ministry was delayed in responding due to the volume of documents that were being reviewed. When contacted for an update on the timing, the Ministry was unable to provide an estimated timeline for comments due to the current volume of documents currently in the queue.

Without a prior update, the Municipality received a letter from the Ministry, dated July 7, 2023. This letter has been attached to this report. The Ministry has confirmed that they will not be providing comments on the Draft Official Plan, but has instead elected to only comment on the version of the Official Plan that is adopted by Council. This process is not typical.

When the Council adopted Official Plan is provided to the Ministry, they will either approve as-is or approve the Official Plan with revisions. If revisions are proposed, the Ministry will typically consult with the Municipality on the revisions.

Although the Ministry was not able to provide formal written comments on the Draft Official Plan, a call was held with Ministry staff to discuss their comments on December 7, 2023. Overall, the comments were minor and there were no significant concerns with the document. Examples of the comments that were received include the following:

- Confirm the populations projections referenced in Section C.1.1.1;
- Ensure any Settlement Area boundary policies are consistent with the Provincial Policy Statement;
- Suggestion to add specific criteria and requirements for when a Lakeshore Capacity Assessment is required;
- Request to change minimum lot area to 1 hectare unless appropriate studies are completed – Section E.4.3.2;
- Ensure water quality policies are consistent with the Lakeshore Capacity Assessment Handbook in Section H.4.1.4; and,
- Update policy in Section J.1.4.2 to be consistent with the wording in the Provincial Policy regarding partial servicing.

The requested updates following the call with the Ministry of Municipal Affairs and Housing have been included in Draft 2 of the Official Plan. It is also anticipated that a new Provincial Policy Statement will be released shortly. Depending on the changes to the Provincial Policy Statement, there may be additional policy changes required to the Official Plan from the Province's perspective.

#### Public and Agency:

Through the public consultation sessions and advertising on the Municipality's website, members of the public and agencies have provided comments on Draft 1.2 of the Official Plan. A comment response table has been prepared that includes the comments that were provided on Draft 1.2 and the responses which summarize how the Official Plan has been updated following review of the comments.

Staff note that there has already been comments submitted on Draft 2 of the Official Plan. Similar to the comments on Draft 1.2, these comments will all be considered before the next draft is prepared.

The comment response table for the public comments has been attached to this report as Appendix 1.

#### Temagami Lakes Association Comments:

The Temagami Lakes Association have provided detailed comments on Draft 1.2 of the Official Plan. Staff have reviewed these comments from the letters dated February 28, 2022 and April 18, 2022 that have been submitted by Anthony Usher Planning Consultant on behalf of the Temagami Lakes Association.

Responses to each of the comments have been provided in red text (embedded in the letters) and have been included in this report as Appendix 2.

#### Temagami First Nation:

Municipal staff has had previous discussions with Temagami First Nation staff in order to receive staff comments on Draft 1.2 of the Official Plan. Following many follow-ups and attempts to receive comments from Temagami First Nation staff, a presentation was held with the Joint Council on January 9, 2024. MHBC staff, Municipal staff and Mayor O'Mara attended the meeting on behalf of the Municipality.

Following the meeting with Joint Council, comments were provided to the Municipality on May 16 2024. These comments have been attached to this report as Appendix 3.

## **SUMMARY**

The purpose of the Public Open House and Public Meeting is to present the main items that were updated in Draft 2 of the Official Plan. Staff continue to welcome constructive comments and feedback on the Official Plan prior to the preparation of the next draft.

Appendix 1  
Comment Response Table – Public and Agency Comments

	<b>Biff Lowery March 1, 2022</b>	
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
1.	The policies for the urban neighbourhood in general seem fine, but the policies for the Lake Temagami neighbourhood indicate, to me, a lack of support for island residents and their long-held and legitimate aspirations for their neighbourhood. I can only hope that the rushed timeline of this Official Plan Review (OPR) is the reason behind its deficiencies. The current draft is marred by: Numerous errors in syntax; contradictions in both policies and schedules; motherhood statements; and schedules that are unread-able. This lack of proofreading is inappropriate for a document that has been released for public comment and that is intended to guide our community for the next 23 years. Hence, my first comment is that the timeline for this OPR should be extended. Some of the major changes in policy direction that are contained in this draft come without advance notice. The municipality must provide a rationale for the new direction this draft is proposing, and it will take time for residents to reflect and respond.	The draft has been available for comment since 2022.  This second draft of the document has been further reviewed.
2.	The proposed plan aspires to implement the Tenets for Lake Temagami, but instead designates hundreds of acres of mainland around Lake Temagami as Waterfront Residential. All the land on the mainland that is designated 'Waterfront Residential' should have that designation removed. Mainland mining claims should be designated for mining use, which would be subject to provincial mining legislation for sensitive areas. Permanent structures for residences would not be a permitted use in this designation. The proposed plan eliminated the reference to development on the mainland being limited only to those lots that existed legally on the day the plan was approved and does not list the small number of mainland exceptions. The policy in the current plan to limit mainland development to existing uses should be restored and the short list of exceptions should be added. There should be stronger language to aspire to repair the damage done to natural heritage sites like the Skyline Reserve. In my view, these deficiencies need to be corrected.	The mapping schedule has been updated for the mainland areas around Lake Temagami.  The Waterfront Residential designation was applied incorrectly to these lands.  Waterfront residential designation removed from mainland properties. Additional skyline reserve policies included. (D.2.6.4)
3.	There are numerous positive references to protect wilderness and semi-wilderness values on Lake Temagami and elsewhere. Peace and quiet and privacy are implied in	Section L.8.3.1 of Draft Official Plan updated to Implement Section 7.4.2 of Zoning By-law.

	<b>Biff Lowery March 1, 2022</b>	
#	<b>Comment</b>	<b>Comment Response</b>
	these values but only receive glancing mention. While separation distances are frequently referred to with respect to other uses and facilities, the separation distance of 200 meters between new residential lots created from crown land and existing lots on Lake Temagami has been eliminated. The 200-metre buffer referred to above should be restored to the plan.	
4.	The current ban on the use of plans of subdivision for lot creation on Lake Temagami has also been removed, which has huge implications for the character of the lake given the amount of land being designated for residential development. 'Tourist Commercial' conversions to 'residential' that currently can only occur by consent to limit lot creation to a total of four lots has also been removed, which is contradictory to the policy to protect semi-wilderness values. I also noted that section 5.3.7.1 of the current plan establishing an annual rate of new lot creation has also been deleted. The combination of large tracts of mainland being designated for residential development, possibly by plan of subdivision, with no annual limit to the number of lots to be created, is an aggressive approach to lot creation on Lake Temagami. I do not believe that lot creation at this scale would provide much local benefit but instead provide most of the benefits to larger adjacent communities while lake residents sacrifice a much-loved and hard-won historical pattern of development. The policies relating to subdivisions, consents for 'Tourist Commercial' conversions to residential, and development rates from the current plan should be reinstated to support the protection of semi-wilderness values on Lake Temagami.	<p>Lot creation by Consent or Plan of Subdivision is permitted subject to the following policies of the Plan:</p> <p>Section E.7.5 contains policies related to the conversion of Tourist Commercial Uses. The Plan does not support the conversion.</p> <p>Section E.7.5.4 provides limited opportunity for a residential lot to be created from a tourist commercial lot.</p>
5.	The new Lake Service designation seems to pave the way for the creation of light industrial lots on Lake Temagami. I am unaware of the intent of this designation given the recent Official Plan Amendments pertaining to 'Home Industry' and 'Contractor's Yards'— however, I notice the former total ban on elevating land use permits to patented lands on the mainland of Lake Temagami in the current plan has had an exception appended to it in the draft plan for the access point. There are a number of references in both the Background Report and the draft OP for improvements at the access point and exploratory discussions have occurred with the province and municipal staff to "investigate the ability to utilize crown land for industrial land and lands around Lake Temagami for staging areas" (pg.8, Background Report). I do not see	<p>Intent of this designation is to provide a location for uses to operate which service residential and tourist commercial lots in the municipality.</p> <p>The Lake Service designation is intended to provide the opportunity for businesses that provide services to residents of Lake Temagami. There are currently no lands designated Lake Service in the Draft Official Plan.</p> <p>The Plan has been updated to include Section E.6.3.7 to allow the Municipality the option to undertake a study to identify lands</p>

<b>Biff Lowery March 1, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	the need to create 'light industrial' lots on Lake Temagami and that the historical pattern of use of the existing staging areas at the Lake Temagami Access Road (LTAR) has proven to be effective without the creation of patented lots. I support the following improvements to the access point: Additional parking area; improved traffic flows on ancillary roadways; safe dockage; and proper garbage collecting/handling. I cannot support the creation of new patented lots on the mainland of Lake Temagami to enhance the staging areas. I am under the impression that the First Nations residents of Lake Temagami have agreed to not commercially develop their mainland in the set aside lands for the negotiated Treaty of Coexistence as long as the municipality does not develop the mainland of Lake Temagami under its jurisdiction. I cannot support the establishment of a mainland development precedent that would have such far reaching implications for the character of Lake Temagami in order to provide staging areas for local contractors!	for the new Lake Service Designation, if the Municipality would like to pursue this designation.
6.	Previous plans took a cautious approach to development to avoid doing something to the lake that we would one day regret, but still supported careful development in the form of lot creation on the islands of Lake Temagami. This approach was thwarted by the province in the name of protecting lake trout, so the balance was lost between social, environmental, and economic concerns in our approach to planning. Our current challenge is to look for alternate pathways to prosperity and the Lake Capacity Study could be a step to restore the balance required for a successful community. The current draft of the OP does not create economic development that is consistent with the Tenets for Lake Temagami and, I feel, it will create a schism in our community and must be amended to a more cautious approach.	Noted.

<b>Linda Bangay February 28, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
7.	I wish to comment on Draft 1.2 of the new "Official Plan" (OP) that is currently being updated by the Municipality of Temagami.  I am a fourth-generation seasonal resident of Lake Temagami. My Great-Grandfather (A.L. Cochrane) founded the original Camp Temagami in the early 1900s, and my family has owned property on the Lake continuously since	Noted.

	Linda Bangay February 28, 2022	
#	Comment	Comment Response
	<p>that time. Thus, I have a vested interest in the prosperity of the Town and the continued ecological and aesthetic integrity of the Lake and other natural areas within the Municipality.</p> <p>Lake Temagami (and other area waterfront) property owners contribute nearly 60% of the tax revenue for the Municipality of Temagami. Thus, the new OP must serve as a document which adequately reflects the needs and values of seasonal residents, as well as all other area stakeholders (e.g., First Nation groups, permanent residents and business owners, seasonal businesses, summer-camp operators). For it to do otherwise is inappropriate and is a missed opportunity to incorporate the significant knowledge and experience of people who can greatly assist the Municipality going forward – from both an environmental and economic standpoint.</p>	
8.	<p>The new Official Plan must allow for a healthy local economy and stable population base, while fully recognizing the need to protect the special ecology zone that is Lake Temagami and its surrounding mainland. Economic development in Temagami should be environmentally-friendly and result in minimal disruption of the environs outside of the urban core. It cannot result in the degradation of ecosystems and biodiversity on, or around, Lake Temagami and other natural areas, and should maintain or improve the current aesthetic values and semi-wilderness characteristics that make the Temagami region unique.</p>	<p>The Official Plan contains a number of policies to facilitate local economic development and a prosperous economy.</p> <p>The Official Plan contains objectives and policies that recognize the importance of the environment as well as the semi-wilderness values.</p>
9.	<p>The following principle was presented during the “Strategic Plan” consultation process and should be the primary objective of the new OP: <i>“All new development is to be vetted through an environmental lens and sound, scientifically-proven mitigation initiated for any and all potential environmental impacts.”</i></p>	<p>The Official Plan contains objectives and policies that recognize the importance of the environment as well as the semi-wilderness values.</p>
10.	<p>The preamble to the “Strategic Plan” should also be incorporated into the new OP, as it accurately depicts how land-use decisions should be made in Temagami: <i>“The Municipality of Temagami has unique characteristics that help to find a path forward. The large, influential seasonal population, well-established land-use “guard rails” that define what development can occur and where, large tracts of pristine wilderness, and world recognition as a canoeing destination are all important considerations in the development of a strategic plan.”</i></p>	<p>The Official Plan is a land use planning document whereas the Strategic Plan provides strategic direction for land use and non-land use planning considerations.</p> <p>The vision contained in Section B.2 captures aspects of economic prosperity and environmental stewardship.</p>



	Linda Bangay February 28, 2022	
#	Comment	Comment Response
11.	#1 To date, the “Tenets for Temagami” (“Tenets”) have played a significant role in protecting the Lake Temagami shoreline and surrounding areas from urban development, mining activities, and other negative impacts. The fact that the Ministry of Natural Resources and Forestry amended local mining regulations to accommodate the “Tenets” indicates the relevance of these principles. The entire “Tenets’ document should, therefore, be appended to Draft 1.2 of the new OP (see Appendix 1 of Draft 1 of the new OP).	Tenets included in Appendix 1.
12.	#2 All land-use decisions in the Municipality should be completed in an environmentally-responsible manner according to the “Tenets for Temagami” – to preserve the unique wilderness character of the area and maintain a high level of water and air quality. These should be referenced throughout Draft 1.2 of the new OP, as follows: <ul style="list-style-type: none"> <li>• The “Skyline Reserve” and a “Ecological Buffer Reserve” surrounding it must be maintained to protect the diverse ecosystems of the Temagami region and the unique viewscapes of Lake Temagami. The description of the “Skyline Reserve” in Draft 1.2 of the new OP is incomplete and must be consistent with the “Tenets”.</li> </ul>	Section D.2.6.4 updated to include additional details involving Skyline Reserve.
13.	<ul style="list-style-type: none"> <li>• Future development should take place in an ecologically-sound manner only within the current Urban Neighbourhood, on a limited number of Lake Temagami islands (and carefully-selected sites on other municipal lakes), at existing Lake Temagami access points, and within the context of land use that may occur as part of future First Nation land settlements. Otherwise (as describe in the “Tenets for Temagami”) no mainland development should take place either on Lake Temagami or on Cross Lake.</li> </ul>	Official Plan carries forward growth management concept of Existing Official Plan.
14.	<ul style="list-style-type: none"> <li>• Road access-points to Lake Temagami include those at the Town waterfront, Finlayson Park, Strathcona Landing, and the Lake Temagami Access Road. No new road access-points to Lake Temagami should be constructed, and others that currently exist should be removed.</li> </ul>	The Official Plan does not propose any additional Road access points to Lake Temagami
15.	#3 Economic prosperity for the Municipality is a very important consideration, but cannot come at the expense of the natural environment. Draft 1.2 of the new OP seems very development-focussed, but should be much more environmentally-focussed. All development activities in the Temagami area must justify their necessity and be	The Official Plan contains a number of environmentally focused objectives and implementing policies.

	<b>Linda Bangay February 28, 2022</b>	
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	subject to careful scrutiny regarding potential deleterious impacts on the natural environment and the quality of the "Temagami Experience".	
16.	Section 5.3.7.1 of the current OP specifies that a maximum of five (5) new lots from patented or Crown land (non-cumulative each calendar year) are permitted in the Lake Temagami Neighbourhood. This restriction should be included in Draft 1.2 of the new OP (as well as a link to the <i>Temagami Land-Use Plan, 1997</i> ).	The Official Plan does not limit the number of new lots per year however, there are a number of policies that must be satisfied to ensure that lot creation is orderly, well planned and appropriately considers environmental features.
17.	In addition, the boundary of the Municipality's Urban Neighbourhood should not be extended into the Northeast Arm of the Lake. An increase in urban-like development on Lake Temagami (and other area lakes) would have detrimental impacts on their respective natural- and cultural-heritage characteristics.	The Official Plan does not extend the limits of the Urban Neighborhood.
18.	#4 Climate change is having enormous effects on all natural environments, including Lake Temagami and surrounding natural areas – but is mentioned only briefly in Draft 1.2 of the new OP. A much-more-detailed description of preventative and mitigation practices regarding climate-change pressures must be included in this draft.	The Official Plan requires the considerations of climate change on Site design. The OP contains natural hazard policies regarding flood protection. The OP contains a number of policies requiring stormwater management to be considered throughout the development process.
19.	#5 The following corrections and/or additions are required for Draft 1.2 of the new Official Plan:  (a) In section A.3.1.2 on page 7, the "Tenets for Temagami" is the correct terminology (not the "Tenants of Temagami"). In section B.3.1.1 (g) on page 9 and in section D.2.3.2 on page 17, the "Tenets for Temagami" should be listed instead of the "Tenets for Lake Temagami".	
20.	(b) "Schedule A" incorrectly indicates that a number of patented properties within the Lake Temagami "Skyline Reserve" permit "Residential Waterfront" or "Rural" uses, which is contradictory to long-established policy and Section D of Draft 1.2 of the new OP.	This has been corrected. Skyline Reserve policies to apply to these lands.
21.	Some of the "Mineral Aggregate Potential Overlay" areas of "Schedule A" in the Northeast Arm of Lake Temagami are also shown as being located with the "Skyline Reserve", and are likewise inconsistent with long-established policy.	This has been corrected.
22.	Recognizing both Cross Lake "Access Point 14" and Baie Jeanne "Access Point 15" on "Schedule C" is contrary to the "Tenets for Temagami". These access points should not exist.	Removed.
23.	An appendix with definitions (e.g., for "carefully-planned development", shoreline "setback", "Site Plan Control",	The Official Plan does not contain definitions.

<b>Linda Bangay February 28, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	"Sharing Economy", "Cash-in-Lieu of Parkland", etc.) should be included.	
24.	The colours of maps in some of the "Schedules" and "Appendices" should be more contrasting so that they are easier to read. In addition, the "Appendix 5" ("Fire Hazard") map is very difficult to navigate (likely due to scale), and should be amended to improve readability.	The schedules and appendices have been updated.
25.	There must be full transparency and ease of access to information throughout the development of the new Official Plan (and subsequent new Zoning By-Law). This is necessary to ensure objectivity during these processes and will ultimately foster greater community trust and participation.	There is a portion of the Municipality's website designated to the Official Plan review and all documents are made available.

<b>Marty Martelle February 28, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
26.	I have been a seasonal visitor to a family cottage on Lake Temagami for the past 30+ years. I wish to see a healthy Lake Temagami and a thriving Municipality of Temagami.  Lake Temagami property owners (and other area waterfront properties) contribute nearly 60% of the tax revenue for the Municipality of Temagami. Therefore, the new OP must reflect the views of seasonal residents, as well as all other area stakeholders (e.g., First Nation groups, permanent residents and business owners, and seasonal business / summer-camp owners).	Noted.
27.	The Municipality of Temagami needs a healthy local economy that can maintain a stable population base. This economy cannot come at the expense of the environment. Economic development in Temagami should be environmentally-sustainable and be concentrated in the urban core as much as possible. The aesthetic values and semi-wilderness characteristics that make the Temagami area unique must be maintained.	The Official Plan contains a number of policies to facilitate local economic development and a prosperous economy.  The Official Plan contains objectives and policies that recognize the importance of the environment as well as the semi-wilderness values.
28.	This principle from the "Strategic Plan" consultation process, should be the primary objective of the new OP: <i>"All new development is to be vetted through an environmental lens and sound, scientifically-proven mitigation initiated for any and all potential environmental impacts."</i>	The Official Plan contains objectives and policies that recognize the importance of the environment as well as the semi-wilderness values.
29.	The preamble to the "Strategic Plan" should also be incorporated into the new OP: <i>"The Municipality of Temagami has unique characteristics that help to find a path</i>	The Official Plan is a land use planning document whereas the Strategic Plan

<b>Marty Martelle February 28, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	<i>forward. The large, influential seasonal population, well-established land-use “guard rails” that define what development can occur and where, large tracts of pristine wilderness, and world recognition as a canoeing destination are all important considerations in the development of a strategic plan.”</i>	provides strategic direction for land use and non-land use planning considerations. The vision contained in Section B.2 captures aspects of economic prosperity and environmental stewardship.
30.	To date, the “Tenets for Temagami” (“Tenets”) have had a significant role in protecting Lake Temagami shorelines from development, and from mining and other impacts. The fact that the Ministry of Natural Resources and Forestry (MNRF) was willing to amend mining regulations to accommodate the “Tenets” highlights their relevance.	Tenets included in Appendix 1.
31.	All land-use decisions in the Municipality should be completed in accordance with the “Tenets for Temagami” in order to preserve the unique wilderness character of the area and maintain a high level of water and air quality.	The Tenets are included as an Appendix to the Official Plan and numerous policies are included throughout the plan to protect the semi-wilderness character of the area, water quality and air quality.
32.	There must be full transparency and ease of access to information related to the Official (and subsequent Zoning By-Law) updating process. Provision for public awareness is required to ensure fairness and will also lead to trust and greater community participation.	There is a portion of the Municipality’s website designated to the Official Plan review and all documents are made available.

<b>Nicole Brooker February 28, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
33.	<b>K.6 and K.7: Home Industries and Contractor Yards:</b> Throughout the 1.2 Draft for Temagami’s new OP, there are frequent references to the importance of keeping our lakes and water clean, preserving the integrity of our shorelines, maintaining our semi-wilderness and wilderness view scape, in general, and especially on Lake Temagami. I do not see how allowing site alteration for Home Industries and Contractor Yards (K.6 and K.7) on waterfront properties supports any of the values mentioned above.	Section K.6 permits home industries on residential lots in the Lake Temagami Neighborhood. However, the policies require these uses to be limited in scale and compatible with surrounding residential uses. The policies require a Zoning By-law amendment and consideration of various measures to ensure the proposal maintains the character of the area. Contractors Yards are not identified as a permitted use on Rural Residential lots in Lake Temagami neighborhood. Section K.7.1.3 has been modified.
34.	I would suggest that site alteration not be considered on Waterfront Properties in general and on Lake Temagami specifically. Should they be considered for waterfront properties, they should be well away from the shoreline and not in the Shoreline Activity Area. The text in Draft 1.2	Site Alteration might be necessary as part of development or redevelopment in accordance with the Zoning By-law. Section H.2.1.6 provides the opportunity for the municipality to require site specific

	<b>Nicole Brooker February 28, 2022</b>	
#	<b>Comment</b>	<b>Comment Response</b>
	of the OP states several times that the shoreline needs to be protected from erosion and the consequences that erosion would have on the flora, fauna and aquatic creatures that inhabit the shorelines of our lakes and to the health of the lakes in general.	evaluation of features prior to development or site alteration to ensure the protection of features. Implementation polices enable the municipality to enact a site alteration By-law.
35.	Should the site where these activities are taking place no longer suit the needs of the business, it should be incumbent upon the business to relocate to a property suitable to the needs of the business. In fact, this OP draft states in E.8.1.1 Industrial: "It is the intent of the Municipality that industrial uses be consolidated in specific areas."	E8 speaks to the industrial designation this does not apply to Lake Temagami
36.	'Industries' and 'Contractors Yards' do not reflect the semi-wilderness/wilderness aesthetic of the Temagami Experience.	Noted.
37.	<b>Schedule A: Abandoned Mining Claims:</b> These claims are shown as 'Residential Waterfront' in Lake Temagami and Austin Bay. As there is no mainland development permitted in the Skyline Reserve, this designation should be removed.	This has been corrected.
38.	<b>Lack of environmental consideration:</b> This plan speaks to the integrity of our lakes remaining clean, our fish stocks abundant, the value of the semi-wilderness/wilderness aspect in our community yet there is no mention on how to ensure these values are not eroded. Nowhere in the plan is there a mention of a need for Boat Washing Stations at any of the 16 launches in the municipality. The spiny water flea is here, and they compete with our fry for food	The Official Plan contains a number of policies that require the protection of environmental features and semi-wilderness features and the Zoning By-law implements these policies. Requirements for vegetative protection and building requirement setbacks are included in the Zoning By-law Requirement for boat washing stations is not a Land use planning matter.
39.	<b>K.9. Wildland Fires:</b> To the best of my knowledge, there have been no Wildland Fires on any of the islands in Lake Temagami. In fact, when the 'Temagami Forest Reserve' was created in 1901 little did one realize that one day the policy of allowing cottages on 'islands only' would be to the benefit of the 'islanders' - keeping us safe from these occurrences. It must be noted that the FireSmart program is embedded within the Wildland Fires policy. I make mention of this to bring to your attention that at the LaTempra annual meeting of last October 2021, a sitting member of council advised the members at the meeting, that we would be able to clear our island properties close to the shoreline as long as a 'visual buffer' hid whatever was behind that buffer (ie: Contractor's Yard) using recommendations in the FireSmart programme. I sincerely hope that this is not the case.	Willand Fire mitigation is permitted or supported by risk assessment but cannot negatively impact natural heritage features.

	<b>D. Green February 27, 2022</b>	
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
40.	<p>Overall it has been a challenge to cross-reference the current draft vs. the existing plan. The new plan seems to introduce very general language in places where the prior policies were clear and specific.</p> <p>Furthermore, there is much background information on the planning context that could have been included in the background report prior to the generation of the plan. For example, it is not clear why the population numbers were not sorted out in the background report with appropriate references.</p>	The new Official Plan takes a different format than the previous document and is intended to be more user friendly.
41.	<p><u>Population Estimates and Targets</u> The source of the numbers for the population estimates is unclear and seems to contradict the 2016 census. There is no source identified for the stated summer population of 9000 people. Do the numbers include TFN/TAA residents if so in what proportion of the total population.</p>	Seasonal population estimate was removed. Rely on census data.
42.	<p><u>Political History</u> Section A.2.5 is skimpy for a region where land use has been much contested in past decades. A more complete reference of the historical context should be included.</p>	Nothing added to date. Will review prior to final Official Plan.
43.	<p><u>Mineral Aggregate</u> Areas colored as MA on Schedule A are not shown on the Ontario GeoHub Pits and Quarries system and therefore there is no evidence that a Provincial Interest has been expressed in these areas. What source was used to validate the areas. They have been incorrectly identified on Schedule A as Land Use when according to PPS 2.5 MA areas should be merely identified, for example on Schedule D, not zoned for exclusive use. Areas were incorrectly zoned as MA in the 2006 zoning maps and zoning bylaw, implying that no other activities are permitted such as fishing, camping or hunting. That contradicts CLUPA policy for these areas which state that MA is but one permitted land use.</p>	To be confirmed with the Ministry database.
44.	<p><u>Mining Claims</u> Areas identified as parcels on Schedule A in backcountry and elsewhere are not displayed as parcels on the North Bay Land Registry System. Is this merely information as opposed to an existing land use, if no actual mining resource has been identified, if so, should they be moved to Schedule D.</p>	To be confirmed with Ministry database.
45.	<u>Waterfront Residential and Backcountry Urban</u>	Waterfront designation has been modified.

<b>D. Green February 27, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	Parcels identified on North East Arm and in backcountry as either 'Waterfront Residential' or 'Urban', but areas are not so designated on MPAC, in some cases do not exist on the North Bay Land Registry system and contradict CLUPA policies. The Waterfront Lots contravene the Tenets for Temagami which aim to protect the Skyline Reserve.	
46.	<u>Water Resource Management</u> The existing 2013 plan separates out the Matabichuan neighbourhood and that has been removed in the current draft plan. Yet the current plan introduces language around stormwater management such as in Section F.1.2.8 which appears to have been copied from some other planning document without reference to the local topography and geology in Temagami. This seems to be an inconsistent approach to management of the water resource.	F.1.2.8 has been modified to refer only to best management practices.
47.	PPS 2.2.1 directs municipalities to plan for water management on a watershed basis. The Ontario GeoHub Watersheds site can be accessed to derive mapping down to the level of quaternary watersheds at no cost and could be included (see sample attached). Previous planning level considerations identified in the Matabichuan Water Management Plan include concerns for impacts on traditional land uses by the TFN/TAA and Lake Trout spawning areas from altering water levels.	The Official Plan includes policies regarding water quantity and quality protection. The plan also considers the capacity of lakes to accommodate additional development. The plan also contains policies regarding fish habitat which includes Lake Trout. First Nations have been consulted regarding the identification of additional features based on traditional knowledge.
48.	With regards to stormwater management the Lakeshore Capacity Handbook stipulates that the type of BMP identified in Section F.1.2.8 cannot be considered sufficient for prevention of phosphorous migration, and they recommend instead a 30 M setback from the shoreline for all Precambrian lakes whether at capacity or not. This is in recognition that the 15 M setback in the Ontario Building Code for septic systems is not considered to be sufficient to prevent P migration. A 30 M setback can be invoked through policies around lot size and configuration for new lots and severances.	A 30 metre setback for septic systems is not proposed in the Draft Official Plan. Through the consideration of site specific Planning Act applications enhanced septic setbacks may be required in order to implement the water quality and natural heritage policies of the plan.
49.	Furthermore, the measures identified in F.1.2.8 are derived from Southern Ontario where soils capacity is greater and do not apply in areas with no till on bedrock and therefore no ability to infiltrate excess water. There is no utility in requiring the placement of grassed swales, infiltration trenches or soakaway pits on bedrock, particularly where no groundwork has been done in the form of a subwatershed study to identify the context of the natural drainage area and hydrology. The section on Site Plan Control under L.1.13.3d should reference protection of	Section has been modified by removing examples of BMPs.

	<b>D. Green February 27, 2022</b>	
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	adjacent waterbodies in addition to neighbouring properties.	
50.	<p><u>Fish and Wildlife Values</u></p> <p>In addition to natural heritage features in the provincial NHIC, the Ontario GeoHub contains planning level information on Wildlife Values and Areas arising from forestry activities. These may include raptor nesting sites and can be an important additional source of information in the planning context. Furthermore, the third Ontario Breeding Bird Survey coordinated by Canadian Wildlife Service and Birds Canada is entering its second of five years of surveys and will be an additional source of Values information on breeding birds. In general, there are many additional sources of information on species of concern that are collected by volunteer reporters, such as on bat species in the Batwatch program and it is not clear how those additional sources of data will be incorporated into plan review. Section H.6.2.1 fails in its coverage to fully identify SWH per the PPS namely "Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species." i.e. not just seasonally concentrated species as described in the draft official plan.</p>	H.6.2.1 has been updated.
51.	<p><u>Access Points</u></p> <p>The province has recently reiterated its interest in the protection of fisheries by introduction of a regulation on boat washing under the Invasive Species Act which prohibits the introduction of listed invasive species into Ontario waterbodies. This reinforces the provincial interest in both maintaining and protecting the provincial fisheries resource, a continuing imperative to limiting additional lake access points.</p>	No additional lake access points are proposed.
52.	<p><u>Infrastructure</u></p> <p>The intent of L.8.5.1 needs to be clarified as it seems to state that an extension to infrastructure triggers a plan of subdivision, instead of stating that a plan of subdivision depends on infrastructure.</p>	Section modified.
53.	<p><u>Lot Creation</u></p> <p>As previously noted, new lot configurations and sizes should allow for a 30M setback per the recommendations of the Lakeshore Capacity handbook. In recognition of the specific requirements around Fisheries, it is recommended that Section E.1.3.4 on Municipal Objectives include a specific bullet point namely, "to recognize and protect fisheries and water quality".</p>	Section B.3.1.1 e) modified.



<b>David Taylor January 20, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
54.	I'm a little confused about the OP Consultant's request for a motion from Council to send his most recent version 1.2 to the Ministry. By his own account this version is a substantial rewrite of the previous version and represents significant change from version 1.0. He also noted more work is to be done but did not elaborate. His cursory comments about version 1.2 were just that - providing not much of a commentary.	Noted.
55.	He also did not discuss any revisions to the document made or not made in response to comments from Council or members of the public.	Noted.
56.	I also understand that comments on version 1.2 may be made up to Jan. 21. I guess that means that any submissions received on the 21st may not be included for consideration with respect to the version approved on Jan. 20 to be sent to the Ministry. I may not be fully understanding this situation.....could you please help me understand the process? This is a very important document and at the moment I feel the Consultant's request of Council tonight is at best premature.	Noted.
<b>David Taylor January 20, 2022 – Pt 2</b>		
57.	Re: pg. 10 Economic development 3.3.3 I think the specific references to development segments should be removed. The plan should be tested by 'what ifs' .....	No change proposed.

<b>Nicole Brooker January 19, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
58.	<p><b>Home Industries: K.6.1.4 with regard to Lake Trout Lakes: H.5.1.4.</b></p> <p>There appears to be a conflict when it comes to the policies for Lake Trout Lakes and Home Industries on these lakes. I have included the 2 sections I am referring to.</p> <p>K.6.1.4</p> <ol style="list-style-type: none"> <li>1. K.6.1.4 The Zoning By-law may prescribe minimum shoreline setbacks and vegetative buffer widths for home industry outside storage on water access lots. Relief from any such provisions shall only be considered if it has been demonstrated that due to lot configuration or</li> </ol>	K is a general policy and H.5 includes lake specific policies. Both must be met.

Nicole Brooker January 19, 2022		
#	Comment	Comment Response
	<p>physical or environmental constraints, it is not possible to comply with the provisions.</p> <p>However, in the Lake Trout Lakes policies, H.5.1.4</p> <p>3. H.5.1.4 Given the importance and ecological sensitivity of lake trout lakes, the Ministry of Northern Development, Mines, Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks has historically worked and continues to protect lake trout lakes from adverse impacts of lakeshore development.</p> <ul style="list-style-type: none"> <li>• Development shall be permitted that will not negatively impact upon fish habitat in compliance with municipal, Provincial and Federal requirements, including the Fisheries Management Plan;</li> <li>• Development and site alteration proposed in or within 120 meters of a Lake Trout Lake shall provide details of how the development will impact lake water quality (defined by ice-free phosphorus concentrations) and optimal lake trout habitat as defined by Ministry of Northern Development, Mines, Natural Resources and Forestry policy; and,</li> <li>• Pre-consultation with the Municipality and with the Ministry of Northern Development, Mines, Natural Resources and Forestry shall be required prior to the submittal of any development application.</li> </ul>	
59.	<p>Knowing how sensitive these lakes are, it would be disingenuous to allow any kind of industrial development on these lakes, especially the Natural Reproducing lakes. As it now stands, the island properties on Lake Temagami only request a 50' watershed (SAA). To have this small piece of land disturbed for an industrial use would be both detrimental to the fishery, upon which a large number of businesses in the municipality depend, and to the semi-wilderness landscape that makes this place unique.</p>	<p>The policies of the Official Plan require conformity with fish habitat policies, water quality policies, which may require supporting studies.</p>

<b>Nancy Hackney February 15, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
60.	<p>In the Spring of 2021, a residential property on Angus Lake was sold and the new owner promptly turned it into an Air B&amp;B short-term rental unit.</p> <p>The first guests necessitated the presence of the O.P.P. to quell the loud, disruptive, and outright dangerous behaviour that occurred on the property and on the lake. The new owner was not present on the property, and when made aware of the situation, did not attend.</p> <p>Throughout the Summer of 2021, the property was routinely flipped and each new owner continued to be absent as a resident, and continued to accept short-term rentals.</p> <p>I would like to present you with the following information for your consideration. I am acting on the urging and with the permission of several other cottagers on the lake. Our hope is that enforceable regulations might proactively be developed by the municipality to halt or greatly mitigate the impacts of the commercialization of cottage communities such as those that the Temagami region enjoys.</p>	Draft Official Plan does not contain policies regarding STRs.
61.	I have contacted a number of other municipalities in the north, from Muskoka to Sault Sainte Marie, to inquire into their experiences with short-term rentals, and to gain some insight into how their unique situations are being handled within their jurisdictions. Enclosed is a summary of the information I have gathered.	Noisy and disruptive behaviour of residents is not a land use issue.
62.	<p>#1 Air DNA is an online subscription service that scrapes common short-term rental platforms. (Air BnB is the most active but others such as VRBO and Kijiji are also represented). It notes that:</p> <p>(A) In general, there has been a steady increase in both the supply and demand for online short-term rental accommodations, tripling from March 2017 to February 2020. I was unable to acquire numbers reflecting the period during the Covid-19 pandemic. I believe we can assume, however, that the trend continues unabated.</p> <p>(B) The data also reveals that "hosts" operating multiple properties within the same municipality account for from 1/2 to 2/3 of the listings.</p>	Noted.

<b>Nancy Hackney February 15, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
63.	#2 The issue of short-term rentals seems to be universally problematic - each of the municipalities I contacted was working on or had completed a regulatory response to this new phenomenon. The exception was Huntsville, which has decided against any regulations.	Noted.
64.	#3 Many municipalities are also struggling to determine at what point use of a dwelling, or a unit within a dwelling, becomes a for-profit commercial use. Most short-term rental properties are currently taxed based upon a residential tax rate. This residential tax rate, if left unchallenged will skew the overall market value assessment of the property, with resultant tax implications for the municipality. As well, most short-term rental properties do not contribute to a municipal accommodation tax, nor do they pay any other commercial taxes. If unchallenged, these anomalies will result in tax implications for the municipality.	Noted.
65.	#4 Most municipalities stipulate that any short-term rental located in a residential zone must be the host's principal residence. This requirement serves to ensure a greater level of both oversight and accountability which in turn can result in a reduction of a number of negative impacts to neighbours and neighbourhoods. This requirement also helps to eliminate the commercialization of short-term rental properties.	Noted.
66.	#5 A) Most municipalities define short-term rentals as an accommodation that does not exceed 28 days in a month. B) Most municipalities restrict hosts from offering short-term rental accommodations for more than 180 days per year. C) Most municipalities state that zoning must support the use of the property as a short-term rental property	Noted.
67.	#6 And finally, most municipalities that had zoning regulations that encompassed short-term rentals had also established a licensing regime. Without licensing in place it is very difficult to determine or enforce: A) taxes based on a current and correct evaluation of the property's use and its value B) Conformity to zoning provisions C) safety and liability	Noted.
68.	The establishment of such a regime can encompass the following:	Noted.

<b>Nancy Hackney February 15, 2022</b>		
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	<ol style="list-style-type: none"> <li>1. Licencing fee or fees</li> <li>2. Building Safety Review, necessitating an on-site inspection, including applicable fees, to ensure building compliance, including but not restricted to drinking water safety, security of septic system, or other human-waste accommodation; security of grey-water disposal, etc.</li> <li>3. Fire safety review, necessitating an on-site inspection, including applicable fees, to ensure Ontario Fire Code compliance.</li> <li>4. The applicant will be responsible for contacting the various agencies for approvals for the licence application to be deemed complete. Approvals will signify that required measures are in place and meet all codes or requirements.</li> <li>5. The applicant will be responsible for contacting the various agencies for approvals for the licence application to be deemed complete. Approvals will signify that required measures are in place and meet all codes or requirements.</li> <li>6. Licences are valid for a limited time-period (3 years seems to be the norm) and must be renewed as required in a timely manner.</li> <li>7. New registration is required in the event of a change in property ownership.</li> <li>8. In addition, some municipalities require the owner to issue a written declaration that indemnifies the municipality from any claims, actions, causes of action, expenses, losses, fines, costs (including legal costs), damages, bodily injuries, destruction of property, loss of revenue or increased expenses arising from the use, management and operation of the property.</li> </ol>	
69.	<p>If we may assume that Robert Frost's maxim that "good fences make good neighbours" has validity in a modern context, it is incumbent on the municipality to proactively put those good fences into place. The goal of doing so in advance is to mitigate the perception that the municipality is not reactive, nor biased, nor has targeted any individual or group of individuals, but is a forward-looking and thoughtful body that prefers to undertake prevention to avoid undesired outcomes.</p> <p>To further this goal, it may be advisable to undertake a process that encourages public input prior to establishing short-term rental processes or bylaws.</p>	<p>The Official Plan does not contain STR policies but could include a policy for a licensing regime to be established.</p>

	<b>Nancy Hackney February 15, 2022</b>	
#	<b>Comment</b>	<b>Comment Response</b>
70.	<p>If we may assume that Robert Frost's maxim that "good fences make good neighbours" has validity in a modern context, it is incumbent on the municipality to proactively put those good fences into place. The goal of doing so in advance is to mitigate the perception that the municipality is not reactive, nor biased, nor has targeted any individual or group of individuals, but is a forward-looking and thoughtful body that prefers to undertake prevention to avoid undesired outcomes.</p> <p>To further this goal, it may be advisable to undertake a process that encourages public input prior to establishing short-term rental processes or bylaws.</p>	

	<b>Barret Ledke April 6, 2022</b>		
#	<b>Comment</b>	<b>Responder</b>	<b>Comment Response</b>
	<p>Regarding the new suggested set backs of 30m on undeveloped conforming and non-conforming lots: in my opinion, 30m setbacks should be implemented during the new lot creation process only, not imposed on already existing undeveloped lots. The reason for this is many of those undeveloped lots are not necessarily the 2-acre size, they vary in size, dimensions and geography, where an imposed 30m setback may create difficulty for those property owners in developing those existing undeveloped lots.</p>		Not aware of a 30 metre setback required in the Official Plan.
	<p>Consultation with First Nations should be considered prior to expanding the lake Temagami neighbourhood to include cross lake.</p> <p>Cross lake is currently in the rural neighbourhood and the northeast corner of cross lake from the waskaksina portage north is in the set aside lands.</p> <p>Before we start offering our opinions and further imposing our designations on mainland areas that aren't in our particular control we should consult First Nations.</p>		Consultation with the First nations has been conducted on the OP.
	<p>I do however support further restrictions to and or limiting accessing the cross-lake area by use of roads and road connected access points there.</p>		Cross Lake has been included in the Neighbourhood. This is referenced in policies that refer to the Skyline Reserve in the Official Plan.

Appendix 2A  
Comment Responses – Temagami Lakes Association  
(Municipal Responses in Red text)

Anthony Usher Planning Consultant  
63 Deloraine Avenue, Toronto, Ontario M 5 M 2A8

(416) 425-5964  
auplan@bellnet.ca

February 28, 2022

Ms. Suzie Fournier  
Clerk  
Municipality of Temagami  
Box 220  
Temagami, Ontario  
P0H 2H0

Dear Ms. Fournier:

**Re: Draft Official Plan, version 1.2**

On behalf of my client the Temagami Lakes Association, I would like to provide Council, staff, and your planning consultants with my comments on the latest Official Plan draft. The TLA and I compliment the Municipality and your consultants on their progress.

The TLA strongly supports a new, up-to-date Official Plan. The Association commends the simplification and streamlining evident in the latest draft, including the consolidation of neighbourhoods. TLA's overall planning objective that guides these comments is to maintain the integrity of the Lake Temagami Neighbourhood, and of the long-established planning policies that have contributed to protecting the Neighbourhood's very special environment and unique development character. TLA is also mindful that that must be achieved within the larger context of environmental protection and economic and social development in the Municipality as a whole.

This letter focuses on TLA's and my priority issues. In some cases, we do not have enough information yet to make a specific recommendation. In other cases, we are asking questions and suggesting areas for improvement, while leaving how best to address those in the next draft to the Municipality's good judgement. Where we have a specific recommendation for change, it's in bold *italics*.

Concurrent with this letter, TLA's President, Paul Tamburro, is providing Council with a briefer submission highlighting TLA's top concerns.

To keep my submission a bit simpler, I have also emailed MHBC directly regarding some technical details that do not affect policy, as well as minor corrections and suggestions that do not represent TLA priorities.

*Schedule A*

There is a small number of patented lots on Lake Temagami's mainland shorelands. On the current Plan's Schedule A, these are designated Special Management Area along with the Crown- owned shoreline. However, the draft Schedule A shows patented lots within the Lake Temagami

Neighbourhood mainland, which is also the Skyline Reserve, as Residential Waterfront - Lake Temagami (same as the island lots) if they touch the lake, or Rural if they don't. At the same time, the draft Plan text, like the present plan, clearly prohibits any development on these lots.

Your consultants have confirmed that this is a mapping error that will be fixed.

The question, then, is how to properly designate these lots. The Crown-owned shoreline is now to be designated Crown Land, which inherently cannot include these lots. So, these lots would appear to require some special designation that recognizes they are private lands fully subject to the Plan, and at the same time prevents any development consistent with both current and draft policy.

There are two exceptions (unless I've missed others) to the above, the existing Boat line Bay Marina and Camp Wanapitei, which are appropriately designated Tourist Commercial and are recognized in section E.7.7.

Therefore, we recommend that ***these lots be designated Skyline Reserve - Special Management and that an appropriate new section for this designation be added to Section E.*** The new section would explain the purpose, and the policies that already restrict development on private lands within the Skyline Reserve would be moved there.

**Comment #1 – A new designation (Restricted Waterfront/Rural – Lake Temagami) has been added to reflect this change on Schedule A, recognizing these specific lots.**

*Section A.3.1.2 - references to Crown land planning policy*

The policies of the Temagami Land Use Plan (TLUP) and other historic Crown land planning documents are incorporated into the Crown Land Use Policy Atlas (CLUPA). This website provides the current policies of the Ministry of Northern Development, Mines, Natural Resources, and Forestry (MNDMNR) for all Crown lands.

It is appropriate to refer to CLUPA as the *source* of current MNDMNR planning policy for Crown lands in the Municipality. Whether it is appropriate for the Official Plan to *depend* on CLUPA for the Official Plan's policies over Crown land, is another question. CLUPA is subject to change at any time, with virtually no constraint on Ministerial ability to do so. Obviously the Official Plan should generally aim to be consistent with CLUPA, as the Plan does not have authority over Crown lands, while keeping in mind that any Plan policy over a parcel that the Crown chooses to privatize will become legally effective once privatization happens. But in my view, the Official Plan should establish its own policies over Crown land that, while aiming to be consistent with CLUPA, would require Plan amendment to change and could not be changed simply by changes in CLUPA.

**Comment #2 – Policy added to Official Plan to provide direction on designating new patented lands. Refer to Section E.13.1.4.**

*Section A.3.1.2 - references to infringement*

The second last sentence equates infringements on MNDMNR authority over Crown lands and resources, with infringements on the rights of the Indigenous community of Temagami. Aboriginal and treaty rights and their protection are unique, under the Constitution, in Canadian law and jurisprudence, and in the Provincial Policy Statement, not to mention in historical and contemporary reality. They should be treated independently of, and not equated with, any other recognition of rights external to the Official Plan.



**Comment #3 - Sentence has been deleted.**

*Section A.3.1.2 and Appendix 1 - references to Tenets for Temagami*

The Tenets for (not Tenants of) Temagami appear to apply to the whole of the Lake Temagami Neighbourhood, plus that part of the Urban Neighbourhood within the Lake Temagami Skyline Reserve (further discussed below), and that part of the proposed Rural Neighbourhood consisting of Cross Lake and its Skyline Reserve. The document also appears to apply to both public and private lands. Therefore, it is incorrect for the draft Plan to say the Tenets are "additional details regarding Crown Land Management".

**Comment #4 – Removed reference to Crown Land Management and changed wording to Tenets for Temagami.**

The Tenets were agreed between TLA, Latemar, and the Predecessor Township of Temagami in 1994, and were the foundation upon which the Municipality was created. They should continue to be recognized in the new Plan, and their historical importance described and recognized. As the Tenets apply in part to private land and the predecessor Municipality was a party thereto, we would like to see the new Plan continue to indicate support for the Tenets, along the same lines as section A1.6 of the present Plan.

However, like TLUP and other Crown land plans, the Tenets should be recognized as the *basis* for current policy, not as Plan policy themselves. TLA would like to see the complete Tenets included in the document, but does not object to their being included in an appendix.

The current text of section A.3.1.2 suggests that the complete Tenets are intended to be included in Appendix 1, along with other unidentified material pertaining to Crown lands. However, the appendix is not included in this draft.

**Comment #5 – Appendix 1 has been added.**

*Section B.2 - Vision*

The vision statement is too generic and could appear in almost any official plan - there is nothing "Temagami" about it.

The TLA Planning Committee has come up with an alternative Vision intended to reflect the perspectives and interests of the whole community. I am pleased to endorse and recommend that Vision:

***The primary goal of this Official Plan is to secure a sustainable future for the community of permanent and seasonal residents. This will be achieved by giving equal weight to three long-term objectives: economic prosperity, social well-being and environmental stewardship.***

***Land use planning will embrace and enhance Temagami's unique characteristics, especially the pristine health and natural beauty of its lakes and surrounding lands. These physical features together with its rich heritage of diverse peoples define Temagami today, speak to its meaningful history, and guarantee its bright future.***

**Comment #6 – Vision updated as per recommendation.**

Section B.3.1.1 (b) - implies there is some tradeoff or balancing between the two parts of the sentence  
- these are two separate objectives, each should stand on its own.

**Comment #7 – Separated into two subsections.**

Sections B.3.2.1 (d), B.3.2.1 (e) - consideration should be given to separate statements regarding Indigenous relationships/partnerships, to emphasize their importance.

**Comment #8 – Separated bullet points.**

*Section C.1.1.1 - population*

We have no idea where the figure of 1,412 permanent residents comes from.

As MHBC's Background Report notes, the 2016 Census (i.e., permanent) population was 802. The 2021 Census, released while this letter was being prepared, indicates 862.

The 806 dwellings, 375 occupied by permanent residents, comes from the 2016 Census. (The 2021 figures are 928 and 432 respectively.)

In my experience, in municipalities with large seasonal populations Census dwelling figures are somewhat suspect and should be used with great care. Dwellings not designed for year-round use, which are the large majority of the Municipality's seasonal dwellings, would not generally be considered as “dwellings” by the Census, although Statistics Canada's definitions, and how they get applied in the field in a place like rural Temagami, are less than clear in this regard.

In my view the only figure of value from the above is that there are *approximately* 375 (2016)/432 (2021) dwellings occupied by permanent residents, which reasonably squares with the permanent resident population.

The only way to obtain a sound estimate of *total* dwellings, is from assessment and tax data.

To conclude that there are  $806-375=431$  seasonal dwellings is wrong. TLA and CAO Craig Davidson collaborated on a dwelling estimate in 2020. This concluded that there are approximately:

- 300 dwellings in the settlement areas, largely permanent residences,
- 750 dwellings on Lake Temagami, of which 27 are permanent residences,
- 296 dwellings in the other rural portions of the Municipality, of which 48 are permanent residences,
- For an approximate total of 1,346 dwellings of which 375 are permanent residences and 971 are seasonally occupied.

No source is provided for the estimated peak summer population of 9,000. This estimate appears to include in addition to permanent residents: cottage owners, cottage guests, cottage renters, youth camp staff, youth camp campers, commercial tourist accommodation staff, commercial tourist accommodation guests, Provincial Park staff, Provincial Park campers, Crown land campers, other seasonal workers in the tourism industry, and perhaps others I have forgotten about. Within this disparate group, the variation in commitment and attachment to and interest in the Municipality varies enormously. In my view, this figure is highly unreliable and of very little value for planning purposes.

Finally, should not the permanent population of Bear Island and total community memberships of TFN and TAA be mentioned and recognized? Though not part of the Municipality, the Reserve is entirely surrounded by it, the Municipality is within TFN/TAA's traditional lands, and TFN/TAA

Have a unique relationship with the Municipality.

**Comment #9 – Numbers in Official Plan were updated to match census data.**

*Section C.1.2.1 - permanent population target*

Assuming the 2016 and 2021 Census populations as a starting point, on what basis would a 2045 target be established?

**Comment #10 – Target has been removed. Sections reworded to indicate that a modest increase in population is expected, with no specific target.**

*Section C.1.2.2 - location of population growth*

Yes, there are a few permanent residences in non-road-accessible locations on Lake Temagami and possibly in other rural areas. However, these are and always will be outliers. That after over a century of seasonal residential development on Lake Temagami, only 27 dwellings (less than 4%) have converted to permanent occupancy, does not suggest a numerically significant upward trend.

Lake Temagami's island lots and other non-road-accessible locations should not be part of any *objective* for population growth. This section should clarify that permanent population growth is *intended* to occur in the Urban Neighbourhood and other road-accessible locations.

The statement, "Seasonal population growth may be accommodated in . . . expansions in the tourism market" is confusing. This implies that tourist accommodation is a locale for population growth. As indicated above, discussions of the tourism sector and the Municipality's population of permanent and seasonal residents should be kept entirely separate from each other.

**Comment #11 – Removed referenced to tourism.**

*Section C.1.2.4 - new housing lands*

It should be made clear that this policy applies to the Urban Neighbourhood only.

**Comment #12 – Changed to support growth in Urban Neighbourhood.**

*Section C.1.3.3 - Urban Neighbourhood expansion and Crown land acquisition*

It should be made clear that the Municipality intends that any expansion be confined within the present Urban Neighbourhood. If that is not the Municipality's intention, we would be very concerned about any possibility of expansion of the Urban Neighbourhood at the expense of the Lake Temagami Neighbourhood.

**Comment #13 – Section modified to clarify that any future expansion would not occur into the Lake Temagami Neighbourhood.**

*Section D.2.1 and Schedule a - Lake Temagami Neighbourhood boundary*

The Tenets for Temagami were clearly intended to include and apply equally to Cross Lake. The two lakes are a single connected, navigable water body.

Ms. Suzie Fournier/February 28, 2022

7

The mainland and islands of Cross Lake are entirely Crown, except for one residential lot.

The present Official Plan applies similar policies to Cross Lake as to Lake Temagami, and these are proposed to continue into the draft Plan.

No change in policy intent, only wording adjustments, would be required to extend the policies of

Section D.2 to Cross Lake (with the exception of the Skyline Reserve definition, discussed below under section D.2.6.4). Section D.3.4.2 would then belong in section D.2.

Therefore, we recommend that ***the Lake Temagami Neighbourhood be extended to include Cross Lake, its islands, and its Skyline Reserve.***

**Comment #14 – Extend the Lake Temagami Neighbourhood and the Skyline Reserve to include Cross Lake, encompassing 200 metres around Cross Lake.**

*Section D.2.2 - Lake Temagami Neighbourhood Goals*

We recommend the following addition:

- ▶ ***To implement the Tenets for Temagami.***

**Comment #15 – Added**

*Section D.2.3 - cap on new lots*

We notice that the policy of section 5.3.7.1 of the present Plan, which caps the number of new lots created each year, does not appear in the draft Plan. We would like to know why.

**Comment #16 – Other policies are required to be met in order to create new lots. We felt the combination of the other lot creation policies in the Official Pan, combined with the other policies of the Official Plan, sufficiently limited lot creation without the need for a yearly cap. However, we have added the cap back into the Plan.**

*Section D.2.6.4 and Schedule D - Skyline Reserve definition*

The Skyline Reserve dates back to 1935, and has been formally recognized in Crown land planning since at least the 1970s. Its importance to the community as a whole was reaffirmed in the Tenets for Temagami in 1994. This background should be recognized in the Plan.

Reference to a specific management area in TLUP as the basis for defining the Skyline Reserve is inappropriate. The management area mapping for the original TLUP is inaccessible. Whether management area 39 in TLUP corresponds to one or more current management areas in CLUPA is also information not accessible. The Reserve should be delineated on its own terms in the Plan, with appropriate regard paid to its historical background.

As noted earlier, the Tenets for Temagami suggest that the Skyline Reserve as understood therein extends into the Urban Neighbourhood. However, as also noted earlier, the draft Plan schedules show the Skyline Reserve and Lake Temagami Neighbourhood external boundaries as one and the same. We have no way of verifying whether the "map of Lake Temagami" illustrating the Reserve as referred to in the Tenets (but also not accessible) - and the inaccessible TLUP map of management area 39 - and the Reserve as shown on Schedule D (not Schedule A1) - show the same or different lands.

As well, the Tenets indicate the Skyline Reserve includes Cross Lake. As the mainland shoreline of Cross Lake is entirely Crown (possibly except for the only private lot on Cross Lake, whether it's mainland or island is not clear from available mapping), and the present and draft Plans **Page 36 of 409**

apply Skyline Reserve policies to this lake, there is no reason not to include Cross Lake in the defined Reserve.

Accordingly, we recommend this section be revised as follows - assuming that the Lake Temagami portion of the Skyline Reserve is properly shown on Schedule D, which may not be the case:

*The Skyline Reserve is of varying depth back from the shoreline of Lake Temagami and Cross Lake. It consists of the entire mainland shorelands of Lake Temagami and Cross Lake within the Lake Temagami Neighbourhood, and is shown on Schedule D to this Plan. Its external boundary reflects Crown forest management dating back to 1935, as currently expressed in the Crown Land Use Policy Atlas. Its continuation as a planning policy applying to both Crown and private land was reaffirmed in the Tenets for Temagami.*

**Comment #17 – Text revised as recommended.**

*Sections D.2.6.6 and D.2.6.7 - Skyline Reserve permissions*

Section D.2.6.6 should acknowledge the two continuing Tourist Commercial designations.

**Comment #18 – Text has been modified to permit existing Tourist Commercial uses.**

Regarding section D.2.6.7, so that there is no potential for confusion with the section D.2.6.6 permissions which effectively only apply to private lands, it should be made clear that D.2.6.7 applies to Crown land only,

**Comment #19 – Revised to reflect Crown Land.**

*Section D.2.6.10 - Skyline Reserve - Northeast Arm development*

The geographical references are confusing because:

- they start at Boatline Bay, then move to the southwest (Manitou Landing), further southwest (Mine Landing), and then back northeast (Strathcona Landing),
- all four place names are locally known but are unofficial,
- they leave open the question as to whether the intent is to provide extra scrutiny - while implicitly suggesting development is possible - at the four locations only, or along the entire south shore of the Northeast Arm from Mine Landing to the boundary of the Lake Temagami Neighbourhood (essentially, Strathcona Landing).

Consideration should be given to showing whatever is intended on a schedule, instead of through words.

**Comment #20 – Prefer description in text over mapping.**

While extra scrutiny of any proposed development certainly is appropriate, the policy leaves the implication that despite sections D.2.6.6 and D.2.6.7, development is being invited at certain, or all, locations along the south shore of the Northeast Arm. If the intention is to recognize the four existing development locations as exceptions to D.2.6.6 and D.2.6.7 where any additional development would be permitted only within the existing developed areas and under the strictest conditions, then that should be clarified. If the intention is to in any way go beyond that that will be of the greatest concern to TLA.

**Comment #21 – Policies do not permit development on the south shore of the Northeast Arm. Any new patent lands would require redesignation and an associated OPA with public commenting opportunities.**

*Section E.4.1 - Residential Waterfront, Lake Temagami - applicability*

For clarity, we recommend this be reworded: "The Residential Waterfront - Lake Temagami land use designation applies to Patented Land on the **islands** of Lake Temagami **and Cross Lake, excepting lands designated Tourist Commercial**".

**Comment #22 – Revised.**

*Section E.4.2.1 - Residential Waterfront, Lake Temagami - permitted uses*

Since secondary dwelling units are itemized as a permitted use in the Urban Neighbourhood in section E.1.2.1, should not cabin secondary dwelling units be itemized as a permitted use here?



As well, contractor's yards have been omitted.

We recommend this be reworded: "Permitted uses include existing and new low density residential uses on islands **including the following accessory uses: cabin secondary dwelling units, home occupations, home industries, and contractor's yards.**"

**Comment #23 – Updated.**

*Section E.4.3.5 - Residential Waterfront, Lake Temagami - site plan approval*

The current site plan control bylaw requires site plan approval as a precondition to almost all types of building permits (within the scope of section 41(1) of the *Planning Act*) in the Lake Temagami Neighbourhood, so essentially all development approvals in the Neighbourhood require implementation through site plan control. Please clarify whether the present site plan control regime is consistent with this section, or does the Municipality anticipate any changes to the bylaw?

**Comment #24 – OP requires site plan control for waterfront properties. Site Plan Control By-law for the Municipality also required site plan control for waterfront properties on Lake Temagami.**

*Section E.6 - Lake Service*

This designation does not exist in the present Plan, nor is any area so designated in the draft Plan. We would appreciate some explanation of what is the purpose of this new designation and why it is being proposed.

**Comment #25 – The Lake Service designation is intended to provide the opportunity for businesses that provide services to residents of Lake Temagami. There are current no lands designated Lake Service in the draft Official Plan. Refer to new policy E.6.3.7.**

*Section E.7.5 - tourist commercial conversions*

We support the general direction of these policies, but would like to see them more strongly stated. We are also concerned about ambiguous terminology which could become a source of debate between an applicant and the Municipality. Accordingly, we recommend the following revisions:

E.7.5.1 : ***The Official Plan does not support the conversion of a Tourist Commercial use to a residential use.*** Tourism has an important role to the local economy and the conversion of Tourist Commercial uses to residential use can negatively impact the tourism economy.

E.7.5.2 : Where the conversion of a Tourist Commercial use is proposed, an amendment to the Official Plan shall be required. In support of the amendment, it must be demonstrated that there is a surplus supply of Tourist Commercial land ***in the Municipality/in the subject Neighbourhood [we leave this to the consultants' and Council's good judgement]*** over the short and long term in order to justify the conversion.

E.7.5.4: Consideration of the conversion of part of a ***lot on which a*** Tourist Commercial use ***is located*** to residential ***use*** may be given, if it can be demonstrated that the lands to be converted are surplus to the tourist commercial use and it can be demonstrated that the conversion does not negatively impact the ***integrity and viability of the existing Tourist Commercial operation and the ability of the remainder of the*** lot to continue to be used for Tourist Commercial uses.

Comment #26 – Updated as recommended.

*Section E.14 - Crown Land - Protected Area*

We assume that this designation is intended to be one and the same as regulated provincial parks and conservation reserves. If so, that should be stated. If not, that should be explained.

Comment #27 – Correct. Reference added to Section E.14.1.1.

*Section F.1.2 - shoreline setbacks*

Section F.1.2.5 requires that the zoning bylaw prescribe a shoreline setback, but provides no numerical guidance on what that setback should be.

Most lake country official plans provide such guidance. We appreciate that traditionally, official plans focused on policy direction without providing numbers, leaving it to the zoning bylaw to prescribe numerical standards. However, in my experience, that tradition has been overturned by Provincial policy direction, the practice of the Province and other approval authorities in approving official plans, and Ontario Land Tribunal and predecessor jurisprudence. The reality is that if numerical guidance is not provided in the official plan, the municipality is left in a weaker position to defend the numerical prescription in its zoning bylaw when the latter is challenged.

Therefore, in my opinion, it is best current practice to include policy direction on what the setback should be. As well:

- ▶ Sections E.4.3.2 and E.5.3.1 already provide specific minimum numbers, for minimum lot areas and frontages in the two Residential Waterfront designations.
- ▶ MHBC's draft Background Report recommended the Plan include direction for a minimum setback for septic system components over and above the 15 m required by the Building Code, although it is not clear whether the authors intended a specific number be included in the Plan. This does not appear to have been followed through in the draft Plan.

The Province's Lakeshore Capacity Assessment Handbook says, "Throughout the Precambrian Shield soil cover is typically thin and fractured bedrock is common. For lakes in this environment, irrespective of whether or not they are at capacity for shoreline development, MOE and MNR recommends [sic] a minimum of 30 metre setback or a 30 metre nondevelopment zone from water bodies" (p. 36).

The current setback requirements in the zoning bylaw are well below this (15 m for the dwelling, the greater of 15 m or the current dwelling setback for cabins, and 3 m for most accessory buildings). Lake country official plans and zoning bylaws now commonly implement the Provincial recommendation, while in some cases, making some allowance for existing development or local conditions.

Therefore, we recommend that a new section or sections be inserted before or after F.1.2.1, as follows. The first paragraph is what is now the last bullet of F.1.2.5, with only corrections highlighted.

A setback from the flood elevation or the normal or controlled high *water* mark shall be set out in the Zoning By-law, in order to:

- Protect the upland, shoreline and *nearshore habitats*;
- Protect adjacent surface water quality from *phosphorus* loading;
- Prevent erosion, siltation and nutrient migration;
- Maintain shoreline character and appearance; and,
- Minimize the visual impact of development.

*The minimum setback shall generally be 30 m for dwellings, sleep cabins, standard and cabin secondary dwelling units, leaching beds and other treatment components of sewage systems, and all other accessory buildings and structures, except that there shall be no setback requirement for docks, boathouses, pumphouses, gazebos, and decks where otherwise permitted. No new lot shall be created unless it can accommodate development on the basis of these standards.*

*However, on a lot that existed on and whose boundaries have not been altered since [the date the Plan is approved], and that is not vacant, the minimum setback shall generally be 15 m, excepting 30 m for leaching beds and other treatment components of sewage systems, and nil for the aforementioned shoreline structures. On such lots, the Committee of Adjustment may permit a reduced setback that would allow an existing noncomplying building to be enlarged or replaced provided there is no reduction in the least distance from the building to the shoreline, and it may permit a reduced setback that would allow an existing leaching bed to be enlarged or replaced where due to the size, shape, or topography of the lot, there is no feasible alternative. Otherwise, it is expected that the Zoning By-law setbacks will be strictly adhered to.*

*The Zoning By-law will also provide for appropriate variation from these standards in the Urban Neighbourhood.*

**Comment #28 – Request should be made to Council to increase the setback to 30 metres for new development as this is a significant departure from the current approach. Appreciate the considering that has been proposed for existing lots and existing non-conforming situations. Will raise this point in the staff report and staff will seek direction from Council on this point.**

#### *Section F.1.2 - other general shoreline policies*

In section F.1.2.3, we would like to know how the Municipality would use the issue of building permits as an implementation device, over and above that permits must comply with the zoning bylaw and site plan agreements. If the latter is all that is meant, it need not be said inasmuch as the zoning bylaw must in turn conform to the Official Plan. It does not need to be repeated throughout the Plan that building permits further implement every part of the Official Plan that gets implemented through zoning or site plan control.

The list of instruments does not include minor variance approvals, which are a common form of planning approval on Lake Temagami. Nor does it include consent conditions and agreements.

We are also concerned that "may use" is too discretionary and the policy is internally contradictory. Does it make sense to say that the Municipality "may use" the instruments listed, and in the next breath say that the following policies "shall apply"? And are "shall" and "as a guide" compatible within the same action?

In section F.1.2.5, we are unsure whether these best practices will be required or not, given the uncertain direction of F.1.2.3. This uncertainty is added to by the variation between "should" and

"Shall" throughout this policy.

**Comment #29 – The term shall has been incorporated into these policies.**

In section F.1.2.8, "shall encourage" is weak and, I believe, internally inconsistent wording. The policy requires the Municipality to do something with each planning approval, but that could be as little as handing the applicant a brochure. Again, there is a lack of clear direction when compared to policies in other lake country plans, such as Section C2.6.5 of the Muskoka District Official Plan.

**Comment #30 – General wording to leave open to interpretation.**

In F.1.2.8, the first two best management practices are appropriate to Lake Temagami and other rural waterfront areas, while the rest would clearly only be appropriate for multi-lot development in the settlement areas and possibly rural development not on water, but no distinction is made. There are other obvious and well-known practices appropriate to rural waterfront that are not recognized here. Nor is there any recognition of the challenging environments on the shorelines of Lake Temagami and the other lakes with their very limited (if any) soil cover.

Finally, it is important to recognize that while strict regulation of new development and redevelopment on the waterfront is essential to protecting water quality and lake trout habitat, the largest human contribution of phosphorus loadings to the lakes is from existing development not subject to any planning approvals. Therefore, we recommend the following policy be added to section F.1.2: ***"The Municipality will consider adopting and implementing a reinspection program for individual on-site sewage systems, on waterfront lots in the Lake Temagami and Rural neighbourhoods."***

**Added.**

#### *Section H.3.1.3 - stormwater plan requirements*

This section is unclear. Any shovel stuck in the ground near water will result in some degree of sedimentation and stormwater contamination.

Clear language is required as to when a stormwater plan or report would be required. We would expect that this would not ever be required for residential development in the Lake Temagami Neighbourhood.

**Comment #31 – Revised to “may” be required.**

#### *Section H.5 - lake trout lakes*

Normally, one would expect the Official Plan to identify the Municipality's lake trout lakes, subdivided into those that are at-capacity and those that are not, through either or both of a list in the text and symbols on a schedule. We believe this should be added.

**Comment #32 – No issue including Lake Trout Lakes – Net, Cassels, Temagami.**

#### *Section J.1.2 - stormwater management*

These types of policies one would normally expect to be applied in settlement areas only. This should be clarified.

**Comment #33 – Policy states that studies “may” be required.**

We understand the Cross Lake access point has been closed by MNDMNRF, so it should be removed from the list. You will no doubt want to confirm this with the Ministry.

Comment #34 – Removed.

*Section J.4.4.1 - new lake access points*

We assume this is intended to apply to all three neighbourhoods, so we recommend the introductory sentence read, "Should consideration be given to the establishment of new public motorized **lake access points, the following** should be given full consideration".

**Comment #35 – Revised.**

*Section K.4.3 - secondary dwelling units in rural areas*

As this section deals with both standard secondary dwelling units and cabin secondary dwelling units, and as it also intended to apply to rural areas in all three neighbourhoods, we recommend it be titled "**Secondary Dwelling Units in Rural Areas**".

Regarding section K.4.3.1, OPA 3 was adopted only a few months ago, after extensive discussion with and input from TLA. TLA supported the final version. We are therefore greatly concerned to see that standard secondary dwelling units would now be permitted on Lake Temagami, contrary to OPA 3. We don't have any issue that the draft Plan no longer refers separately to rural residential lots and remote residential lots, but the wording should have been adjusted appropriately to accommodate that change.

We therefore recommend that the second last sentence read, "**Cabin secondary dwelling units** are permitted in the rural area on residential lots, **and standard secondary dwelling units are permitted on such lots outside the Lake Temagami Neighbourhood**, subject to the policies of this Plan".

As well, we recommend that the first sentence of section K.4.3.2 read, "Standard secondary dwelling units may be permitted in single detached dwellings or in a building or structure accessory to a single detached dwelling within the rural area on residential lots **outside the Lake Temagami Neighbourhood**".

*Section K.4.4 - cabin secondary dwelling units and sleep cabins*

Again, we are concerned about changes from the recently-adopted OPA 3.

Regarding section K.4.4.1: Consistent with the format of the present Plan which includes a Glossary, though not a legal part of the Plan, OPA 3 included precise definitions of "cabin secondary dwelling unit" and "sleep cabin". The definitions provided in K.4.4.1 are a good deal less precise and omit key elements previously agreed to. As well, perhaps inadvertently, the "sleep cabin" definition does not allow "either kitchen or bathroom but not both", as has traditionally been permitted in the Municipality.

It is the prerogative of the consultants and the Municipality not to include a definitions section in the new Plan, but that does not keep precise definitions from being included in the text wherever needed.

We recommend that section K.4.4.1 be replaced with **the exact definitions of "cabin secondary dwelling unit" and "sleep cabin" in OPA 3**, with the exception of the sentences indicated they shall be constructed in accordance with the Building Code, which we recommended not be

Included during our review of OPA 3 and which are still unnecessary.

Regarding section K.4.4.2, the consultants may want to consider that with regard to where cabin secondary dwelling units are permitted, this section, section K.4.3.1, and section K.4.3.2 all say more or less, but not exactly, the same thing.

Regarding section K.4.4.8, as the proposed draft Plan would be a new Official Plan, surely the grandfathering date should not be rolled over to the effective date of the new Plan. We recommend it be revised to read, "For the purpose of this section, a boathouse with sleeping accommodations that lawfully existed *on April 18, 2013* is deemed to be a sleep cabin".

**Comment #36 – Policies updated to reflect permissions for shoreline lots vs. non-shoreline lots.**

*Section K.5.1.2 - home occupations*

This section has been taken directly from the second paragraph of section 5.3.8 of the present Plan, as recently amended by OPA 4. So it's fine for the Lake Temagami Neighbourhood, but does not properly apply to road-accessible areas of the Municipality. As this section now applies to the entire Municipality, it also needs to borrow from sections counterpart to 5.3.8 in the present Plan.

**Comment #37 – Section modified.**

*Section K.6.1.1 - home industries*

Again, this has been taken directly from the first paragraph of section 5.3.9 of the present Plan, without regard for other neighbourhoods, though the policy now applies to the entire Municipality.

**Comment #38 – Section modified.**

*Section K.7.1.3 - contractor's yards*

To be consistent with the present Plan, the water body reference should be generalized. We recommend the second bullet read, "In the case of a lot fronting on both a public road and a *lake*, be located in the yard abutting the road".

**Updated.**

*Section K.9 and Appendix 5 - wildland fire*

While the wording as such is fine, it does not properly relate to or explain Appendix 5.

- ▶ as currently written the draft Plan legally includes the appendixes. Normal practice is that wildland fire risk mapping is not legally part of an Official Plan.
- ▶ the map itself should label the categories as "extreme", "high", etc. without the additional descriptors. The latter are not required to implement policy, mean nothing to the public, and are not explained on the map or in the text.

**Comment #39 – Mapping is not part of the Official Plan. Intended to highlight high risk areas only.**

The term "tourist resident" is a contradiction and is not conventionally used. We recommend that "***and tourist***" be deleted from the second sentence.

Updated.



*Section L.8.6.1 - condominium requirements*

A condominium description could be proposed anywhere, including the Lake Temagami Neighbourhood and other rural areas. Therefore, we recommend that **paragraph L.8.5.1 (a) (additional subdivision requirements) be repeated in section L.8.6.1.**

**Updated.**

*Sections L.13.1.3 and L.13.1.6 - site plan control*

The policies of section F are going to be implemented probably by site plan control more than any other instrument. Therefore, we believe that section L.13.1.3 should at least cross-reference the kinds of considerations highlighted in section F. As well, section L.13.1.6 could be interpreted as suggesting the Municipality is not giving itself authority to address points not mentioned, which would exclude many of the considerations in section F.

**Comment #40 – No changes proposed.**

*Section L.23.1.3 - supporting studies*

The draft Plan does not provide any definition or scope of what should constitute an Environmental Impact Statement, or refer the reader to any other document establishing those, beyond that it should be "in accordance with accepted professional standards and/or guidelines, as applicable".

Certainly, we do not expect the Plan to include specifications for every one of the 30+ study types listed here. However:

- ▶ for waterfront development outside the settlement areas, the EIS is most often the single most important determinative study.
- ▶ It is debatable what "accepted professional standards" are for EISs, inasmuch as there is no professional body for those who would normally be considered "qualified persons" to conduct EISs.

For these reasons, lake country Official Plans customarily include direction on the purpose and scope of an EIS (under whatever name the municipality chooses to call it). We believe this Plan should either do that, or alternatively at least refer to section 13 of the Natural Heritage Reference Manual.

**Comment #41 – EIS is triggered by the policies of H.2 of the Plan. Section L.8.2 has been update to add “u)” Confirmation that there will be no impact to archeological features.**

\* \* \*

I hope these comments will assist staff, consultants, and Council in their consideration of the proposals. We would be pleased to discuss these points further with your consultants at any time.

Yours sincerely,

*[Original signed by]*

Ms. Suzie Fournier/February 28, 2022

20

Anthony Usher, RPP

cc. Jamie Robinson  
Patrick Townes

Appendix 2B  
Comments Responses – Temagami Lakes Association  
(Municipal Responses in Red Text)

Anthony Usher Planning Consultant

63 Deloraine Avenue, Toronto, Ontario M 5 M 2A8

(416) 425-5964

auplan@bellnet.ca

April 18, 2022

Ms. Suzie Fournier  
Clerk  
Municipality of Temagami  
Box 220  
Temagami, Ontario  
P0H 2H0

Dear Ms. Fournier:

**Re: Draft Official Plan, version 1.2**

Further to my letter of February 28, 2022 on behalf of my client the Temagami Lakes Association, the TLA and I would like to provide Council, staff, and your planning consultants with additional comments on how the draft Official Plan deals with lot creation.

These comments arise from more detailed review of the relevant parts of the present and draft Plans, and broader discussion among the TLA community following my February 28 letter. They add to and elaborate on my earlier letter, but do not change or retract anything it. Concurrent with this letter, TLA's President, Paul Tamburro, is providing Council with a briefer submission summarizing TLA's additional suggestions.

Our starting point is that the following are not adequately reflected in the draft Plan, or at least, they have not been continued from the present Plan and we are not sure why.

- The Tenets for Temagami include: "All other future development will occur on islands, the number and location to be determined by the revised official plan, which will be sensitive to current ecological standards." Because the "other" exception referenced applies only to lands in the Urban Neighbourhood, the quoted statement applies to *all* future development in the Lake Temagami Neighbourhood.

The Tenets' clarity on this point remains in some parts of the draft Plan, but has got lost in others. My February 28 letter noted this with respect to Schedule a (Residential Waterfront designation on the mainland) and section D.2.6.10 (Northeast Arm development). We have now identified additional sections that should be clearer with regard to the distinctions between mainland and islands, Crown land and private land.

- in 2004, the Ontario Municipal Board approved the first Official Plan of the enlarged Municipality (case PL040429), on the basis of a settlement between the Municipality, the Province, the TLA, and the Lake Temagami Residents Group. Among the Board modifications to the Plan was the following addition to section 2.15:

*A clear set of policies is required to establish: the principles of lot creation; lot intensity; and, lot density in Neighbourhoods. Policies for each Neighbourhood shall be developed through the Lot Creation and Development Plan study that will be incorporated into the Official Plan by amendment.*

The Board emphasized that this change was "fundamental" to the settlement.

While I do not have access to the 2004 Plan, evidently section 2.15 in the present Plan is the corresponding section, and the above words appear verbatim in that section. The present Plan also contains numerous other references to lot creation and development studies being undertaken in the future in all neighbourhoods (see particularly sections A1.3.5, A1.9, 2.8.2, 2.15, 5.1, 5.3.6, 9.9).

Although the present Plan is not absolutely clear, it appears that the intended purpose of such studies was for the potential division of Crown lands, not private lands, at least in the Lake Temagami Neighbourhood. In discussing whether this commitment should be maintained, our focus is on the Lake Temagami Neighbourhood, not other neighbourhoods, especially given that the original commitment arose from advocacy with respect to the Lake Temagami Neighbourhood only.

We recognize that in 2007 the Municipality did initiate a Lot Creation and Development Study along the lines initially envisioned. We know that the study was interrupted in 2008 by the Ministry of Natural Resources ban on Crown land disposition on lake trout lakes, described below. And we know that it was then redirected to focus on three warmwater lakes, Brophy, Marian, and Olive, that are all in the draft Plan's Rural Neighbourhood - and that for whatever reasons, no results were ever incorporated into the Official Plan and no development ever proceeded.

The draft Plan refers to a "Lot Creation and Development Plan" in the Urban Neighbourhood (section E.12.3.1), as if it has already been completed, but to our knowledge neither it nor any other such plan has ever been undertaken, other than the abortive plan for three lakes mentioned above. The only other reference is to a "Lot Creation and Development Plan Study" as being a possible supporting study requirement for an application (section L.23.1.3), which doesn't make sense in this historical context.

**Comment A – Lot creation and development plan reference removed.**

- In 2008, the ban of the then Ministry of Natural Resources on Crown land disposition on lakes with naturally sustaining lake trout populations became permanent. This is recognized in the present Plan. As well, sections 2.15 and 5.1 of the present Plan indicate that the lot creation and development plan study would be carried out if and when the complete ban is lifted.

The draft Plan does not acknowledge the disposition ban, except for a very tangential reference in section H.5.1.3. Section H.5 is more oriented towards Provincial policies for *private* lot development on *at-capacity* lake trout lakes. The draft Plan appears to fail to differentiate between the quite different lake trout policies applicable to Crown land lot creation and private land development. And while Lake Temagami and Cross Lake are naturally-sustaining lake trout lakes and so fall under the Crown land ban, as indicated in

My February 28 letter we do not know whether they would be considered at-capacity for private land development purposes.

**Policies of H4 and H5 apply whether lot creation is proposed from patent lands or Crown lands. The important factor is the lake type and capacity.**

- My February 28 letter noted that the cap on number of new lots in section 5.3.7.1 does not appear in the draft Plan, and asked why.

**We felt that no cap on the number of lots is required. Based on the other policies limiting development. However we have added the 5 lot maximum to the document (D.2.3.4)**

- As well, the prohibition on plans of subdivision in the Lake Temagami Neighbourhood in section 5.3.3 does not appear in the draft Plan. We would like to know why.

**Reference to be added back in.**

In our opinion, the new Plan should clearly and unambiguously state the following policies with respect to the Lake Temagami Neighbourhood, and ensure that any other policies not entirely consistent with these points are modified to be consistent.

1. No lots will be created, whether by subdivision or consent, on Crown or patented lands within the Skyline Reserve or on the islands of Cross Lake.
2. The Municipality recognizes that it is the policy of the Province not to dispose of any Crown lands on lakes with naturally reproducing lake trout populations, including Lake Temagami. Should the Province at any time decide to change this policy such that Crown island disposition would be permitted in some circumstances, prior to that change taking effect the Municipality, in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry, will undertake a Crown Island Lot Creation and Development Study for Lake Temagami, and incorporate the applicable results into the Official Plan.
3. The Crown Island Lot Creation and Development Study will establish the conditions and locational criteria for new lot creation, based on:
  - a sound technical foundation relying on specific and measurable ecological standards and values,
  - locally recognized principles of environmental, economic, and social sustainability, and
  - Consistency with existing development character. (Note - wording mostly from present Plan, section 2.8.2.).
4. The total number of new lots that may be created on Lake Temagami, whether from Crown or patented lands on islands, will not exceed five lots per calendar year, and unused amounts may not be carried forward. Dispositions of Crown islands as single lots will be included in this total. Given this policy and the land division policies of section L.8, any lot creation on islands will normally be by consent. This policy may be reconsidered and varied by the Crown Island Lot Creation and Development Study.

While TLA regrets that the originally contemplated Lot Creation and Development Plan Study was never undertaken as required by the OMB and committed to in the Official Plan, we agree that it would be premature to require such a study at this time. As well, if any study is deferred to such time as MNDMNR's land disposition policies may change, it would then be able to reflect the relevant

Ms. Suzie Fournier/April 18, 2022  
policies, knowledge, and community preferences of that future time.

4

Reference to Study removed from Plan.

As well, we recommend the following more specific changes consistent with the above comments.

*Section D.2.5.2* The first sentence is locationally imprecise, and leaves open the inference that mainland development in other locations is somehow less unacceptable. Given what we have recommended above, there should be no need to refer to mainland development at all. We recommend the first sentence be revised to, "There shall be no new development on *Islands [list names/numbers]*, in order to preserve *the pristine nature of these islands and their environs*".

Comment C – Revised.

*Section E.4.3.1* We recommend this be revised to, "New residential development *shall take* the form of single unit development on islands".

Revised.

*Section E.13* We recommend the following be added to this section:

***Immediately following any disposition of Crown land, the Municipality will amend the Official Plan to change the designation of the land from Crown Land to the designation appropriate to its intended use. Such an amendment will be considered to be a technical amendment not subject to the notice and consultation requirements of section L.6.***

Added.

*Section E.13.3.2* we recommend the following sentence be added: "***However, despite any other policy of this Plan, the Municipality does not support any patent or other Crown land disposition within the Skyline Reserve.***"

Added.

*Section L.23.1.3* Reference to "Lot Creation and Development Plan Study" as a possible supporting study should be removed.

Removed.

\* \* \*

I hope these comments will assist staff, consultants, and Council in their consideration of the draft Plan. We would be pleased to discuss these points further with your consultants at any time.

Yours sincerely,

*[Original signed by]*

Anthony Usher, RPP

cc. Jamie Robinson  
Patrick Townes

Appendix 3  
Temagami First Nation Comments



**TEMAGAMI  
FIRST NATION**

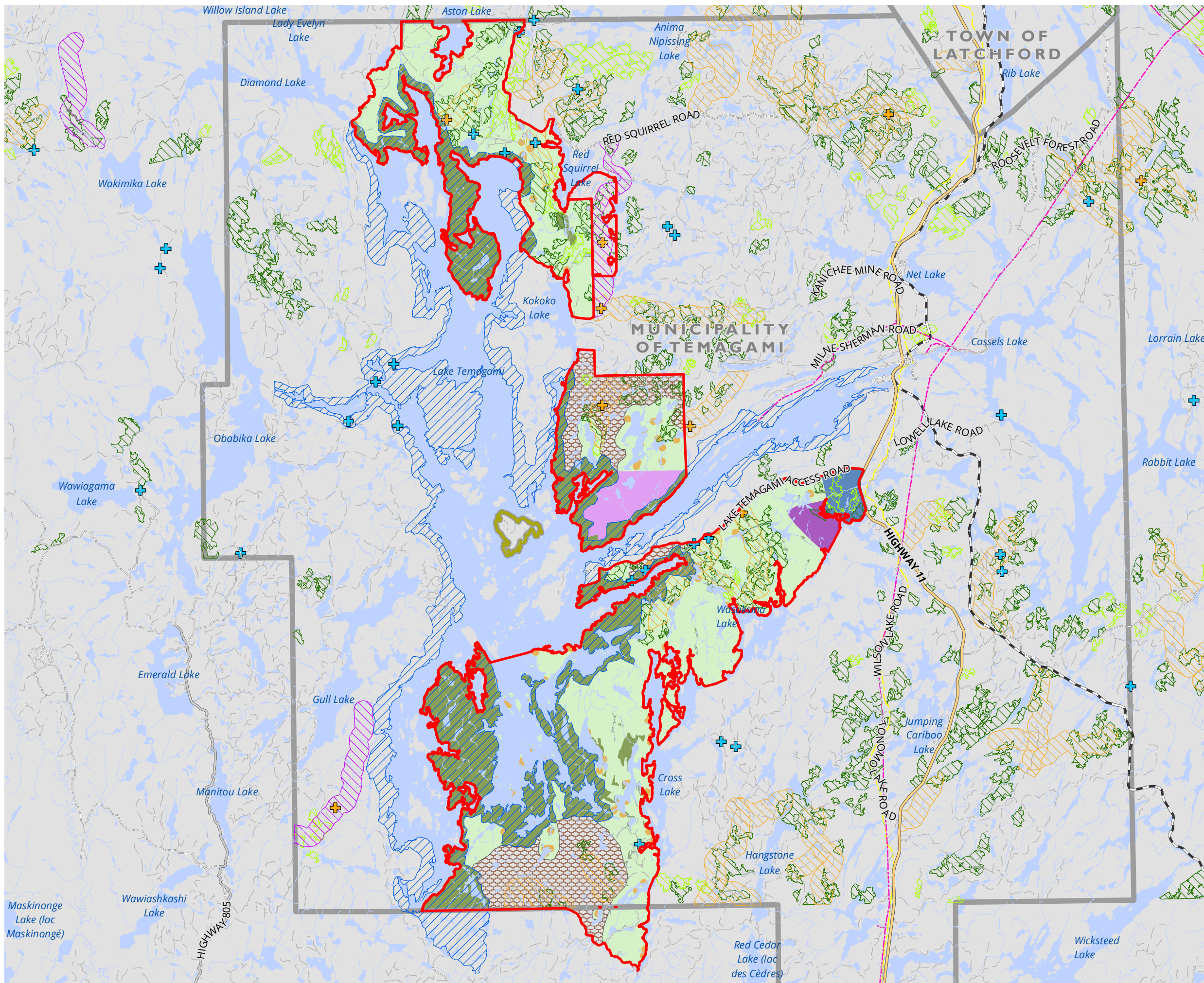
**BEAR ISLAND,  
LAKE TEMAGAMI, ONTARIO P0H 1C0**  
TEL 1.888.737.9884 | 705-237-8943  
FAX 705.237.8959

Municipality of Temagami (MOT) OP

May 16, 2024

- 1) Municipality presentation to Joint Council only recognized Bear Island and did not have any knowledge of Lands Set Aside. Map of LSA to include in their OP as per attached Document.
- 2) Map of Municipal Boundaries', in comparison to n'Daki Menan sent to MOT
- 3) Municipality states In the OP that it recognizes that their Boundary is mostly with n'Daki Menan and homeland of the TFN/TAA. However, section g.1 pg. 45 says "The Municipality is located within the RHT (Treaty 61) area and within the traditional territories of the TAA/TFN. Municipality is not located in the RHT and I have no Idea what Treaty 61, Reference to RHT (Treaty 61) should be removed from the OP.
- 4) OP states that it is willing to work on Land use planning with TFN/TAA, which is a good option
- 5) No mention of the MOU between TFN/TAA and Municipality, should be included as it shows that communities are willing to work together





**TEMAGAMI FIRST NATION  
LAND USE PLAN**

**PROPOSED LAND USE  
PROPOSED SETTLEMENT LANDS  
OPTION 1**

- Proposed Settlement Lands
- Proposed Settlement Lands Potential Addition
- Expressway / Highway
- Arterial Road
- Local Road
- Resource / Recreational Road
- Hydro Line
- Natural Gas Pipeline
- Railway
- Skyline Reserve
- Temagami First Nation Reserve Lands
- Single Tier Municipality
- Water Body

**Forestry Management Unit Access Control**

- Existing
- Proposed

**Forest Management Plan Road Corridor**

- Proposed Branch Road Corridor
- Proposed Primary Road Corridor

**Forest Management Plan Harvest Corridor**

- Contingency Harvest Allocation
- Regular Harvest Allocation

**Proposed Land Use**

- Cultural Heritage Protection and Enhancement
- Environmental Protection
- Holistic Management Area
- Highway Commercial
- Industrial
- Natural Resource Extraction
- Potential New Community Site



MAP DRAWING INFORMATION:  
BASE DATA PROVIDED BY MNRF

MAP CREATED BY: GM  
MAP CHECKED BY: HS  
MAP PROJECTION: NAD 1983 UTM Zone 17N



PROJECT: 188369

STATUS: DRAFT

DATE: 2020-03-11

FILE LOCATION: I:\GIS\188369 - Temagami Land Use Plan\mxd\Proposed Land Use Lands Set Aside Option 1.mxd



**Municipality of Temagami**  
**Track Changes Version of Final Official Plan**

Prepared for Reference Purposes Only – January 23, 2025

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# A PLAN FRAMEWORK

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## A.1 HOW TO USE THE PLAN

### A.1.1 Introduction

A.1.1.1 This Plan has several interrelated components that must be read in order to determine those policies that have an impact on any individual parcel of land within the Municipality of Temagami. For clarity, the Municipality of Temagami Official Plan applies to all lands within the municipal boundary save and except for lands owned by the Federal government, and lands which are part of Indigenous communities. Crown Land and land owned by the Province have been designated as part of this Plan, however the Municipality recognizes that it does not have jurisdiction over these lands.

A.1.1.2 The *Plan Framework*, found in Part A, provides the context and basis within which the general and detailed land use policies have been prepared. The Plan Framework is not part of the Official Plan but should be read in order to understand what the policies strive to achieve.

A.1.1.3 Part B of the Plan consists of the *Purpose, Vision and Objectives* of the Plan that provide that provide direction to establish a policy framework to guide the physical, economic and social development of the Municipality and to protect the natural environment within the Municipality.

A.1.1.4 Part C of the Plan, *Building Temagami* provides background on population and housing as well as housing and economic development policies.

A.1.1.5 Part D of the Plan consists of the General *Land Use Concept* for the Municipality, including policies that apply to the three Neighbourhoods within the Plan.

A.1.1.6 Part E of the Official Plan establishes the Land Use designations and outlines permitted uses and policies for each designation.

A.1.1.7 Part F, *Caring for the Waterfront*, provides general policies that apply to waterfront development.

A.1.1.8 Part G, *Preserving Temagami's Cultural Heritage* includes policies regarding the protection of cultural heritage features.

A.1.1.9 Part H, *Preserving Temagami*, contains policies regarding the Environment and Resources within the Municipality. These policies are to provide protection of natural heritage features and functions including water quality, and other resources.

- A.1.1.10 Part I of the Plan consists of the *Natural Hazard* policies that direct development away from hazards and promote public health and safety.
- A.1.1.11 Part J of the Plan provides ~~servicing~~*Servicing* policies related to infrastructure, roads, lake access and other related service implications.
- A.1.1.12 Part K, *General Policies*, provide policy direction, guidance, measures and procedures to manage and direct physical change and the effects on the social, economic and natural environment of the Municipality.
- A.1.1.13 Part L references *Implementation* policies related to land division, and various mechanisms for implementing the Official Plan.
- A.1.1.14 Part M of the Plan consists of *Interpretation* policies. These policies provide direction to Council regarding administrative matters.
- A.1.1.15 The Schedules designate all land within the Municipality of Temagami in the appropriate Neighbourhood and land use designation. The Schedules that have been included are:
- Schedule A: Land Use
  - Schedule B1: Land Use: Temagami Settlement Area
  - Schedule B2: Land Use: Temagami North Settlement Area
  - Schedule C: Transportation
  - Schedule D: Values
- A.1.1.16 The following process should be used in determining land use designations and identifying the associated policies:
- a) Locate the parcel on the Schedules and determine the appropriate land use designation and other mapped features that may apply to the parcel and adjacent lands;
  - b) Review the Land Use Concept and Land Use designation sections of the Plan that correspond to the Neighbourhood and land use designation(s);
  - c) Review the other policies in Section F to Section L to determine other matters that apply to the parcel and adjacent lands; and,
  - d) Municipal staff may be consulted in determining the land use designation(s) and policies that apply.
- A.1.1.17 Due to the sensitivity of some environmental values and features, the entirety of the information is not shown on Schedule D of the Plan. The Municipality has internal information that is to be used for internal screening purposes and is to be updated if relevant information is updated over the life of this Plan.

## **A.2 CONTEXT**

### **A.2.1 Crown Land**

A.2.1.1 The majority of land (approximately 96%) in the Municipality of Temagami is Crown Land and Crown Land planning policy has greatly shaped the landscape.

### **A.2.2 Urban Neighbourhood**

A.2.2.1 The Temagami Settlement Area is the service centre for the area and is where the municipal administration centre is located. The Temagami North Settlement Area is a residential community servicing the Municipality. Along the Highway 11 corridor these two communities and the rural lands between comprise the Urban Neighbourhood of the Municipality.

### **A.2.3 Lake Temagami Neighbourhood**

A.2.3.1 Lake Temagami has character quite different from other lake communities. There are approximately 1,259 numbered islands in Lake Temagami and most development takes place on these islands. The “Island Only” development pattern was influenced by the Temagami Forest Reserve that was created in 1901, and for the most part precluded mainland development on Lake Temagami.

### **A.2.4 Rural Neighbourhood**

A.2.4.1 The form of development on the numerous other lakes in the Municipality is primarily mainland development, including low density residential development. The overall character of these lake communities and rural areas is essentially one that protects privacy and exists in harmony with the natural environment. This community character is, to a large extent, the reason why people choose to visit or reside (permanently or seasonally) in Temagami.

### **A.2.5 Political History**

A.2.5.1 On January 1, 1998, the Municipality of Temagami was created as a “Town”, by order of the Temagami/West Nipissing Restructuring Commission.

### **A.2.6 Teme-Augama Anishnabai and Temagami First Nation**

A.2.6.1 The Municipality of Temagami is within the Traditional Lands of the Teme-Augama Anishnabai and Temagami First Nation. The Municipality of Temagami would like to work with the Temagami First Nation and Teme-Augama Anishnabai to develop complimentarycomplementary land use policies to the mutual benefit of all.



The Teme-Augama Anishnabai, Temagami First Nation and the Municipality ~~are collaboratively working on~~entered into a Memo of Understanding with the following vision: The Temagami First Nation, the Teme-Augama Anishnabai and the Municipality of Temagami recognizes that future political, economic, social and cultural growth, development and prosperity are dependent upon a positive interdependent relationship with respect to one another's government, laws and citizens and our vision is to achieve this goal by working together.

The Teme-Augama Anishnabai, Temagami First Nation and the Municipality recognize that the Memo of Understanding requires updating.

Mapping and historic information provided by Teme-Augama Anishnabai and Temagami First Nation has been included in this Plan as Appendix 6 and Appendix 7.

## **A.3 BASIS**

### **A.3.1 Background Review**

A.3.1.1 This Plan is based on information collected and summarized in the Background Report. The Background Report relies on existing reports and maps obtained from a number of sources including the Teme-Augama Anishnabai, Temagami First Nation, Provincial Government, Temagami Lake Association, local interest groups, private landowners and industry.

A.3.1.2 Notwithstanding the valuable input received during the Official Plan Review and the resulting Official Plan policies, the Municipality of Temagami acknowledges that the ~~Temagami Crown Land Use Plan for the Temagami Comprehensive Planning Area~~Crown Land Use Policy Atlas is the governing land use planning document applicable to Crown Land within the Municipality of Temagami except in the geographic Township of Sisk. The geographic Township of Sisk was not part of the Temagami Land Use Plan. The Tenets for Temagami (Lake Temagami) are found in Appendix 1 to the Official Plan.

### **A.3.2 Sustainability**

A.3.2.1 The policies of this Official Plan represent an attempt to create a model of sustainable development that will ensure the Municipality's future stability by properly integrating ecological sustainability, economic objectives and social concerns.

# B PURPOSE, VISION AND OBJECTIVES

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## B.1 PURPOSE

### B.1.1 Purpose

B.1.1.1 The purpose of the Official Plan is to establish a policy framework to guide land use and physical development affecting the economic, social, and natural environments within the Municipality to the year 2045.

B.1.1.2 Through this Official Plan, it is the intent of the Municipality to:

- a) Establish and foster a vision of the future for Temagami that reflects the needs and values of both the current and future population; recognize the value of Lake Temagami and the unique semi-wilderness environment around Lake Temagami; and ~~recognize the value of~~ other lakes and lands in the Municipality;
- b) Achieve an orderly pattern of development that makes efficient use of land and infrastructure;
- c) Protect and where possible enhance the quality of the natural environment;
- d) Encourage and support local economic development that is consistent with community values;
- e) Identify and support the community’s social values and priorities with respect to the need for health and welfare, housing, education, services, and a community identity;
- f) Establish balanced policies to evaluate development proposals; and,
- g) Consult with the Teme-Augama Anishnabai and Temagami First Nation in the development and planning process.

## B.2 VISION

The primary goal of this Official Plan is to secure a sustainable future for the community of permanent and seasonal residents. This will be achieved by giving equal weight to three long-term objectives: economic prosperity, social well-being and environmental stewardship.

Land use planning will embrace and enhance Temagami's unique characteristics, especially the pristine health and natural beauty of its lakes and surrounding lands. These physical features together with its rich heritage of diverse peoples define Temagami today, speak to its meaningful history, and guarantee its bright future.

## **B.3 GUIDING PRINCIPLES AND OBJECTIVES**

The following statements of intent and principles are intended to guide land use planning decisions in the Municipality of Temagami.

### **B.3.1 Natural Environment**

B.3.1.1 The Municipality shall recognize the natural environment as the foundation upon which the community rests and shall support the protection of the unique wilderness environment associated with Temagami.

Objectives:

- a) To ensure that new and existing developments respect the conservation of wilderness and semi-wilderness values and characteristics, as well as the community's natural and cultural heritage;
- b) To protect significant cultural and natural heritage resources;
- c) To respect Indigenous communities;
- d) To encourage sustainable coexistence amongst the natural environment, resource extraction, urban, rural and shoreline development;
- e) To maintain and where possible improve existing water quality and fisheries;
- f) To minimize negative impacts to air quality and climate change through site design;
- g) To promote green infrastructure, low impact development, energy efficiency and conservation where feasible;
- h) To recognize and plan for the impacts of a changing climate; and,
- i) To implement the Tenets for Temagami.

### **B.3.2 Community Interest and Engagement**

B.3.2.1 The Municipality shall promote collaboration and equitable public participation in the land use planning process in achieving the objectives of the Official Plan.

Objectives:

- a) To recognize the diverse interests of the community;
- b) To encourage and foster a relationship with Indigenous communities;
- c) To establish communication and engagement processes which will reduce barriers, foster co-operation and ensure co-ordination with all groups and individuals;

- d) To encourage the development of relationships with Provincial government ministries, and neighbouring municipalities on issues of common concern; and,
- e) To encourage the development of partnerships with the Ministry of ~~Northern Development, Mines, Natural Resources and Forestry and~~, the ~~Temagami First Nation~~/Teme-Augama Anishnabai and Temagami First Nation regarding initiatives to develop, use, or manage Crown Land.

### **B.3.3 Economic Opportunity**

B.3.3.1 The Municipality shall support opportunities for a diversified, year-round local economy that provides increased employment opportunities for residents.

Objectives:

- a) To encourage the growth, diversification and vitality of the economy, particularly tourism and recreation sectors as components of the economic base and other emerging and innovative sectors that maintain the character of the Municipality;
- b) To encourage investment in the Municipality's tourism and recreation uses and supporting marketing efforts in order to attract visitors;
- c) To support a creative economy, which includes arts, culture, entertainment and knowledge-based industries in a variety of locations in the Municipality;
- d) To create a diverse, mixed economy based on forestry, mining, manufacturing, recreation, institutional services, services that support local residents and visitors and government services;
- e) To prepare an economic development strategy which addresses the current and future needs of the community;
- f) To ensure compatibility between land uses;
- g) To establish a four-season economy in all sectors; and,
- h) To support the designation of additional lands to ensure a sufficient supply of lands are available to support employment uses.

### **B.3.4 Growth and Development Form**

B.3.4.1 The Municipality shall encourage sustainable development and promote growth which meets the needs of current and future residents.

Objectives:

- a) To promote efficient, cost-effective development and land use patterns;

- b) To explore funding opportunities related to infrastructure projects to support economic development;
- b)c) To direct development to the existing ~~settlement areas~~ Settlement Areas within the Urban Neighbourhood;
- e)d) To ensure that development operates within the limits of a local definition of sustainability and conserves wilderness and semi-wilderness values of the Municipality;
- e)e) To promote development that creates local benefit;
- e)f) To direct development away from areas where there is a risk to public health or safety or of property damage;
- f)g) To ensure sufficient designated lands and the provision of municipally serviced lands to meet projected needs; ~~and,~~
- h) To support the expansion of ~~settlement areas~~ Settlement Areas to ensure sufficient land is available for future residential, commercial and employment needs.; ~~and,~~
- g)i) To explore and secure funding for future infrastructure expenditures.

## C BUILDING TEMAGAMI

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These policies are intended to apply to more than one land use designation and must be read in conjunction with the other policies of this Plan.

### C.1 POPULATION AND HOUSING

#### C.1.1 Introduction

C.1.1.1 Based on the 2021 Census, the permanent population of the Municipality was 862. There are 928 private dwellings and 432 of those dwellings are occupied permanently throughout athe year. The Municipality ~~provides~~consists of resource based recreational properties for a number of seasonal residents and tourists. Youth camps, Provincial Parks, tourist lodges, canoeists, and extended cottage use greatly increase the seasonal population.

C.1.1.2 Clear population and housing targets are difficult to establish in the Municipality of Temagami. The difficulty is the result of a small population base, an economy that is dependent on the more fluid components of the ~~provincial~~Provincial economy such as tourism and resource development, and the fact that some of the population growth may be related to the conversion of residences from seasonal to year-round.

C.1.1.3 The Municipality recognizes the importance of sustaining a stable population in order to maintain both the hard and soft services that the Municipality relies on, including local schools and businesses. The Municipality further recognizes that it needs to attract and maintain younger families, and that a diversified economy and family supportive social and recreational services are important to achieve that goal.

#### C.1.2 Population

C.1.2.1 In recognition of the need to protect the characteristics that make the Municipality desirable while providing opportunities for an economically viable community, a modest increase in population is expected to occur to the year 2045.

C.1.2.2 Although difficult to quantify, it is anticipated that there may be some growth of ~~the new~~ permanent population in the rural areas and shoreline areas may take the form as a result of ~~the~~ conversion of seasonal residences to permanent residences. ~~Seasonal~~ However, it is the policy of the Municipality that housing intended to accommodate permanent population growth may be accommodated in new cottages on new or existing lots, be confined to the Urban Neighbourhood and additional dwellings on existing lots, other road accessible locations.

C.1.2.3 In the ~~settlement areas~~Settlement Areas, a balance between population increase and housing availability will be achieved. However, consideration needs to be given to housing for the aging population and affordable lots and dwelling units for residents.

C.1.2.4 The Municipality recognizes the importance of providing developable lands to accommodate housing that will support new residents in the community and support population growth in that is to be focused to the Urban Neighbourhood.

### **C.1.3 Housing**

C.1.3.1 Given the size of the Municipality, it has the opportunity to offer a variety of living environments in the urban, rural and shoreline settings. It is important to maintain the potential for diversity in style, density and form of development while having regard for the existing development patterns.

C.1.3.2 It is the goal of the Municipality to maintain at least a 5-year supply of residential lots or units and at least a 15-year supply of land designated and available for new residential development and residential intensification in the urban areas. There is a limited inventory of privately and municipally held vacant lots in the Urban Neighbourhood. Many of the vacant lots have constraints to development including topography, and availability of services. Appendix 2 and 3 illustrate the vacant lots in the Temagami Settlement Area and the Temagami North Settlement Area and Appendix 4 provides a summary of the vacant lots. These figures illustrate the limited supply of lands that are available.

C.1.3.3 The Municipality may undertake an amendment to this Plan to enlarge the Temagami Settlement Area and the Temagami North Settlement Area to provide additional lands for residential and non-residential development in order to meet future needs. In order to provide sufficient lands to meet future demand, the Municipality may need to pursue additional Crown Lands from the Province. Settlement Area expansion shall not occur into the Lake Temagami Neighbourhood and shall be consistent with the policies of the Provincial ~~Policy~~Planning Statement.

C.1.3.4 The Municipality has an affordable housing target of 10 percent. This target shall be based on the Provincial definition of affordable housing.

C.1.3.5 It is the policy of the Municipality to permit a wide variety of housing by type, size and tenure in the urban areas of the Municipality. Housing in the urban area may include single detached, semi-detached, mobile home units in mobile home parks and other forms of low, medium and high density residential development.

## C.2 ECONOMIC DEVELOPMENT

### C.2.1 Goal

C.2.1.1 It is the goal of the Municipality to have a diversified, year-round local economy.

### C.2.2 General Policies

C.2.2.1 The policies of this section build on the principles of economic development outlined in the Growth Plan for Northern Ontario and the Provincial Policy Planning Statement.

C.2.2.2 The Municipality recognizes the importance of a healthy local economy. The health of natural resources, lakes and natural heritage features is the foundation of the local economy. The utilization of natural resources, cottage development, seasonal residents, tourism development, access to technology and the public travelling along Highway 11 all contribute to the local economy.

C.2.2.3 Commercial uses will be encouraged to develop and expand to provide for the needs of the year round residents, seasonal residents and tourists. Every effort will be made to increase economic activity in the tourism sector: and to encourage year-round tourism opportunities.

C.2.2.4 The existing commercial structure will be strengthened. The Temagami Settlement Area shall continue to be the central location of retail and service commercial uses for the general population and travelling public. The urban commercial core will be pedestrian friendly, and its visual identity will be strengthened.

C.2.2.5 All commercial uses are permitted in the Temagami Settlement Area. Home occupations, home industries and tourism services may be established in Temagami North, the Lake Temagami Neighbourhood and the Rural Neighbourhood, subject to the policies of this Plan. New industrial development is generally focused to strategic areas in the Temagami Settlement Area to limit impacts on the natural environment and to reduce land use incompatibility.

C.2.2.6 The Municipality shall foster a favourable climate for sustainable economic development and shall promote the Municipality as a desirable location for new business investment by:

- Expediting planning approvals that conform with the policies of this Plan;



- Continuing support for various economic development initiatives which could include the establishment of an Economic Development Corporation;
- Pursuing opportunities to partner with private sector investors to create year-round jobs in the Municipality and improve the experience for residents and tourists alike, when warranted, and financially feasible;
- Pursuing opportunities afforded by the government and corporate agencies, from time to time;
- Providing and maintaining adequate municipal infrastructure and public services to service and support community based economic development;
- Maintaining a supply of serviced, serviceable and unserved land to meet commercial and industrial needs;
- Identifying areas for specific types of development that are key to the economic base of the community. These include lands for future development, tourist facilities, commercial growth and industrial development; and,
- Initiating and/or facilitating programs for commercial core and industrial area revitalization.

C.2.2.7 The Municipality will, where appropriate, facilitate the acquisition and development of Crown Land and resources where it may be utilized for economic development purposes in an environmentally sound manner.

C.2.2.8 Most of the natural resources found in the Municipality of Temagami are held and governed by the Ministry of Natural Resources ~~and Forestry and Forestry~~ on behalf of the Province of Ontario. The Municipality encourages the development of partnerships with the Ministry of Natural Resources ~~and Forestry and Forestry~~ regarding initiatives to develop, use, or manage Crown Land ~~resources~~Resources consistent with the Official Plan and with deference to both the Tenets of Temagami and the Skyline Reserve.

C.2.2.9 The Municipality shall encourage tourism related development and redevelopment that demonstrates sustainable economic, social and environmental practices in all areas of the Municipality, while ensuring that protection of the character of the shoreline areas are key considerations when reviewing applications to establish new tourist commercial uses or expanding tourist commercial uses.

C.2.2.10 The Municipality should look for opportunities for a diversified economic base and encourage investment in the Municipality's tourism and recreation industries supporting marketing efforts in order to continue attracting visitors to the Municipality.

# D GENERAL LAND USE CONCEPT

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## D.1 URBAN NEIGHBOURHOOD

### D.1.1 Introduction

D.1.1.1 The boundary of the Urban Neighbourhood, as shown on Schedule A encompasses the urban area of the Temagami Settlement Area, the Temagami North Settlement Area and rural lands around these two urban areas and along the Highway 11 corridor.

D.1.1.2 Schedules B1 and B2 show the Settlement Area Boundary of the Temagami Settlement Area and the Temagami North Settlement Area.

### D.1.2 Principles and Goals

D.1.2.1 This section sets out land use principles and goals for the Urban Neighbourhood that will help to create a climate that further advances opportunities for economic growth and social development.

### D.1.3 Land Use

D.1.3.1 It is the goal of the Municipality to have ~~settlement areas~~Settlement Areas that provide a variety of housing styles that are affordable, and to provide economic opportunities and lifestyle considerations that support a vibrant year round population and focus growth to ~~settlement areas.~~Settlement Areas.

D.1.3.2 Facilities such as schools, libraries, municipal offices, public works yards and fire stations should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration and active transportation.

D.1.3.3 For the purpose of this Plan, Temagami Shores, Finlayson Provincial Park and Leisure Island ~~Beathouses~~Houseboats are deemed to be within the Settlement Area Boundary of the Temagami Settlement Area and are more specifically described as follows:

- Temagami Shores Inn and Resort – Strathcona RP NR1075, Parts 1 & 2 Parcel 21093NIP, together with Right of Way; and, Strathcona Township, Parcel 18497 NIP, RP 36R10311, Parts 1,2,3,5; RP 36R9321, Parts 1,2,3,4; RP 36R8983, Parts 1,2,, Parcels 28037, 28747, 27278 NIP;
- Finlayson Provincial Park - Strathcona Township - as defined by regulation under the Provincial Parks Act; and,
- Leisure Island Houseboats - Strathy Location ETW 340pt Parcel 15224.

## D.2 LAKE TEMAGAMI NEIGHBOURHOOD

### D.2.1 Introduction

D.2.1.1 The Lake Temagami Neighbourhood is shown on Schedule A and includes islands and mainland areas contained within the Skyline Reserve around Lake Temagami and Cross Lake, but excludes ~~the~~ Bear Island.

D.2.1.2 Lake Temagami has, over the years, developed a distinct character that is easily recognizable to both the occasional visitor and the long-term resident. This character is based on the natural features, historical development patterns, controlled access and the availability of public recreational opportunities. The natural features include the clear water of Lake Temagami and the old growth vegetation in the Skyline Reserve and on the islands. The historical development pattern reflects virtually no mainland development but rather island development. Recreational opportunities, including canoeing, camping, fishing, and lake cruising extend beyond the Neighbourhood through a network of trails and portages. The wilderness values on the mainland and semi-wilderness values on the islands characterize the Lake Temagami Neighbourhood.

### D.2.2 Principles and Goals

D.2.2.1 The land use strategies for this Neighbourhood are based upon the Tenets for Temagami and the Provincial policies for Area 39 applicable provisions of the Temagami Crown Land Use Plan – Policy Atlas. These documents describe the key features and development principles that form the basis of the policies of this section. These principles call for the conservation of wilderness and semi-wilderness values through the preservation of the skyline and its vegetation, island only development, restricted mainland development and restricted access.

D.2.2.2 Goals for the Lake Temagami Neighbourhood, and the Lake itself are as follows:

- To implement the Tenets for Temagami;
- To protect the ecological functions of the Lake Temagami Neighbourhood;
- To ensure the protection of visual aesthetics;
- To protect fish and wildlife resources;
- To maintain high water quality;
- To ensure the character of existing development is reflected in new development;
- To encourage the development of ~~patented land~~ Patented Land before creating new lots from Crown Land;
- To support continuing Crown Land management for the public good and to ensure there is local benefit;

- To ensure long term economic benefits to the area through appropriate development;
- To encourage growth consistent with the policies of this Plan;
- To establish limits to growth to ensure that resources that the economy depends on are managed for long term sustainability; and,
- To establish procedures to guide new development.

### D.2.3 Land Use

D.2.3.1 It is the fundamental principle of the Municipality that private residential development and commercial development in the Lake Temagami Neighbourhood shall only be permitted on the islands in Lake Temagami. This type of development is not permitted within the Skyline Reserve around the lake. It is also a fundamental principle that no further unauthorized access be permitted to Lake Temagami. ~~It is recognized~~The Municipality recognizes that there is a need for improvements at the access point and asupports such improvements need to provide mainland opportunities for services that support the residents and business on Lake Temagami. The Municipality supports the development of an improved access point and limited opportunities for service providers to have mainland access to Lake Temagami. ~~-~~These considerations will be carefully planned and managed in accordance with the policies of this Plan.

D.2.3.2 It is also a goal of the Municipality to preserve the natural environment of Lake Temagami while permitting some development and, therefore some change. However, the anticipated extent of change is such that the wilderness and semi-wilderness values of the Neighbourhood are sustainably conserved. Further, because the visual character presented by Lake Temagami, its islands and shoreline are critical, the Municipality, in conjunction with the permanent and non-permanent residents on Lake Temagami, have developed and adopted development principles for the Lake Temagami shoreline. These principles, commonly referred to as the Tenets for Temagami, are embodied in the Skyline Reserve policies of this Plan.

D.2.3.3 While development is permitted on islands, it shall not be assumed that all islands in Lake Temagami are suitable for development. The suitability of an island or portion of an island for development will be assessed on a site by site basis.

D.2.3.4 On Lake Temagami, a maximum of five (5) lots ~~from patented or Crown Land~~(non-cumulative) shall be permitted per calendar year through lot creation applications.

D.2.3.5 New lot creation by ~~plan~~Plan of ~~subdivision~~Subdivision is not permitted in the Lake Temagami Neighbourhood.

## **D.2.4 Rural Residential**

D.2.4.1 Rural Residential lots are lots located on a municipal road. No Rural Residential lots exist within the Lake Temagami Neighbourhood and none shall be permitted in the future.

## **D.2.5 Prohibited Uses**

D.2.5.1 Mobile homes, mobile home parks, multiple residential structures, development on the mainland unless specifically permitted by this Plan and mineral aggregate extraction in the Skyline Reserve are not permitted in the Lake Temagami Neighbourhood.

D.2.5.2 There shall be no new development on islands in the following areas of Lake Temagami: Kokoko Bay, Pickerel Bay, Partridge Neck, and Couch Bay in order to preserve ~~their~~the pristine nature of these islands and their environs. There shall be no new development on Cross Lake and, no new public roads, or new permanent structures or hunt camps built on the mainland within two (2) kilometres of Cross Lake.

D.2.5.3 There shall be no new public roads within two (2) kilometres of Lake Temagami. There shall be no new permanent structures or hunt camps built on the mainland within two (2) kilometres of Lake Temagami.

## **D.2.6 Skyline Reserve**

D.2.6.1 This Plan recognizes the importance of wilderness and semi-wilderness values as well as the reality that mining and forestry operations will continue to occur over most of the lands within the Municipality.

D.2.6.2 The Skyline Reserve is an area within the Lake Temagami Neighbourhood intended to create a landscape ecology area bordering Lake Temagami. This landscape ecology area is meant to:

- Maintain the lake as a significant recreation and tourism resource;
- Protect significant areas of unique cultural and heritage landscapes; and,
- Protect the high value natural lake trout fishery.

D.2.6.3 In addition, the Skyline Reserve is to be maintained for its aesthetic beauty.

D.2.6.4 The Skyline Reserve is of varying depth back from the shoreline of Lake Temagami and Cross Lake. It consists of the entire mainland shorelines of Lake Temagami and Cross Lake within the Lake Temagami Neighbourhood, and is shown on Schedule D to this Plan. ~~It~~ The external boundary of the Skyline Reserve on Schedule D, and the external boundary of the Lake Temagami Neighbourhood on Schedule A, are one and the same. The Skyline Reserve's external boundary is intended to remain as

~~originally delineated in the Municipality's 2004 Official Plan, except for the addition of Cross Lake in the present Plan. The Skyline Reserve's external boundary reflects Crown forest management dating back to 1935, as currently expressed in the Crown Land Use Policy Atlas. Its continuation as a planning policy applying to both Crown and private land was reaffirmed in the Tenets for Temagami.~~

D.2.6.5 A very small portion of mainland within the Skyline Reserve is patented. Most ~~patented land~~Patented Land is located on islands. The following policies are applicable to ~~patented land~~Patented Land within the Skyline Reserve and are intended to guide the Municipality's discussions with the Province regarding uses permitted in the Skyline Reserve.

D.2.6.6 Permitted Uses on the mainland within the Skyline Reserve shall be limited to:

- Existing tourist commercial uses;
- Forest renewal and maintenance;
- Hunting, trapping, and angling;
- Mineral exploration, subject to the Ontario Mining Regulations;
- Water~~-based-accessible~~ camping;
- Snowmobile, hiking, and ski trails; and,
- Non-extractive resource use, (i.e. trapping, sugar bush, harvesting pine cones).

Uses permitted on ~~specific parcels of land~~Patented Lands on the mainland within the Skyline Reserve shall be limited to the permitted uses listed above and any other legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures except those deemed to be minor ~~by~~in accordance with provisions of the MunicipalitySite Plan Control By-law shall be subject to site plan approval. No new structures shall be permitted on lands designated Restricted Rural/Waterfront - Lake Temagami.

D.2.6.7 The Official Plan does not support the following on Crown Land:

- a) New land use permits, structures or hunt camps in the Skyline Reserve or within two (2) kilometres of the shoreline of Lake Temagami or Cross Lake; ~~and.~~
- ~~b) The conversion of existing land use permits to patented lands, except in the area of the access point and where related to the access point and service uses in accordance with the policies of the Plan.~~

D.2.6.8 ~~Items~~Item a) ~~and b)~~ above ~~do~~does not apply to lands in the Highway 11 corridor, Urban Neighbourhood, extractive uses and operations in accordance with the ~~Temagami~~Crown Land Use ~~Plan~~Policy Atlas or

development on ~~patented lands~~Patented Lands on islands in Lake Temagami.

D.2.6.9 Land use permits are supported by this Official Plan which restrict unauthorized access, and may be issued to prevent access.

~~D.2.6.10 Prior to any development along the shoreline of Lake Temagami from Boatline Bay, through the Manitou and Mine landings and Strathcona Landing, extra scrutiny shall be taken. The matters to be considered include:~~

- ~~• The physical constraints and capability of the land to accommodate the proposed use;~~
- ~~• Compatibility with and separation from other land uses;~~
- ~~• Infrastructure requirements;~~
- ~~• The provision of waste disposal facilities;~~
- ~~• Tourist and lake resident transfer needs;~~
- ~~• The growth of home industries on the islands;~~
- ~~• Tourism related service requirements;~~
- ~~• Health and safety issues regarding the handling of any potentially contaminating materials and wastes, including fuel and sewage; and,~~
- ~~• The need for infrastructure to support the social and economic needs of the Lake Temagami Neighbourhood.~~

## D.3 RURAL NEIGHBOURHOOD

### D.3.1 Introduction

D.3.1.1 The Rural Neighbourhood consists of areas of the Municipality that are not located within the Urban Neighbourhood and not located within the Lake Temagami Neighbourhood. The Rural Neighbourhood is general comprised of lake-based recreational development, rural uses, limited rural residential development, tourist commercial and tourist accommodation uses and resource development such as forestry, mining and aggregate extraction.

### D.3.2 Principles and Goals

D.3.2.1 This section sets out a series of land use principles and goals for the Rural Neighbourhood that protects the environment, while providing opportunities for economic growth. The goals for the Rural Neighbourhood include:

- To protect the ecological functions of the lakes within the Rural Neighbourhood;
- To ensure the protection of visual aesthetics;
- To protect fish and wildlife resources;
- To maintain high water quality;
- To ensure the character of existing development is reflected in new development;
- To encourage the development of Patented Land before creating new lots from Crown Land;
- To support continuing Crown Land management for the public good and to ensure there is local benefit;
- To ensure long term economic benefits to the area through appropriate development;
- To encourage growth consistent with the policies of this Plan;
- To establish limits to growth to ensure that resources that the economy depends on are managed for long term sustainability;  
and,
- To establish procedures to guide new development.

### D.3.3 Land Use

D.3.3.1 It is the fundamental goal of the Municipality for the Rural Neighbourhood to protect natural heritage features while encouraging tourist commercial and tourist accommodation development, and limited residential development throughout the Neighbourhood.



**D.3.4 New Development**

D.3.4.1 Proposals for new lot creation on the Cassels, Net and Rabbit Lake systems will be required to demonstrate that lake capacity exists to support the proposed development.

D.3.4.2 There shall be no new development on Cross Lake; and, no new public roads, or new permanent structures or hunt camps built on the mainland within two (2) kilometres of Cross Lake.

**D.3.5 Prohibited Uses**

D.3.5.1 Mobile homes, mobile home parks and multi-unit attached residential structures are not permitted in the Rural Neighbourhood.

# E LAND USE DESIGNATIONS

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These policies are intended to apply to the various land use designations within the Neighbourhoods.

## E.1 RESIDENTIAL

### E.1.1 Introduction

E.1.1.1 The majority of new residential development in the Municipality will take place on municipal roads in the ~~Village of~~ Temagami Settlement Area and Temagami North. Generally, new urban residential development will take place on land currently designated Residential.

E.1.1.2 The Future Development areas shall be the first areas considered for the expansion of the Residential Designation. Such expansion shall proceed by way of amendment to this Plan.

E.1.1.3 It is the intent of the Municipality that a broad range of housing types and tenure be permitted in the Residential Designation to meet the current and long-term needs of the Municipality.

E.1.1.4 The Residential Designation recognizes the existing and future residential areas in the Temagami Settlement Area and Temagami North Settlement Areas as shown on Schedules B1 and B2.

### E.1.2 Permitted Uses

E.1.2.1 Permitted uses in the Residential Designation include low density, medium density and high density residential uses, secondary dwelling units, bed and breakfast establishments and home occupations. Public uses and institutional uses such as churches, day care centres, libraries, schools, senior citizens housing and parks, public recreational facilities and Neighbourhood Commercial uses are also permitted.

### E.1.3 Low Density Residential

E.1.3.1 Low density residential uses include single detached, semi-detached, and duplex dwelling units.

### E.1.4 Medium Density Residential

E.1.4.1 Medium density residential uses include townhouses, low profile apartment buildings and similar multiple attached dwelling unit buildings.

E.1.4.2 When considering proposals for new medium density residential development, the Municipality shall have regard for the following criteria:

- a) The compatibility of the proposed development and the adjacent land uses;
- b) The screening, planting and/or fencing proposed to buffer the medium density residential development from adjacent low density residential uses;
- c) The suitability of the road network to accommodate the additional traffic;
- d) The ability of the site to accommodate the proposed residential units, associated parking and on site amenities;
- e) The method by which stormwater runoff from the site will be managed;
- f) The massing and orientation of the proposed buildings in comparison to nearby development; and,
- g) The treatment and preservation of existing vegetation.

**E.1.5 High Density Residential**

E.1.5.1 High density residential uses include apartment buildings, retirement homes, long-term care homes and nursing homes.

E.1.5.2 When considering proposals for new high density development, the Municipality shall have regard for the following criteria:

- a) The compatibility of the proposed development and the adjacent land uses;
- b) The screening, planting and/or fencing proposed to buffer the high density development from adjacent medium or low density residential land uses;
- c) The suitability of the road network to accommodate the additional traffic;
- d) The availability of municipal water capacity and sewage disposal capacity;
- e) The ability of the site to accommodate the proposed residential building, accessory buildings, resident and visitor parking and on site amenities;
- f) The method by which stormwater runoff from the site will be managed;
- g) The massing and orientation of the proposed buildings in comparison to nearby development; and,
- h) The treatment and preservation of existing vegetation.

## **E.1.6 Neighbourhood Commercial**

E.1.6.1 Neighbourhood Commercial uses to serve the daily shopping needs of residents are permitted in the Residential land use designation subject to:

- a) The gross floor area of the commercial use or a group of commercial uses shall not exceed 300 square metres;
- b) No more than one commercial structure or building shall be permitted on any site;
- c) Building height shall be limited to one storey unless residential apartments are located on the upper floor in which case the maximum building height shall be two storeys;
- d) Parking and required loading spaces shall be located at the rear of the structure;
- e) Full municipal services are available;
- f) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- g) All required parking shall be provided on the site, cash-in-lieu shall not be accepted by the Municipality;
- h) Driveway access shall be approved by the Municipality; and,
- i) The facility shall be subject to ~~site plan control~~ Site Plan Control.

## **E.2 URBAN COMMERCIAL**

### **E.2.1 Introduction**

E.2.1.1 Commercial development within the ~~Village of~~ Temagami Settlement Area that services the residents, visitors and travelers along Highway 11, is a significant contributor to the economy of the Municipality. The commercial policies of this Plan are intended to maintain and strengthen the commercial sector.

E.2.1.2 The Municipality recognizes that permanent year-round jobs are an important component of a healthy and vibrant community. As market conditions permit, the range of commercial services and facilities provided in the Municipality should expand. In this regard, new commercial uses not contemplated by this Plan, but which will address an identified need, shall be permitted in the appropriate commercial land use designation without amendment to this Plan, subject to satisfying the applicable policies.

E.2.1.3 The Urban Commercial land use designation recognizes existing and future commercial areas in the Urban Neighbourhood.

### **E.2.2 Permitted Uses**

E.2.2.1 Permitted uses include retail and service commercial facilities, tourist commercial and highway commercial uses, professional offices,

entertainment facilities, neighbourhood commercial uses, restaurants, higher density residential uses such as apartment buildings, ~~subject to the provisions of Section F.1.5,~~ accessory apartments above commercial uses, and public uses.

### **E.2.3 General Policies**

E.2.3.1 The Urban Commercial land use designation shall provide the largest concentration and widest range of facilities and shall function as the primary service centre within the Municipality.

E.2.3.2 Urban Commercial uses shall be subject to ~~site plan control~~Site Plan Control.

## **E.3 HIGHWAY COMMERCIAL**

### **E.3.1 Introduction**

E.3.1.1 The Highway Commercial land use designation applies to uses typically requiring highway access and exposure. Recognizes existing highway oriented commercial use including recreational commercial, accommodation commercial and tourist commercial facilities located in the Urban Neighbourhood.

### **E.3.2 Permitted Uses**

E.3.2.1 Permitted uses include highway oriented commercial uses including recreational commercial, accommodation commercial, retail commercial and tourist commercial facilities, restaurants, motor vehicle sales and service outlets, service stations, tourist outfitters, inspections stations for invasive species.

### **E.3.3 General Policies**

E.3.3.1 In considering the designation of new areas for Highway Commercial Uses, consideration shall be ~~had given~~ to the existing supply of Highway Commercial Uses, proximity to the ~~Village of Temagami~~Settlement Area, proximity to residential uses, safe access and egress and potential environmental impacts.

E.3.3.2 In approving new Highway Commercial uses, the Municipality shall consult with the Ministry of Transportation regarding access points, sight lines, setbacks and other matters that fall within the jurisdiction of the Ministry of Transportation.

E.3.3.3 Highway Commercial uses shall be subject to ~~site plan control~~Site Plan Control.



## **E.4 RESIDENTIAL WATERFRONT – LAKE TEMAGAMI**

### **E.4.1 Introduction**

E.4.1.1 The Residential Waterfront – Lake Temagami land use designation applies to Patented Land on the islands of Lake Temagami and Cross Lake, except those lands that are designated Tourist Commercial.

### **E.4.2 Permitted Uses**

E.4.2.1 Permitted uses include existing and new low density residential uses on islands, including the following accessory uses: home occupations, home industries, cabin secondary dwelling units, sleep cabins and contractor's yards.

### **E.4.3 General Policies**

E.4.3.1 New residential development shall take the form of single unit development on islands.

E.4.3.2 New lots shall generally have a minimum lot area of 1 hectare and a minimum lot frontage of 90 metres. New lots less than 1 hectare in lot area will require a hydrogeological assessment.

E.4.3.3 The Zoning By-law shall establish a Shoreline Residential Zone for those ~~patent lands~~ Patented Lands on islands on Lake Temagami.

E.4.3.4 All development in the Residential Waterfront - Lake Temagami Designation shall be in accordance with the general policies found in Sections F to K of this Plan.

E.4.3.5 New residential development shall be subject site plan approval.

## **E.5 RESIDENTIAL WATERFRONT**

### **E.5.1 Introduction**

E.5.1.1 The Residential Waterfront land use designation applies to Patented Land on the shoreline of lakes in the Municipality that are not located in the Temagami Urban area, Temagami North or on Lake Temagami.

### **E.5.2 Permitted Uses**

E.5.2.1 Permitted uses include existing and new low density residential uses on islands, including the following accessory uses: home occupations, home industries, cabin secondary dwelling units, sleep cabins and contractor's yards.

### **E.5.3 General Policies**

E.5.3.1 New residential development shall primarily take the form of single unit shoreline development.

~~E.5.3.2~~ New lots shall generally have a minimum lot area of 1 hectare and a minimum lot frontage of 60 metres. New lots less than 1 hectare in lot area will require a hydrogeological assessment.

~~E.5.3.2~~~~E.5.3.3~~ The Zoning By-law shall establish a Shoreline Residential Zone for ~~patent lands~~Patented Lands.

~~E.5.3.3~~~~E.5.3.4~~ All development in the Residential Waterfront Designation shall be in accordance with the general policies found in Sections F to K of this Plan.

~~E.5.3.4~~~~E.5.3.5~~ New residential development shall be subject to site plan approval.

## ~~E.6~~ **LAKE SERVICE DESIGNATION**

### ~~E.6.1~~ **Introduction**

~~E.6.1.1~~ The Lake Service Designation applies to uses that provide services to residential and tourist commercial lots on lakes within the Municipality, but are not commercial in nature and exhibit characteristics commonly associated with a light industrial use.

### ~~E.6.2~~ **Permitted Uses**

~~E.6.2.1~~ Permitted uses in the Lake Temagami Service designation include waterfront landings, storage and laydown areas for construction materials and aggregate materials, buildings for the storage of materials and equipment associated with the delivery of services to residential and tourist commercial lots on Lakes and the assembly of products that service residential and tourist commercial lots.

### ~~E.6.3~~~~A.1.1~~ **General Policies**

~~E.6.3.1~~ Lots within the Lake Service designation may have accessory structures and facilities including, but not limited to an accessory office, docks, and boat launch.

~~E.6.3.2~~ Storage areas shall be screened from view from the lake.

~~E.6.3.3~~ The access path to the water should be limited in width, and if possible, not perpendicular to the shoreline to limit potential impact on views from the lake.



~~E.6.3.4~~ — ~~Vegetation within 10 metres of the Lake shall be maintained in a natural state with the exception of the limited area for access to the water.~~

~~E.6.3.5~~ — ~~The Zoning By-law shall establish implementing zone standards.~~

~~E.6.3.6~~ — ~~Lots within the Lake Service designation shall be subject to site plan control.~~

~~E.6.3.7~~ — ~~The Municipality may undertake a study to identify lands suitable for the Lake Service Designation in order to support the needs of residential and tourist commercial uses on Lake Temagami. At the time of preparation of the Plan, there are not currently any lots within the Lake Service Designation.~~

## **E.7E.6 TOURIST COMMERCIAL**

### **E.7.1E.6.1 Introduction**

~~E.7.1.1~~E.6.1.1 — The Tourist Commercial land use designation recognizes existing commercial recreational and tourist facilities that serve lake residents and visitors.

### **E.7.2E.6.2 Permitted Uses**

~~E.7.2.1~~E.6.2.1 — Permitted uses in the Tourist Commercial Designation include:

- a) Motels (not permitted in Lake Temagami Neighbourhood and the Rural Neighbourhood);~~);~~
- b) Tourist lodges;
- c) Tourist cabin rental establishments;
- d) Youth and adult camps;
- e) Tourist outfitters;
- f) Marinas (not permitted in the Rural Neighbourhood);
- g) Floatplane base;
- h) Restaurants ~~(not permitted in Rural Neighbourhood);~~);
- i) Outfitters base camps;
- j) Outpost camps;
- k) Existing houseboat operators; and,
- l) Accessory residential dwelling unit.

### **E.7.3E.6.3 Expansion of Existing Tourist Commercial Uses**

~~E.7.3.1~~E.6.3.1 — In considering applications for expansion of existing Tourist Commercial uses the following shall be considered:

- a) The expanded use can be appropriately serviced;
- b) The scale of the expansion is appropriate for the site;
- c) Sufficient parking exists (this includes lake access parking where applicable);

- d) The expansion is compatible with surrounding land uses;
- e) The expansion does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- f) The expansion does not negatively impact water quality or the natural environment;
- g) Where applicable, shoreline vegetation is maintained or improved; and,
- h) Site ~~plan control~~Plan Control is applied.

#### **E.7.4E.6.4 New Tourist Commercial Uses**

**E.7.4.1E.6.4.1** New Tourist Commercial Uses shall demonstrate:

- a) The use can be appropriately serviced;
- b) The scale of the use is appropriate for the lot frontage and lot area;
- c) Sufficient parking exists (this includes lake access parking where applicable);
- d) The use is compatible with surrounding land uses;
- e) The use does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- f) The use does not negatively impact water quality or the natural environment;
- g) Where applicable, shoreline vegetation is maintained or improved;
- h) A suitable dock location exists, where applicable;
- i) A study which includes an inventory of all existing natural heritage features both on the site and in the water adjacent to the site, if applicable;
- j) A study of all cultural heritage features on or in proximity to the site, if applicable; and,
- k) Site ~~plan control~~Plan Control is applied.

**E.7.4.2E.6.4.2** In the Rural–Lake Temagami Neighbourhood and the Rural Neighbourhoods, the following additional requirements must be met:

- a) Tourist Commercial establishments shall be located no closer together than one (1) kilometre, straight line distance from another tourist commercial establishment;
- b) Tourist Commercial establishments shall be located at least one (1) kilometre, straight line distance, from any municipal road or water access point; and,
- c) Tourist Commercial establishments shall be located at least 500 metres straight line distance from any residential property.

#### **E.7.5E.6.5 Conversions of Tourist Commercial Uses to Residential Uses**

**E.7.5.1E.6.5.1** The Official Plan does not support the conversion of a Tourist Commercial use to a residential use. Tourism has an important role to the

local economy and the conversion of Tourist Commercial uses to residential use can negatively impact the tourism economy.

~~E.7.5.2~~E.6.5.2 Where the conversion of a Tourist Commercial use is proposed, an amendment to the Official Plan shall be required. In support of the amendment, it must be demonstrated that there is a surplus supply of Tourist Commercial land in the Municipality and the subject Neighbourhood over the short and long term in order to justify the conversion.

~~E.7.5.3~~E.6.5.3 Any conversion shall also demonstrate:

- a) The use can be appropriately serviced;
- b) Sufficient parking exists (this includes lake access parking where applicable);
- c) The use is compatible with surrounding land uses;
- d) The use does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- e) The use does not negatively impact water quality or the natural environment;
- f) Where applicable, shoreline vegetation is maintained or improved;
- g) A suitable dock location exists, where applicable; and,
- h) Site ~~plan control~~Plan Control is applied.

~~E.7.5.4~~E.6.5.4 Consideration of the conversion of part of a lot on which a Tourist Commercial use is located to residential use may be given if it can be demonstrated that the lands to be converted are surplus to the tourist commercial use and it can be demonstrated that the conversion does not negatively impact the integrity and viability of the existing Tourist Commercial operation and the ability of the remainder of the lot to continue to be used for Tourist Commercial uses.

### ~~E.7.6~~E.6.6 **Conversion of Youth Camps to another Tourist Commercial Use**

~~E.7.6.1~~E.6.6.1 A Zoning By-law Amendment may be required, subject to the requirements of the Zoning By-law. A Site Plan Control Agreement will be required and the new use shall be subject to the policies of this plan that apply to new Tourist Commercial uses.

### ~~E.7.7~~E.6.7 **Special Policies**

~~E.7.7.1~~E.6.7.1 Boatline Bay Marina is permitted as a Tourist Commercial use but the uses on the site are limited to a marina and accessory uses.

~~E.7.7.2~~E.6.7.2 The Tourist Commercial land use designation for Camp Wanapitei recognizes the youth camp and accessory uses located on the westerly portion of the site and the tourist lodge and accessory uses located on the easterly portion of the site. These uses shall be recognized in the Zoning By-law.

~~E.7.7.3~~E.6.7.3 Notwithstanding any other policies of this Plan, the Tourist Commercial uses on Island 1022 in Lake Temagami shall be limited to eight (8-) housekeeping cabins.

~~E.7.7.4~~E.6.7.4 This Plan shall permit a Tourist Commercial use on lots which historically contained a Tourist Commercial use. Notwithstanding this, appropriate zoning must be provided and the policies of this Plan for new Tourist Commercial Use shall apply.

## ~~E.8~~E.7 **INDUSTRIAL**

### ~~E.8.1~~E.7.1 **Introduction**

~~E.8.1.1~~E.7.1.1 The Municipality supports various economic development initiatives. It is the intent of the Municipality that industrial uses be consolidated in specific areas. Land designated for Industrial use is shown on Schedule A. Ensuring there is a sufficient supply of Industrial designated land is important to support the local year round economy.

~~E.8.1.2~~E.7.1.2 The Industrial land uses designation recognizes existing and future industrial areas in the Municipality. It is the intention of the Municipality to maintain flexibility to accommodate non-hazardous (as defined by the *Environmental Protection Act*) and non-obnoxious (as defined by the *Public Health Act*) resource and non-resource related industries in designated industrial areas to minimize potential land use conflicts.

### ~~E.8.2~~E.7.2 **Permitted Uses**

~~E.8.2.1~~E.7.2.1 Permitted uses within the Industrial land use designation include a full range of non-hazardous and non-obnoxious resource and non-resource related industries including manufacturing, the processing of goods, warehousing and the servicing and storage of goods, materials and equipment.

### ~~E.8.3~~E.7.3 **General Policies**

~~E.8.3.1~~E.7.3.1 A proposal to establish an industry characterized as a 'wet industry' shall be accompanied by a servicing study that identifies the impact of the industry on the municipal water supply and sewage disposal systems.

~~E.8.3.2~~E.7.3.2 Within the Industrial designation the outside storage of goods and materials shall be limited to those areas that are not in the direct view of the public. The outside storage of goods and materials may be screened from public view through the use of fences, berms and landscaping, or the outside storage may take place in a relatively isolated area, out of public view.

~~E.8.3.3~~E.7.3.3 Industrial uses shall be serviced in accordance with the servicing policies of this Plan.

#### **E.8.4E.7.4 New Industrial Development**

~~E.8.4.1~~E.7.4.1 New industrial development outside areas designated Industrial shall require an amendment to the Official Plan and shall be subject to ~~site plan control~~Site Plan Control. New industrial development in areas designated Industrial shall be subject to ~~site plan control~~Site Plan Control.

~~E.8.4.2~~E.7.4.2 In approving an industrial site plan, the Municipality shall have regard to the requirements of the *Planning Act* and shall give special consideration to the methods proposed to screen and buffer the industrial use from adjacent uses and ~~road~~roads.

~~E.8.4.3~~E.7.4.3 Temporary industrial uses on Crown land permitted by a Forestry Management Plan or the *Mining Act* are not subject to the policies of this Plan.

#### **E.8.5E.7.5 Special Industrial Designation**

~~E.8.5.1~~E.7.5.1 The policies of this section apply to those lands identified as Special Industrial Designation on Schedule A to this Plan.

~~E.8.5.2~~E.7.5.2 Notwithstanding the permitted uses in the Industrial land use designation, the uses permitted on these lands shall be restricted to 'dry' industrial uses, unless the applicant is able to demonstrate the ability to meet either the Health Unit or the Ministry of the Environment, Conservation and Parks' requirements for a sewage disposal system. 'Dry' industrial uses are those uses which do not have 'process' water flowing to septic tanks or into Link Lake. Accessory uses to the permitted industrial uses shall not include sensitive land uses such as residences, day care centres, educational or health facilities. Mineral exploration and mining, authorized under the *Mining Act* with applicable approved closure/rehabilitation plans, are also permitted uses.

~~E.8.5.3~~E.7.5.3 Implementation of the above policy shall include a site specific zoning which places the lands in a ~~holding~~ ~~category~~ ~~in~~ ~~accordance~~ ~~with~~ Section ~~36~~ ~~(1)~~ ~~of~~ ~~the~~ ~~Planning~~ ~~Act~~, restricting the permitted uses to those noted in the paragraph above and that further requires all buildings and structures to be ~~set back~~setback a minimum of 15 metres from the Link Lake shoreline.

~~E.8.5.4~~E.7.5.4 Prior to approving any development, an erosion and sedimentation control plan (construction mitigation plan) shall be required for each lot describing how erosion will be minimized and sediment will be retained on site throughout all phases of construction in order to ensure downstream areas are not adversely affected during the construction phase.

~~E.8.5.5~~E.7.5.5 There are portions of the land identified on Schedule A as having high potential for archaeological and cultural heritage resources; however,

due to the extensive disturbance on the site, impacts to these potential resources are minimal. If archaeological remains, burials or other significant cultural heritage resources are identified on the lands at any stage of the re-development process, contact is to be made with staff of the Ministry of Heritage, Sport, Tourism and Culture Industries.

## **E.9.E.8 RURAL**

### **E.9.1E.8.1 Introduction**

**E.9.1.1E.8.1.1** The Rural designation includes all ~~patented lands~~Patented Lands in the Municipality that are not in the Temagami Settlement Area or Temagami North Settlement Area and are not located on the shoreline of a lake or within another Commercial or Industrial land use designation. The Rural designation accommodates a range of uses including agriculture, forestry, open space, rural residential, small-scale commercial and rural industrial operations, aggregate extraction, and mining. Over the lifetime of this Plan, the Rural area will experience limited development and is intended to maintain its rural character and preserve the natural environment.

### **E.9.2E.8.2 Permitted Uses**

**E.9.2.1E.8.2.1** Permitted uses include agriculture uses, forestry, open space, single detached residential dwellings, bed and breakfast operations, secondary dwelling units, small-scale commercial, industrial operations, tourist commercial uses, institutional uses, pits, mineral exploration and development, resource management activities, home occupations, home industries and contractor's yards.

**E.9.2.2E.8.2.2** Agricultural uses shall be ~~encouraged not to locate~~permitted in proximity to watercourses or waterbodies. The Zoning By-law shall include setback provisions from watercourses and waterbodies.

**E.9.2.3E.8.2.3** Small-scale commercial and industrial uses may be permitted by Amendment to the Zoning By-law where the use has a low traffic generation, no nuisance effects on surrounding areas, a scale consistent with existing uses, and minimal environmental impact. Before considering such an Amendment, Council shall be satisfied that:

- a) The size of the proposed commercial or industrial use is appropriate for the area;
- b) The building housing the use is set back an appropriate distance from adjacent uses and from lot lines;
- c) The use is located at least 500 metres from lands within the Residential Waterfront Designation, the Temagami ~~Urban~~Settlement Area or the Temagami North Settlement Area;
- d) No outside storage shall be permitted;

- e) Any noise emanating from the use will not have an adverse impact on the enjoyment of adjacent properties; and,
- f) The use can be appropriately serviced with water, sanitary and stormwater.

~~E.9.2.4~~E.8.2.4 The lands designated Rural shall be placed in specific zones in the Implementing Zoning By-law to reflect existing uses.

~~E.9.2.5~~E.8.2.5 Forestry operations are encouraged to follow sound forest management practices and shall be set back from all shorelines an appropriate distance so that clearing and cutting operations do not impact the visual quality and character of the shoreline from the waterbody on ~~patented lands.~~Patented Lands. Clear cutting shall be prohibited within 300 metres of any lake- and shall respect the policies of the Skyline Reserve.

~~E.9.2.6~~E.8.2.6 The establishment of new sand and gravel aggregate operations or the expansion of existing operations shall be subject to the policies of this Plan and the *Aggregate Resources Act*, and shall require an Amendment to the Zoning By-law.

~~E.9.2.7~~E.8.2.7 New Quarry Operations shall require an Official Plan Amendment and shall be placed in the Mineral Aggregate Designation.

~~E.9.2.8~~E.8.2.8 Extractive uses shall also be subject to Site Plan Control where matters are not addressed in the *Aggregate Resources Act*, its regulations, or the provisions of a licence of *Aggregate Resources Act* site plan.

~~E.9.2.9~~E.8.2.9 In reviewing Planning Act applications to permit new pits or quarries, or expansions to existing operations Council shall consider the following:

- a) The natural heritage features and ecological functions on the site and in the area;
- b) Nearby communities and residential uses;
- c) Agricultural resources and activities;
- d) The character of the area;
- e) The quality and quantity of groundwater and surface
- f) The cultural heritage resources in the area;
- g) Significant geologic formations on the site and in the area;
- h) Nearby wells used for drinking water purposes;
- i) Ground water recharge areas;
- j) The effect of the increased truck traffic;
- k) The suitability of the proposed haul routes;
- l) The effect of the noise, odour, dust and vibration generated by the proposed use and the use of the haul route on adjacent land uses; and,
- m) How the site can be progressively rehabilitated.



## **E.10.1E.9 MINERAL AGGREGATE**

### **E.10.1E.9.1 Introduction**

E.10.1.1E.9.1.1 The Mineral Aggregate land use designation recognizes existing mineral aggregate extraction operations. Where possible, priority shall be given to utilizing aggregate resources outside the Urban Neighbourhood in order to minimize impacts on the greatest number of existing residents.

### **E.10.2E.9.2 Permitted Uses**

E.10.2.1E.9.2.1 Uses permitted in the Mineral Aggregate designation include pits, quarries, crushing, stockpiling, concrete batching plants and asphalt plants.

E.10.2.2E.9.2.2 Aggregate extraction is not permitted in the Skyline Reserve.

### **E.10.3E.9.3 General Policies**

E.10.3.1E.9.3.1 The establishment of a new mineral aggregate operation in the Mineral Aggregate designation, shall be subject to an amendment to the Zoning By-law and shall satisfy the provisions of the *Aggregate Resources Act*. Where the aggregate resource is located on Patented Land, the proponent shall enter into an agreement with the Municipality. Such an agreement shall include:

- a) Provisions for the sequential rehabilitation of the site as extraction proceeds and for the ultimate rehabilitation of the site after the operation ceases, including a site plan;
- b) Specified times for blasting and crushing operations;
- c) Visual screening;
- d) Provision for the use and maintenance of access roads;
- e) The method of processing or treating waste water or other pollutants such as engine oil; and,
- f) The requirements for certain financial guarantees related to road maintenance and pit rehabilitation.

## ~~E.11~~E.10 PARKS AND OPEN SPACE

### ~~E.11.1~~E.10.1 Introduction

~~E.11.1.1~~E.10.1.1 The Parks and Open Space land use designation recognizes existing municipal parks, certain community and passive open space areas in the Urban Neighbourhood.

## **E.11.2E.10.2 Permitted Uses**

E.11.2.1E.10.2.1 Permitted uses include active and passive parks and open space areas. Community facilities such as community centres and arenas shall be subject to a Zoning By-law amendment and ~~site plan control~~Site Plan Control.

## **E.12E.11 FUTURE DEVELOPMENT**

### **E.12.1E.11.1 Introduction**

E.12.1.1E.11.1.1 The Future Development designation recognizes areas both inside and outside the ~~settlement areas~~Settlement Areas where the potential for development may exist, but where the lands may not be required to meet the ~~30~~20 year land needs of the Municipality or where site development constraints remain unresolved.

### **E.12.2E.11.2 Permitted Uses**

E.12.2.1E.11.2.1 Permitted uses shall be existing uses and detached dwellings.

### **E.12.3E.11.3 General Policies**

E.12.3.1E.11.3.1 In approving an Official Plan amendment to re-designate Future Development land, the Municipality shall consider the following:

- a) The need for additional land, if it is to be used for residential purposes;
- b) The use for which the land is needed and compatibility with existing and future adjacent uses;
- c) The need for and availability of municipal water and sewer services;
- d) A Servicing Options Study;
- e) The adequacy of road access;
- f) The need and cost to extend other services;
- g) The potential impact of the development on natural resources; and,
- h) The potential impact on the ability of the remaining Future Development land to develop in an efficient manner.

E.12.3.2E.11.3.2 Redesignation of Future Development lands outside the ~~settlement areas~~Settlement Areas is considered to be an expansion of the ~~settlement area~~Settlement Area boundary, and in addition to the above matters, the Municipality shall also consider:

- a) Whether the amendment is based on a review of population and growth projections; considers alternative directions for growth; and

- determines how best to accommodate this growth while protecting ~~provincial~~Provincial interests;
- b) Whether the amendment utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- c) Whether the amendment is integrated with planning for infrastructure and public service facilities; and,
- d) Whether the amendment considers cross-jurisdictional issues.

~~E.12.3.3~~E.11.3.3 The Municipality may allow the expansion of a ~~settlement area~~Settlement Area boundary only where ~~the following~~ the following has been ~~demonstrated that~~considered:

- ~~a) Sufficient opportunities for growth are not available through intensification, redevelopment and designated development areas to accommodate the projected needs over the identified planning horizon; and,~~
- ~~a) The~~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 which are planned or available are suitable;~~
- ~~c) Whether the new or expanded Settlement Area complies with the minimum distance separation formulae if applicable; and,~~
- ~~b)d) The new of expanded Settlement Area provides for the phased progression of urban development over the long term and protect public health and safety.~~

~~E.12.3.4~~E.11.3.4 Any existing development within the Future Development land use designation may be recognized in the implementing Zoning By-law.

~~E.12.3.5~~E.11.3.5 The Municipality may consider rezoning land within the Future Development land use designation to permit new development related to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses on a ~~site~~site-specific basis without the need for an amendment to this Plan and without carrying out the study referred to in this section. However, prior to approving a rezoning application, the Municipality shall be satisfied that:

- a) There is adequacy of road access;
- b) There is adequate municipal water and sewer services available; and,
- c) The development will not negatively impact the ability of the remaining Future Development land to develop in an efficient manner.

## **E.13E.12 CROWN LAND**

### **E.13.1E.12.1 Introduction**

~~E.13.1.1~~E.12.1.1 The majority of land within the Municipality of Temagami is Crown Land. The ~~Temagami Crown Land Use Plan for the Temagami Comprehensive Planning Area, (MNR, 1997), Policy Atlas~~ is the governing land use planning document applicable to Crown Land within the Municipality of Temagami. Nothing in the Official Plan shall be interpreted as infringing on the Provincial authority.

~~E.13.1.2~~E.12.1.2 The Province follows a comprehensive planning process for all Crown Land planning matters. The process includes consultation with the public and with municipal government. It is anticipated that the Province will use the policies of the Official Plan as a guideline for discussions with the Municipality of Temagami regarding land use decisions on Crown Land within the Municipality.

~~E.13.1.3~~E.12.1.3 The Crown Land designation recognizes those Crown Land areas where resource management activities and recreational uses may be integrated. To achieve this, resource extraction activities shall be carefully managed to ensure compatibility with the significant uses and values.

~~E.13.1.4~~E.12.1.4 Immediately following any disposition of Crown ~~land~~Land, the Municipality will amend the Official Plan to change the designation of the land from Crown Land to the designation appropriate to its intended use. ~~Such an amendment will be considered to be a technical amendment not subject to the notice and consultation requirements of Section L.6.~~

~~E.12.1.5~~ The Municipality may support the disposition of Crown land to support economic development initiatives and housing initiatives in the Municipality.

### **E.13.2E.12.2 Permitted Uses**

~~E.13.2.1~~E.12.2.1 Uses permitted within the Crown Land designation are limited to low intensity recreational uses such as campsites, ~~provincial parks and conservation areas~~.Provincial Parks and Conservation Areas. Permitted uses shall respect the Tenets for Temagami and the policies that apply to the Skyline Reserve.

~~E.13.2.2~~E.12.2.2 Other permitted uses include commercial timber harvesting, and mining and they shall be carefully managed in order to ensure compatibility with other permitted uses.

### **E.13.3E.12.3 General Policies**

~~E.13.3.1~~E.12.3.1 Access to lakes within the Crown Land ~~shall~~may be controlled. Access by existing municipal road or lake access point, motorboat, canoe,

trail (snowmobile, ATV, cross-country ski, hiking, mountain bike, and horse) is permitted.

~~E.13.3.2~~E.12.3.2 The Municipality of Temagami Official Plan supports land use permits and additional ~~patent lands~~Patented Lands that are in accordance with the goals and policies of this Plan. However, despite any other policy of this Plan, the Municipality does not support any ~~patent~~Patent or other Crown Land disposition within the Skyline Reserve.

~~E.13.3.3~~E.12.3.3 No new public roads and no new permanent structures are to be located within two (2) kilometres of Cross Lake.

~~E.13.3.4~~ — ~~Commercial timber harvesting is, but shall be carefully managed in order to ensure compatibility with other permitted uses and values.~~

~~E.13.3.5~~E.12.3.4 The Municipality encourages the Province to have regard to the ~~Municipal~~Municipality's Official Plan when issuing land use permits or disposing of Crown Land.

## **E.13.4E.12.4 Municipal Objectives**

**E.13.4.1E.12.4.1** The following objectives are intended to guide Municipal discussions with the Ministry of Natural Resources ~~and Forestry~~ throughout their planning process with regard to Crown Land, the creation of new access roads and lake access points, the issuance of land use permits and patents, and the approval of amendments to the ~~Temagami~~Crown Land Use ~~Plan~~Policy Atlas to permit new development. In addition, the Ministry of Natural Resources ~~and Forestry~~ support for these objectives will ensure that the Municipality can respond to the Ministry Natural Resources in a timely fashion on land use matters when called upon to do so. It is the hope of the Municipality that no decision or decisions, either individually or cumulatively, be made that would compromise the ability of the Municipality to achieve these long-term objectives:

- To recognize and protect land with sensitive natural features;
- To protect the quality of lake water;
- To recognize and protect land with high potential for recreation, forestry and mining;
- To encourage the proper management of resources in order to minimize negative environmental impact;
- To harmonize, to the extent possible, municipal objectives with the Temagami First Nation and the Teme-Augama Anishnabai objectives;
- To conserve the wilderness or semi-wilderness character of the Municipality so that in the future everyone can enjoy the existing character of the Temagami area;
- To ensure that new development conforms to the provisions of this Plan and the implementing Zoning By-law;
- To ensure new development will contribute to the long-term health and safety of the residents and the financial and economic well-being of the municipality;
- To establish a partnership between the Municipality and the Ministry Natural Resources to co-ordinate their respective activities and policies to ensure effective and efficient administration of land; and,
- To encourage private parking agreements on Crown Land be made available to individuals who access their properties from Crown.

## **E.14E.13 CROWN LAND - PROTECTED AREA**

### **E.14.1E.13.1 Introduction**

**E.14.1.1E.13.1.1** The Crown Land - Protected Area land use designation ~~that includes Crown land~~consists of the Provincial Parks and Conservation Reserves

within the Municipality. These include Crown Land with representative 'old growth' red and white pine sites, some watersheds containing the headwaters of rivers flowing through the wilderness park, significant wetlands, provincially significant ecological and geological features and significant recreation areas and applies to a portion of Temagami Island. These lands also include Provincial Parks and Conservation Reserves.

### **E.14.2E.13.2 Permitted Uses**

E.14.2.1E.13.2.1 Permitted uses within the Lake Temagami Neighbourhood are limited to those uses permitted in the Skyline Reserve. Outside of the Lake Temagami Neighbourhood, permitted uses include low intensity, non-consumptive recreation and tourism, such as small cabins, hunt camps and warm-up shelters for day use and campsites; along with activities to ensure the protection of significant ecological values/features.

### **E.14.3E.13.3 General Policies**

E.14.3.1E.13.3.1 Access to the Protected Area shall be by air, snow vehicle, or water except that temporary road access can be established across Protected Areas for the purpose of resource extraction. Travel within the Crown Land - Protected Area shall be limited to cross-country skiing, dog sleds and hiking.

E.14.3.2E.13.3.2 Any existing tourist commercial facilities of a more substantive nature than would otherwise be permitted by the policies of this Plan may continue to operate. However, it is the intent of the Municipality of Temagami that these facilities will cease to operate in the long term and that the sites will be allowed to regenerate. Consistent with this policy, no major expansions to these facilities shall be permitted. Further, these facilities shall not be specifically recognized on the Official Plan schedules or in the Zoning By-law.

E.14.3.3E.13.3.3 It is not the policy of the Province to grant new land use permits or patents in the Crown Land - Protected Area. The Municipality of Temagami supports this approach. As a result, the Zoning By-law shall zone the Protected Area in a non-development zone, consistent with the policies of the Ministry of Natural Resources and ~~Forestry and~~ of this Official Plan.

## **E.15E.14 MOBILE HOME PARK**

### **E.15.4E.14.1 Introduction/Permitted Uses**

E.15.4.1E.14.1.1 The Mobile Home Park land use designation includes mobile home or modular home dwellings, parks and recreational facilities, a community centre that may include a day care centre, all for the use of the residents of the mobile home park.



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## **E.15.2E.14.2 General Policies**

**E.15.2.1E.14.2.1** New mobile home parks or expansions to existing mobile home parks shall proceed by way of an amendment to this Plan and shall be subject to site plan approval.

**E.15.2.2E.14.2.2** When considering proposals for Mobile Home Park development, the Municipality shall have regard for the following criteria:

- a) The physical characteristics of the site including landscaping, grading, soils and drainage;
- b) The screening, planting and/or fencing proposed to buffer the mobile home park use from adjacent uses; and,
- c) The ability of the site to accommodate the proposed mobile homes, parking, access and on site amenities.

**E.15.2.3E.14.2.3** New mobile home parks or expansions to existing mobile home parks shall only be approved by the Municipality if the following criteria are satisfied:

- a) The site is serviced or will be serviced as part of the development of the site by municipal water and sewer services or an approved communal system;
- b) Any communal system conforms to the servicing policies of this Plan;
- c) The site is located on a municipal road that is open and maintained on a year round basis;
- d) The site has two access points from a municipal road;
- e) The site is serviced by existing school bus routes; and,
- f) The maximum density shall be 17 units per hectare.

**E.15.2.4E.14.2.4** The Site Plan shall illustrate the size and shape of all mobile home lots, the location of all mobile homes and all other proposed buildings, parking areas, driveways, landscaped areas and other information to indicate how the proposal addresses the above criteria.

## **E.16E.15 RESTRICTED RURAL/WATERFRONT – LAKE TEMAGAMI**

### **E.16.1E.15.1 Introduction**

**E.16.1.1E.15.1.1** The Restricted Rural/Waterfront – Lake Temagami land use designation applies to all Patented Lands that are located ~~on~~in the mainland areas of the Lake Temagami ~~and within portions of the Skyline Reserve~~Neighbourhood.

### **E.16.2E.15.2 Permitted Uses and General Policies**

Permitted uses ~~include~~are limited to those listed under Section D.2.6 of this Plan due to the location of these lands being on the mainland of Lake Temagami and within portions of the Skyline Reserve.

# F CARING FOR THE WATERFRONT

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## F.1 WATERFRONT DEVELOPMENT

### F.1.1 Goal

F.1.1.1 It is a goal of the Municipality to protect the water quality and semi-wilderness value of the shoreline area by maintaining shoreline areas in a natural state while balancing carefully planned development.

### F.1.2 General Policies

F.1.2.1 The area between the shoreline and any buildings in their natural state and as a vegetative buffer, to protect the visual and environmental integrity of the lakes. The principle of development in the vegetative buffer shall be minimal disturbance on the ground, shrub and canopy layers. Vegetation removal may occur in accordance with FireSmart principles, within the context of protecting the visual and environmental integrity of the lakes.

F.1.2.2 Natural vegetation within the setback shall be disturbed as little as possible, consistent with passage, safety and provision of views and ventilation. Rehabilitation of vegetation shall take place when it has been disturbed due to construction.

F.1.2.3 In order to implement these policies and to protect the natural shoreline, the Municipality shall use the policies of this Plan, the provisions and standards in the Zoning By-law, ~~site plan control~~ Site Plan Control and prescribed conditions that result from *Planning Act* approvals. As a guide, the following polices shall apply to the natural shoreline:

F.1.2.4 Lot lines should follow existing features and terrain and shall be configured to minimize conflicts with abutting properties at the shoreline.

F.1.2.5 The natural waterfront landscape shall prevail with the buildings blending into the landscape:

- a) Native species ~~should~~shall be used for buffers or where vegetation is being restored;
- b) Rockfaces, steep slopes, vistas and panoramas should be conserved;
- c) Buildings ~~should~~shall not exceed the height of the tree canopy;
- d) Building mass and coverage ~~should~~shall be limited in relation to the lot size and frontage;
- e) Site alterations on lots ~~should~~shall be limited and the maximum amount of natural vegetation should be retained on a lot;

- f) The Municipality shall ensure that best management practices and interim measures are utilized during construction projects adjacent to the waterfront in order to reduce sedimentation and erosion;
- g) Roads, trails, temporary construction accesses should generally follow the contours of the land, fit into the landscape and wherever possible not run directly perpendicular to the waterbody; and,
- h) A setback from the flood elevation or the normal or controlled high-water mark shall be set out in the Zoning By-law, in order to:
  - o Protect the upland, shoreline and near shore habitats;
  - o Protect adjacent surface water quality from ~~phosphoreous~~phosphorus loading;
  - o Prevent erosion, siltation and nutrient migration;
  - o Maintain shoreline character and appearance; and,
  - o Minimize the visual impact of development.

F.1.2.6 An access trail and a viewing/ventilation corridor are permitted within the natural vegetative buffer/setback, in accordance with the vegetative buffer section of the Plan.

F.1.2.7 Within the front yard of a shoreline residential lot, a Shoreline Activity Area is permitted. The Shoreline Activity Area is a portion or cumulative portions of a shoreline frontage of a lot where accessory shoreline structures such as boathouses, docks, pumphouses, gazebos and decks are permitted, as well as access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form, the Shoreline Activity Area should be focused within a defined area and be limited in extent. The extent of the Shoreline Activity Area shall be a function of the shoreline frontage and the primary use of the lot and shall be set out in the Zoning By-law.

F.1.2.8 The Municipality shall also encourage, through planning approvals and other mechanisms such as landowner education, the use of Best Management Practices for shoreline development-, including but not limited to those described elsewhere in Section F.1.2.

F.1.2.9 Where development will result in the harmful alteration, disruption, or destruction of fish habitat, prior authorization from the ~~federal~~Federal Department of Fisheries and Oceans is required under the *Federal Fisheries Act*.

F.1.2.10 Council shall ensure that cultural heritage resources, both on shore and in the water, are conserved and not adversely affected. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.

F.1.2.11 The Municipality will consider adopting and implementing a re-inspection program for ~~in~~-individual on-site sewage systems, on waterfront lots in the Lake Temagami and Rural Neighbourhoods.

## **F.2 SHORELINE VEGETATIVE BUFFER**

### **F.2.1 General Policies**

F.2.1.1 A shoreline vegetative buffer is an area of natural vegetation or enhanced vegetation that provides separation from a lake towards a dwelling. The vegetative buffer either extends from the shoreline to the front wall of the main building on the lot, or extends back from the shoreline a distance equal to the minimum front yard setback for the main building on the lot, whichever distance is greater. The vegetative buffer is comprised of all vegetation including, but not limited to grasses, shrubs, bushes and trees.

F.2.1.2 It is the intent of this Plan that all vegetation in the shoreline vegetative buffer be preserved and maintained in its natural state, with the exception of hazardous vegetation from a safety and fire safety perspective. The purpose of the shoreline vegetative buffer is to screen the view of buildings and structures on the lot from the water and to help mitigate potential impacts on water quality and fish habitat. This policy should not be interpreted as precluding development within the shoreline activity area in accordance with the policies of this Plan and the provisions of the Zoning By-law. Wherever possible, the access trail and the ventilation/viewing corridor should be one and the same. However, in no case should an access trail be wider than approximately two (2) metres and a ventilation/viewing corridor be wider than approximately six (6) metres and should not be cut at right angles to the shoreline. When the access trail and the ventilation/view are one and the same, the maximum width shall be approximately six (6) metres. These policies are intended to minimize the visual impact of buildings and structures, when viewed from the water.

## **F.3 SHORELINE STRUCTURES**

### **F.3.1 General Policies**

F.3.1.1 The size and location of shoreline structures, including docks, decks, gazebos, boatports and boathouses, both water based and land based, pumphouses, saunas, utility structures and storage units have the potential for significant visual impact and environmental impact. Wherever possible, utility structures shall be located back from the shore a distance greater than the minimum setback for the main dwelling on the lot. In order to minimize impacts when locating a new boathouse, consideration should first be given to siting of the boathouse/boatport such that it is screened from adjacent dwellings and passing boat traffic and to protect the sight lines of adjacent properties. This may be achieved by orienting the boathouse beyond the immediate view of adjacent dwellings, away from known boating routes or behind rock outcrops and/or trees.

F.3.1.2 While the exterior appearance of boathouses, including the paint scheme is beyond the legislative authority of the Municipality to control, owners are strongly encouraged to design boathouses as small as is practical and to apply earth tone exterior finishes, that are in keeping with the natural setting of the lake and the surrounding area.



# G PRESERVING TEMAGAMI'S CULTURAL HERITAGE

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## G.1 CULTURAL HERITAGE RESOURCES

### G.1.1 General Policies

G.1.1.1 The Municipality is located within the traditional territories of the Teme-Augama Anishnabai and Temagami First Nation.

The Municipality may undertake the preparation of an Archaeological Management Plan.

The Municipality may establish a Municipal Heritage Committee pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist on matters pursuant to sections IV and V of the Act and such other heritage matters as the council may specify by By-law.

The Municipality shall maintain a Register of Properties in accordance with the requirements and restrictions of Section 27 of the Ontario Heritage Act.

G.1.1.2 Cultural Heritage resources include built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. Such resources may include, but are not limited to, buildings, structures and/or areas identified as having cultural heritage value or interest, and archaeological sites and artifacts. The Municipality should create proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.

G.1.1.3 Over time, through research and study, new cultural heritage features may be identified, or existing cultural heritage features may be refined. Any such information, when reviewed and approved by the appropriate governmental authorities, may be used to inform Council when evaluating development applications. The identification, acquisition, restoration, repatriation and conservation of the historical, cultural, architectural and archaeological resources within the Municipality is encouraged. The Municipality views these resources as important factors in drawing tourists to the area. The Municipality will also encourage the repatriation of archaeological artifacts to the Teme-Augama Anishnabai and Temagami First Nations Nation.

The Municipality will require the preparation of technical cultural heritage studies (e.g., conservation plan, heritage impact assessment) when

development proposals affect recognized (or known) or potential cultural heritage resources.

G.1.1.4 Development and site alteration shall not be permitted on lands containing archaeological resources or on areas of archaeological potential unless significant archaeological resources have been conserved.

G.1.1.5 The Municipality shall consult appropriate government agencies, including the Ministry of Heritage, Sport, Tourism and Culture Industries when an identified cemetery, marked or unmarked human burial is affected by land use development. The provisions of both the *Heritage Act* and the *Cemeteries Act* shall apply.

When development has the potential to impact a known or potential cemetery or burial site, Council shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both *the Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply. If human remains are encountered, all activities must cease immediately, and the local police and coroner must be contacted. In situations where human remains are associated with archaeological resources, ~~MCM~~the Ministry of Heritage, Sport, Tourism and Culture Industries should also be notified.

G.1.1.6 The Municipality shall engage early with Indigenous communities and ~~consider~~ensure their interests are considered when identifying, protecting and managing ~~cultural heritage and~~ archaeological resources, built heritage resources and cultural heritage landscapes. Areas of Archaeological Potential are identified on Schedule D to the Official Plan.

G.1.1.7 Archaeological resource areas are determined through the use of ~~provincial~~Provincial screening criteria, or potential mapping developed based on the known archaeological record or features within the Municipality and is usually developed with a licensed archaeologist. Such criteria include features such as proximity to water, current or ancient shorelines, sandy soils, rolling topography, the remains of any building, structure, place, activity, cultural feature or object such as unusual landforms, portage routes or other places of past human settlement, which due to the passage of time, are on or below the surface of land or water and are significant to history and understanding of a people or place. Significant Native and non-Native cemeteries or unmarked burial sites may also be considered as archaeological resources.

G.1.1.8 The following policies apply to areas of Archaeological Potential:

- a) Where a development proposal or site alteration encroaches on lands with significant archaeological resources or is within an area considered to have archaeological potential, the Municipality may

require an applicant to undertake an Archaeological Assessment of the lands in accordance with requirements of the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the nature and extent of the resources on the site. The studyassessment shall be conducted by an archaeologist licensed under the *Ontario Heritage Act* as a condition of any development proposal. The studyassessment will be submitted to the Municipality and to the Ministry of Heritage, Sport, Tourism and Culture Industries;

- b) Notwithstanding the above policy, the need and/or scope of an Archaeological Assessment may be discussed with Temagami First Nation. Factors such as the amount of site disturbance, location of development, type of development and existing conditions may be considered when confirming if an Archaeological Assessment is required;
- c) Where resources are found on site, the Municipality shall require further Archaeological Assessment. The study will be submitted to the Municipality and to the Ministry of Heritage, Sport, Tourism and Culture Industries for review and comment. Any features identified may be preserved in situ to ensure that the integrity of the resource is maintained. Excavation of any significant archaeological features by a licensed archaeologist may also be considered. If the site is determined to be significant the development may be prohibited;
- d) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*, and,
- e) Council shall consider the interests of local Indigenous communities and proponents are encouraged to consult with the Teme-Augama Anishnabai and Temagami First Nation prior to new development applications.

# H PRESERVING TEMAGAMI

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## H.1 INTRODUCTION

### H.1.1 General Policies

H.1.1.1 It is a general policy of the Municipality that the conservation of the overall natural landscape, tree cover, and vegetation shall, be encouraged and in some cases required in an effort to preserve the natural appearance, character, and aesthetics of the area and to provide a natural buffer, particularly in the area along the shoreline. Preservation and where possible enhancement of the natural landscape, tree cover and vegetation shall be incorporated within any development or redevelopment proposal through applicable implementation mechanisms, where applicable.

H.1.1.2 Where natural vegetation has been artificially altered in a manner which is not environmentally sound or in keeping with the wilderness and semi-wilderness goals of this Plan, regeneration of vegetation cover or buffers using native species will be encouraged and, in some cases, required.

## H.2 NATURAL HERITAGE FEATURES AND AREAS

### H.2.1 General Policies

H.2.1.1 The natural heritage system is composed of natural heritage features and areas, which are linked by natural corridors. Natural heritage features, areas and corridors are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.

H.2.1.2 The diversity and connectivity of natural features and the long-term ecological function and biodiversity of the Municipality's natural heritage systems shall be maintained, restored, or improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features.

H.2.1.3 Natural heritage features and areas come from the Provincial [Policy Planning](#) Statement include the following elements:

- Fish habitat;
- Habitat of endangered species and threatened species;
- Provincially Significant Wetland;
- Significant Wildlife Habitat; and,
- Areas of Natural and Scientific Interest.

- H.2.1.4 Due to the sensitivity of some of the features listed above, all features may not be identified on Schedule D of the Plan. Although this information is not available to the public, prior to and during the review of development proposals, the internal data is utilized by Municipal staff for screening purposes.
- H.2.1.5 Important habitat and natural values are constantly changing. As these habitats and values change, the Schedules of this Plan will be updated. As these changes are usually minor in nature, formal amendments will not be required.
- H.2.1.6 Prior to development and/or site alteration, the Municipality may require a site-specific impact assessment to confirm the location or presence of natural heritage features.

## **H.2.2 Fish Habitat**

- H.2.2.1 The Municipality supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that it is the mandate of the Department of Fisheries and Oceans to protect and preserve fish habitat on Crown Land and ~~patented land~~Patented Land under the *Fisheries Act*. Under this *Act*, fish habitat is defined as water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.
- H.2.2.2 Development and site alteration shall not be permitted in fish habitat except in accordance with ~~provincial~~Provincial and ~~federal~~Federal requirements.
- H.2.2.3 Where development and site alteration is proposed within 120 metres of fish habitat, the development shall be designed to ensure that there are no negative impacts on the natural features or their ecological functions. The Municipality may require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan.
- H.2.2.4 Development and site alteration shall not be permitted within Fish Spawning Areas unless an Environmental Impact Statement demonstrates that there will be no negative impact on the fish habitat or its ecological function.
- H.2.2.5 Lake Temagami is a premiere cold-water lake, which was formerly recognized as a specially designated waterbody within the ~~province~~Province. In most areas on the lake, in-water work is not permitted from September 1 to June 20, in order to avoid disruption to spawning behavior of species such as Walleye and Lake Trout.

## **H.2.3 Endangered and Threatened Species**

- H.2.3.1 The presence of Species at Risk (extirpated, endangered, threatened or special concern species) shall be identified through the use of the Natural Heritage Information Centre Provincial database, and through consultation with Ministry of Environment, Conservation and ~~Parks~~Parks' staff, and/or other agencies or levels of government and
- H.2.3.2 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with ~~provincial~~Provincial and federal requirements.

## **H.2.4 Unevaluated Wetlands**

- H.2.4.1 Wetlands are essential components of ecosystems that contribute to the high quality of the environment. Wetlands control and store surface water to assist in flood control, function as sediment traps to improve water quality, provide habitat for a variety of plant and animal species, and function as recharge areas for groundwater resources.
- H.2.4.2 For a wetland that is unevaluated but may have characteristics or contain components that are typical of a significant wetland, the Municipality may require a wetland evaluation to determine the significance of the wetland prior to processing any planning approvals. The Ministry Natural Resources is the approval authority for decisions regarding the significance of wetlands.
- H.2.4.3 Development and/or site alteration shall not be permitted within an unevaluated wetland or within 120 metres of an unevaluated wetland unless an Environmental Impact Statement demonstrates that there will be no negative impact on the ~~Provincially~~ Significant Wetland or its ecological function.

## **H.2.5 ~~Provincially~~ Significant Wetlands**

- H.2.5.1 The Ministry of Natural Resources ~~and Forestry~~ evaluates the biological, social, hydrological and special features of wetlands to determine their relative significance in Ontario and identifies certain areas as ~~Provincially~~ Significant Wetland.
- H.2.5.2 ~~Provincially~~ Significant Wetlands are identified on Schedule D of this Plan.
- H.2.5.3 Development and/or site alteration shall not be permitted within an identified ~~Provincially~~ Significant Wetland unless an Environmental Impact Statement demonstrates that there will be no negative impact on the ~~Provincially~~ Significant Wetland or its ecological function.

H.2.5.4 Where development and/or site alteration is proposed within 120 metres of the boundary of a ~~Provincially~~ Significant Wetland, the proponent shall provide the Municipality with an Environmental Impact Statement, prepared by a qualified professional and in accordance with the Environmental Impact Statements Section of this Plan, which demonstrates that there will be no negative impacts on the wetland or its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 metres the ~~Provincially~~ Significant Wetland may also require an Environmental Impact Statement.

H.2.5.5 Any change or interference within or adjacent to a ~~Provincially~~ Significant Wetland may require a permit from the Ministry of Natural Resources ~~and Forestry~~.

H.2.5.6 Changes to the boundaries of a Significant Wetland shall not require an amendment to the Official Plan. Approval ismay be required from the Ministry of Natural Resources ~~and Forestry~~ for any refinements to the boundary of a Significant Wetland.

## **H.2.6 Significant Wildlife Habitat**

H.2.6.1 Wildlife habitat are areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. Significant wildlife features are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area.

H.2.6.2 Development and site alteration shall not be permitted within areas identified as significant wildlife habitat unless an Environmental Impact Statement demonstrates that there will be no negative impact on the natural features or their ecological function.

H.2.6.3 Where development and site alteration is proposed within 120 metres of significant wildlife habitat, the Municipality shall require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan. It must be demonstrated that there will be no negative impacts on the natural features or their ecological functions.

## **H.2.7 Areas of Natural and Scientific Interest**

H.2.7.1 Development and/or site alteration in or adjacent to a significant area of natural and scientific interest shall not be permitted unless it has been demonstrated by an Environmental Impact Statement that there will be no negative impacts on the natural features or their ecological functions.

H.2.7.2 All lands within 120 metres of a significant areas of natural scientific interest (life science) and 50 metres of a significant area of natural scientific interest (earth science) be considered adjacent lands.

## **H.2.8 Raptor Nesting Sites**

H.2.8.1 No development and site alteration activities should occur within 300 metres of a nesting site during the sensitive breeding season (April 1 to August 15).

H.2.8.2 No development and site alteration are permitted within 150 metres of a nesting site at any time throughout the year.

H.2.8.3 Development and site alteration within 151 metres to 300 metres shall not be permitted until an Environmental Impact Statement is completed that demonstrates no negative impact.

H.2.8.4 Development and site alteration within 120 metres shall not be permitted until an Environmental Impact Statement is completed that demonstrates no negative impact on the natural features or their ecological functions.

## **H.2.9 Moose Calving Sites, Moose Aquatic Feedings Areas; and Moose Wintering Areas**

H.2.9.1 The significant wildlife habitat policies shall apply to Moose Calving Sites, Moose Aquatic Feedings Areas; and Moose Wintering Areas.

## **H.3 SURFACE AND GROUNDWATER QUALITY**

### **H.3.1 General Policies**

H.3.1.1 Policies that require the preservation of water quality are included in the Provincial PolicyPlanning Statement. For any proposed development within 300 metres of a lake, the policies regarding lake trout lakes may apply.

H.3.1.2 Development shall not be permitted where the potential exists for contamination of aquifers and groundwater supplies. For individual development applications, potential impacts on groundwater shall be addressed in accordance with policies applying to privately serviced development. Council may require a hydrogeology study to determine potential impacts of the development on the groundwater resources.

H.3.1.3 Where development would result in sedimentation, stormwater contaminants, or a significant increase in storm water run-off, the Municipality may require the proponent to complete a drainage/storm water management plan/report to demonstrate that off-site surface water quality and quantity will not be adversely impacted by the development.



H.3.1.4 A drainage/stormwater management report/plan shall be prepared by the proponent with the assistance of a qualified engineer licensed in the Province of Ontario, and reviewed and approved by the Ministry of Transportation for those developments, located adjacent to, or in the vicinity of, a Provincial highway whose drainage would impact the highway and/or downstream properties.

## **H.4 LAKESHORE CAPACITY ASSESSMENT**

### **H.4.1 General Policies**

H.4.1.1 Lakeshore capacity assessment is a planning tool that is used to predict how much development can take place along the shorelines of inland lakes without impairing water quality (i.e., by affecting levels of phosphorus and dissolved oxygen). This planning tool is used for lake trout lakes.

H.4.1.2 The Province and the Lakeshore Capacity Assessment Handbook establishes parameters that determine when a lake trout lake may be determined to be at capacity for shoreline.

H.4.1.3 A Lakeshore Capacity Assessment may be required to be completed prior to the consideration of planning approvals allowing for development utilizing a private sewage disposal system within 300 metres of a lake trout lake where the lake is known to be at capacity or where the lake may be near capacity. The Assessment must demonstrate that such development will not result in a decline in the water quality or quality of the lake and that lake capacity is available. Where the creation of lots on private sewage systems within 300 metres of the shoreline or any waterbody is proposed, the Municipality will consult with the Ministry of the Environment, Conservation and Parks to determine if a Lakeshore Capacity Assessment is required.

H.4.1.4 Where Ministry of the Environment, Conservation and Parks has determined that a Lakeshore Capacity Assessment is necessary, the creation of lots or units within 300 metres of a lake shall be considered only where the results of a Lakeshore Capacity Assessment, completed in accordance with Ministry of the Environment, Conservation and Parks requirements, has identified that there is sufficient development capacity remaining to support the proposed development, or under one of the following circumstances:

- To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;
- Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or,

- Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake.

The following additional site-specific criteria can be applied where new development is proposed on at-capacity lakes and where certain municipal planning tools and agreements are in place such as a Development Permit ~~site plan control~~ Site Plan Control under the Planning Act:

- Where a site-specific soils investigation prepared by a qualified professional has been completed showing the following site conditions in accordance with the Lakeshore Capacity Handbook.

H.4.1.5 The Municipality, where considered necessary, will promote the use of best management practices to minimize the impacts of development on water quality. Best management practices may include, and are not limited to, measures such as: large lot sizes and increased lot frontage requirements; enhanced setbacks for buildings, structures, and septic systems; protection of lakeshore vegetated buffers; avoidance of steeply graded lots; restrictions on the amount of impervious surfaces such as parking areas and patios; the use of lot-level Stormwater management practices such as infiltration from roof leaders to reduce runoff; limitations on the use of fertilizers; and the use of erosion control measures during site development and construction.

## H.5 LAKE TROUT LAKES

### H.5.1 General Policies

H.5.1.1 Lake trout lakes are rare. The Municipality's lake trout lakes include Cassels, Net and Temagami. The lake trout is the only major, indigenous sport fish species in Ontario that is adapted to oligotrophic lakes (i.e. lakes with low nutrient levels, high dissolved oxygen levels and typically deep areas with very cold water). The lake trout's slow growth, late maturity, low reproductive potential and slow replacement rate make it a unique species in the Province. As a top predator, the lake trout is an important part of the Province's natural heritage and an excellent indicator of the health of these fragile aquatic ecosystems.

H.5.1.2 Lake trout and lake trout lakes are particularly vulnerable to the impacts of human activities including harvesting, increased phosphorus inputs from cottage septic systems and other sources of nutrient enrichment, acidification, species introductions, and habitat destruction. Development on lake trout lakes may result in habitat degradation, diminished lake trout populations and a lower quality fishing experience.

H.5.1.3 The Province has implemented a number of policies and guidelines to manage this sensitive resource and maintains a list of lakes that are designated for lake trout management. Lake trout lakes are designated as either naturally reproducing (Natural) or Put-Grow-Take stocked (PGT). Some policies apply to both Natural and PGT lake trout lakes equally (e.g. dissolved oxygen criterion for lakeshore development capacity). Some policies differ in their application depending on whether a lake trout lake is designated Natural or PGT (e.g. Crown Land Disposition Policy).

H.5.1.4 Given the importance and ecological sensitivity of lake trout lakes, the Ministry of Natural Resources and ~~Forestry and~~ the Ministry of Environment, Conservation and Parks ~~hashave~~ historically worked and ~~continues~~continued to protect lake trout lakes from adverse impacts of lakeshore development.

- a) Development shall be permitted that will not negatively impact upon fish habitat in compliance with municipal, Provincial and Federal requirement, including the Fisheries Management Plan;
- b) Development and site alteration proposed in or within 120 metres of a lake trout lake shall provide details of how the development will impact lake water quality (defined by ice-free phosphorus concentrations) and optimal lake trout habitat as defined by Ministry of Natural Resources ~~and Forestry~~ policy; and,
- c) Pre-consultation with the Municipality and with the Ministry of Natural Resources ~~and Forestry~~ shall be required prior to the submittal of any development application.

## H.6 MINERAL RESOURCES

### H.6.1 General Policies

H.6.1.1 This Plan recognizes the importance of mineral resources for their resource and economic value within the Municipality of Temagami. Mining, including mining rights such as staked mining claims, mining leases and mining patents used or intended to be used for mining purposes, is permitted within the Municipality of Temagami subject to the provisions of the *Mining Act*, *Public Lands Act*, and pursuant to Ontario Regulations which impose requirements for environmental studies and public consultation. The establishment of new mines will require an amendment to the Official Plan and an amendment to the Zoning ~~Bylaw~~By-law. However, the *Planning Act* applies to fee simple Mining Patents of surface rights, including a planning approval to sever or subdivide surface rights. It is intended that new mining operations will exclude lands that are already developed. The Municipality has an agreement with the Province to limit Mine development within the Skyline Reserve.

H.6.1.2 It is a policy of this Plan that mineral resources, including past producing mining operations, existing mineral mining operations and areas of high mineral potential will be protected from 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.

H.6.1.3 Development, which would preclude or hinder the establishment of new operations or access to the resources, will only be permitted if:

- a) Resource use would not be feasible;
- 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.

H.6.1.4 Rehabilitation to accommodate subsequent land uses will be required after extraction and other related activities have ceased. Progressive rehabilitation will be ~~under taken~~undertaken where feasible.

## **H.6.2 Mineral Aggregate Resources**

H.6.2.1 Mineral Aggregate Potential areas are identified on Schedule AD by the Mineral Aggregate Potential Overlay.

H.6.2.2 It is a policy of the Municipality to protect lands within the Mineral Aggregate Potential Overlay on Schedule AD for their long-term use, with the exception of the Skyline Reserve on Lake Temagami where extraction shall not be permitted.

H.6.2.3 In known deposits and areas within the Mineral Aggregate Potential Area Overlay, development and activities which would preclude or hinder the establishment of new operations, expansion of existing operations or access to the resources shall only be permitted if:

- a) Resource use would not be feasible;
- b) The proposed land use or development serves a greater long-term public interest; and,
- c) Issues of public health, public safety and environmental impact are addressed.

## **H.7 FOREST MANAGEMENT**

### **H.7.1 General Policies**

H.7.1.1 It is the policy of the Municipality to recognize the importance of forests as a renewable and sustainable resource within the Municipality of Temagami and to encourage and support both commercial timber operators licensed

by the Ministry of Natural Resources ~~and Forestry~~ as well as to permit associated forest related activities and other compatible land uses.

H.7.1.2 The Municipality shall also encourage complementary activities such as wildlife habitat improvement or ecosystem improvement and the active or passive use of forested areas for Crown Land recreational activities and facilities.

H.7.1.3 Forest Management Plans are evolving documents and are anticipated to be updated from time to time to address changes in forest management.

# I NATURAL HAZARDS

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## I.1.1 Goal

To protect public health and safety by ensuring buildings, structures and use are located in a manner that will not result in property damage or compromise public health and safety as a result of natural hazards.

## I.1.2 General Policies

I.1.2.1 Within Temagami certain natural hazards exist including defined flood elevations for some waterbodies such as:

- Lake Temagami (294.20 metres above sea level);
- Rabbit Lake (292.34 metres above sea level);
- Net Lake (298.0 metres above sea level);
- Snake Lake (292.5 metres above sea level);
- Cassels Lake (292.5 metres above sea level);
- Lady Evelyn Lake (289.09 metres above sea level); and,
- High water marks for other waterbodies.

I.1.2.2 Development, excluding boathouses, docks and structures associated with flood control shall not be permitted below defined flood elevations or below the high water mark. The Ministry of the Environment, Conservation and Parks and Ontario Power Generation shall be consulted for technical advice when proposing development that may be impacted by flooding or fluctuating water levels.

I.1.2.3 Steep slopes often present desirable development sites due to the views and panoramas offered. However, if development on steep slopes can be hazardous. The Zoning By-law will establish special development setbacks from steep slopes. Where development is proposed in proximity to a steep slope, studies may be required to ensure the potential hazard impacts have been appropriately evaluated and mitigated.

I.1.2.4 Within Temagami certain mine hazards exist in the form of abandoned mine sites and rehabilitated mine sites, as shown on Schedule B to this Plan. Development on, abutting or adjacent to lands affected by mine hazards or former mineral resource operations shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed. A proponent of development within 1 km. of an abandoned mine is encouraged to contact the Ministry of Natural Resources ~~and Forestry~~ to obtain technical information related to the site and for advice on establishing setback distances for the proposed development.

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# J SERVICING TEMAGAMI

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## J.1 INFRASTRUCTURE AND PUBLIC SERVICES

### J.1.1 General Policies

J.1.1.1 The municipal infrastructure consists of roads, water treatment facilities, water lines, sewer lines, wastewater treatment facilities, stormwater management and solid waste management systems. In addition, there are many other services and utility providers operating in the Municipality. There will be a continuing need to assess the adequacy of municipal infrastructure and public service facilities or to maintain or rehabilitate existing facilities, as necessary.

J.1.1.2 The Municipality will plan for future infrastructure based on the projected housing and employment needs and will, where possible, establish infrastructure in advance to encourage and direct housing and economic development opportunities.

J.1.1.3 With respect to the TransCanada Pipelines Limited gas pipeline corridor, ~~no structures or excavations (other than those undertaken by a pipeline authority)~~the following shall be permitted on the pipeline right apply:

- a) TransCanada Pipelines Limited operates high pressure natural gas pipelines within its rights-of-way and ~~no permanent structures or buildings shall be permitted within 10~~which cross through the Municipality of Temagami as identified on Schedule C to this Plan.
- b) TransCanada Pipelines Limited is regulated by the Canada Energy Regulator, which has a number of requirements regulating development in proximity to the pipelines, including approval for activities within 30 metres of the ~~edge~~pipeline centreline.
- c) New development can result in increasing the population density in the area, and may result in TransCanada Pipelines Limited being required to replace its pipeline to comply with CSA Code Z662. Therefore, the Municipality shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.
- d) Where development is proposed in proximity to the TransCanada Pipelines Limited compressor station, a noise and vibration study, to be carried out by the proponent, may be required for development proposals within 750 metres of the compressor station. The study will determine if provincial guidelines can be achieved, and if necessary recommend appropriate mitigation measures.
- e) A setback of 7 metres shall be maintained from the limits of the right-of-way ~~without prior consultation and approval of the pipeline authority~~for all permanent buildings and structures. Accessory



structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.

f) A minimum setback of 7 metres shall be maintained from the limits of the right-of-way for any parking area or loading area, including parking, loading, stacking and bicycle parking spaces, and any associated aisle or driveway.

J.1.1.2g) In areas for urban development, the Municipality will encourage the use of TransCanada Pipelines Limited's right-of-way for passive parkland or open space subject to TransCanada's easement rights.

J.1.1.3J.1.1.4 The Municipality may restrict residential and other types of development in close proximity to municipal sewage treatment facilities through minimum setback standards in the implementing Zoning By-law. The proponent of development proposed within the minimum setback from a municipal sewage treatment facility shall prepare a report in accordance with ~~provincial~~Provincial legislation, policies and regulations to demonstrate that the proposed development will not be adversely affected by the facility. Approval of new development, including new lot creation, will require a confirmation of available reserve capacity in accordance with applicable Ministry of Environment, Conservation and Parks guidelines.

J.1.1.4J.1.1.5 New residential development shall not be permitted within 500 metres of a landfill site or within a specified distance of a sewage treatment facility as determined through the Ministry of the Environment, Conservation and Parks regulations.

J.1.1.5J.1.1.6 All development within the Municipality shall have an approved water supply and sewage disposal system, where required. Only dry industrial uses will be permitted on private services, and water will be used only for domestic purposes. Unless otherwise approved by the Ministry of Environment, Conservation and Parks, all industrial uses that use water as part of their industrial operations shall be connected to a municipal sewer and water system.

J.1.1.6J.1.1.7 The Municipality shall require the proponent of development or redevelopment with greater than five (5) lots to prepare a Servicing Options Study to initially determine the nature of servicing that is feasible before considering further studies to determine the viability of private services, if appropriate. A Water Supply Assessment Report and a Water Quality Impact Risk Assessment Report, in accordance with the Ministry of Environment, Conservation and Parks ~~Guidelines~~guidelines may also be required.

J.1.1.7J.1.1.8 Where a Servicing Options Study concludes that multiple lot development may proceed by individual drilled wells and septic systems, lot sizes shall be a minimum average of one (1.0) hectare with no lot being

smaller than eight tenths (0.8) hectares, and supported by a hydrogeological study.

~~J.1.1.8~~J.1.1.9 The minimum lot size for new single lot creation proposed on a private septic system and individual drilled well will be encouraged to have a minimum lot size of one (1.0) hectare unless a smaller lot size can otherwise be supported by a hydrogeological study.

~~J.1.1.9~~J.1.1.10 New lots proposed to be serviced by an individual surface water supply and private septic system may have a lesser minimum lot size, unless otherwise specified by the policies of this Plan.

~~J.1.1.10~~J.1.1.11 ~~Approval~~In the Urban Neighbourhood, approval of new development, including new lot creation, will require confirmation of a sufficient reserve sewage and water system capacity within municipal sewage and water services or private communal sewage and water services in accordance with applicable Ministry of Environment, Conservation and Parks guidelines. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Approval of new development on individual onsite sewage and water services will require confirmation of sufficient reserve sewage system capacity from the holder of an Environmental Compliance Approval (ECA) for an approved septage disposal facility.

## **J.1.2 Stormwater**

J.1.2.1 The Municipality, in conjunction with the appropriate public agencies may require a proponent of development to submit studies of stormwater runoff and its impact on the water quality and quantity of the receiving waterbody, both during and after construction. The proponent may be required to indicate how nutrient inputs into surrounding water bodies and municipal storm sewers will be controlled and reduced after construction. Construction-mitigation plans may be required to outline how the impacts during construction will be mitigated by securing/stabilizing/rehabilitating a site that has been disturbed.

J.1.2.2 The Municipality shall require the proponent of development that requires a stormwater management system to:

- a) Use stormwater management measures to manage the storage and control the flow of water to receiving waterbodies;
- b) Use stormwater management measures that prevent siltation and erosion and do not negatively impact the water quality of receiving waterbodies; and,
- c) Consider, where appropriate, enhancing the vegetation along the stormwater management system and the receiving waterbody.

### **J.1.3 Communication Facilities**

- J.1.3.1 The Municipality of Temagami recognizes that the installation of communication facilities is required to supply, improve, and maintain the quality of service.
- J.1.3.2 A proponent seeking to establish a communications tower shall work with the Municipality, seek input from the community. Communication facilities are encouraged to co-locate and to use best practices to reduce visual impact.

### **J.1.4 Urban Neighbourhood Servicing**

- J.1.4.1 Full municipal sewage and water services; followed by communal and private services is the hierarchy of the preferred forms of servicing in the Temagami Settlement Area and the Temagami North Settlement Area. In this area, development will be permitted to connect to the central sewage and water systems only if sufficient reserve water and sewage capacity will be available to accommodate the development. All lots within the serviced areas, must connect to municipal services when they are available.
- J.1.4.2 Within the Settlement Areas and Urban Neighbourhood, where servicing is not available, development may proceed on the basis of partial servicing where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development or within ~~settlement areas, to allow for infilling and minor rounding out of existing~~ Settlement Areas, to allow development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- J.1.4.3 Development proposals in excess of five (5) residential lots shall be accompanied by a Servicing Options Study to determine the most appropriate long term servicing scheme for the development.
- J.1.4.4 Provided there is a supporting Servicing Options Study prepared according to Ministry of Environment, Conservation and Parks guidelines, communal water and/or sewage systems that service more than five freehold residential lots may be considered for development in areas where the municipal sewage system cannot reasonably be provided due to cost, and where site conditions are suitable for the long term operation of the systems. Such systems shall only be permitted with the approval of the Health Unit and/or the Ministry of Environment, Conservation and Parks.
- J.1.4.5 The proponent of a private communal sewage system shall enter into a Responsibility Agreement with the Municipality before development occurs. The agreement shall also specify the amount of up-front funds required for any remedial measures that may be necessary in the event of default.

J.1.4.6 When vacant lots that have been allocated sewer and/or water capacity remain vacant, the Municipality may re-allocate water and/or sewer capacity, as required to permit other development.

J.1.4.7 Where municipal sewer and water capacity has been re-allocated from vacant lots, Council shall place these vacant lots in a Holding Zone until such time that sewer and water capacity becomes available.

J.1.4.8 Council shall not draft approve any new lot or unit development by way of ~~consent, — plan~~ Consent, Plan of ~~subdivision~~ Subdivision or ~~condominium~~ Condominium in the Municipality without first confirming there is sufficient existing sewer and water capacity available to provide the development with full municipal services. If there is capacity in only one of the two municipal systems, draft approval shall not be granted on the basis of partial services, except where necessary to address failed services, or because of physical constraints.

## **J.1.5 Rural Neighbourhood Servicing**

J.1.5.1 In areas outside of the Urban Neighbourhood, development is expected to proceed on the basis of individual on-site water supply and sewage disposal systems.

## **J.2 PUBLIC WORKS**

### **J.2.1 General Policies**

J.2.1.1 The construction of public works shall be used to implement the policies of this Plan.

J.2.1.2 No public works shall be carried out and no ~~by~~ By-law shall be passed under the provisions of the *Planning Act* that are not in conformity with this Plan or that will permit development that is not in conformity with this Plan.

## **J.3 TRANSPORTATION**

### **J.3.1 General Policies**

J.3.1.1 The road system within the Municipality is composed of a hierarchy of Provincial highways, municipal public roads that are maintained year round, municipal public roads that are maintained seasonally and private roads (Crown access/unassumed roads). In addition, there are numerous Lake Access Points, Recreational Trails, and Canoe Routes (including portages and campsites). Each type of road, lake access point, trail and canoe route varies in its function, the type and volume of traffic it handles and the speed of traffic it can accommodate. As a result, designs and standards also vary. The transportation network provides a basis for the local economy by

allowing the safe and efficient movement of people and goods from one place to another. In addition, it provides access to individual properties and allows for sightseeing.

J.3.1.2 Major goods movement facilities and corridors, such as ~~provincial~~Provincial highways and railways, shall be protected for the long term. New development proposed in the vicinity of existing or planned corridors should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

J.3.1.3 The transportation network and hierarchy is generally illustrated on Schedule C to this Plan. The Municipality will continue to encourage and develop a safe and efficient road network, which has regard for natural and cultural heritage resources, environmentally sensitive area and the character of the Neighbourhood and the Municipality.

### **J.3.2 Provincial Highways**

J.3.2.1 Highway 11 provides the main road link, and Highway 64 provides a secondary road link, within and through the Municipality. These highways provide access to many of the tourist commercial establishments. Highway 11 forms the commercial backbone in the Village of Temagami.

J.3.2.2 For any development abutting a Provincial highway or development that is located within the permit control area of a Provincial highway, a Ministry of Transportation permit will be required prior to any construction or grading being undertaken.

### **J.3.3 Municipal Roads**

J.3.3.1 All municipal roads shall be constructed to an appropriate standard and the Municipality will develop appropriate road standards policies. There shall be a continuing program of municipal improvement to existing municipal roads. Priorities for the improvement of existing municipal roads should be based on a Roads Needs ~~studies~~Study that shall be conducted from time to time. The Municipality may consider alternate standards in particular circumstances where the function of the road will not be negatively affected and where public health and safety will be safeguarded.

J.3.3.2 Municipal roads are divided into two categories, year round maintained and seasonally maintained.

J.3.3.3 Every effort should be made to preserve the character and scenic amenity of a roadway, while ensuring that the function and safety of that roadway will be maintained.

- J.3.3.4 Where new roads are proposed, such roads will be located and designed to co-ordinate with existing roads and provide for connections to abutting parcels which have development potential. In this regard, roads should be linked, wherever possible and appropriate, and blocks of land should be provided, where necessary, to facilitate future access to abutting properties.
- J.3.3.5 The establishment of new public seasonally maintained roads will be discouraged.
- J.3.3.6 Where property abuts a municipal or ~~provincial~~Provincial road, the Municipality and/or the Ministry of Transportation may require the dedication of land for road widening purposes. Such dedications may be requested at the time consideration is being given to *Planning Act* applications.
- J.3.3.7 As authorized by the *Planning Act*, the dedication of a widening of a municipal road allowance, to a standard width of 20 metres may be required along all or part of the abutting lot line. This required road allowance width may be increased as necessary to 26 metres, in order to address matters such as additional turning lanes, curve alignments, sidewalks, utilities, road cuts and embankment slopes. Dedication of an additional area may also be required along all or part of the abutting lot line for:
- a) Dedication of sight triangles and turning lanes primarily at intersections of public roads to meet municipal standards; and,
  - b) Dedication of areas necessary to construct grade improvements, separation or road alignments, where the proposed development would result in the need for such improvements due to traffic volumes or to eliminate hazards.
- J.3.3.8 Road widening of municipal road allowances will generally be dedicated in equal widths from the centre line on each side of the road allowance. Exceptions to this may be considered where:
- a) Topographic constraints exist;
  - b) An alternate decision would be consistent with the prevailing pattern of dedication;
  - c) Heritage features and natural or environmentally sensitive areas would be preserved;
  - d) A landowner owns both sides of the road allowance; and,
  - e) Local municipal services are a constraint.
- J.3.3.9 Development and maintenance of municipally owned roads will be at the discretion of the Municipality. There will be no commitment or requirement for the Municipality to maintain or open unimproved road allowances. Conversely, nothing in this section will limit the Municipality's ability to open, improve or maintain any road, as identified in a Road Needs Study.

### **J.3.4 Private Roads**

- J.3.4.1 The Temagami area has many existing or abandoned forest access roads primarily associated with past and current logging and mining operation which, when combined with portages and other recreational trails are an important feature in the area. This existing network of unassumed roads, primarily on Crown ~~land~~Land provides access to residential properties.
- J.3.4.2 All roads within the Municipality of Temagami not owned and maintained by the Ministry of Transportation (or its designate), or owned and maintained by the Municipality, are categorized in this Plan as Private Roads.
- J.3.4.3 The ~~municipality~~Municipality may establish a ~~road assumption by~~Road Assumption By-law to provide requirement for the assumption of a private road by the Municipality.
- J.3.4.4 The Municipality shall be cautious not to assume liability for such roads and it should be recognized that the level of public services will continue to be limited where there is only water access or private road access. Such limitation should be recognized in ~~zoning by~~Zoning By-laws or municipal agreements, such as ~~site plan control~~Site Plan Control agreements.
- J.3.4.5 Where a public road allowance is used for a private road, the benefiting landowner(s) shall enter into an agreement with the Municipality to address such matters as financial contribution, liability insurance, road standards, stormwater management and construction mitigation measures and rehabilitation.
- J.3.4.6 The Ministry of Natural Resources ~~and Forestry~~ is encouraged to consult with the Municipality when contemplating granting permission for new private roads and Crown access points within the Municipality. In addition, when access is proposed over Crown Land, the proponent shall be required to obtain a written assurance from the Ministry of Natural Resources ~~and Forestry~~ that the Ministry has no objection to the continuing use of Crown Land for access by the proponent.

### **J.3.5 Development on Private Roads**

- J.3.5.1 The Municipality may permit rural residential development on the basis of private road access in the following circumstances:
- a) Where two abutting patented lots located on a private road existed in the past and could have been independently conveyed but have merged on title due to the provisions of a will, a bequest, gift or similar situation, those same lots may be recreated by consent. New development on those lots is subject to the policies of this Plan, the provisions of the Zoning By-law and, as appropriate, an approved water supply and sewage disposal system;

- b) Where an existing patented lot with private road access in the Rural Neighbourhood can be severed so that both the new lot or lots, to a maximum of three (3) new lots and the retained lot meet the applicable zoning standards;
- c) Where the private road is part of the land owned by a condominium corporation, a fractional ownership development or other similar type of ownership tenure development; and,
- d) A new lot or a cluster of up to four (4) lots created in the Rural Neighbourhood that are not accessible from an approved Lake Access Point.

J.3.5.2 ~~Plans~~Plan of ~~subdivision~~Subdivisions based on private road access are not permitted.

J.3.5.3 For lots created on the basis of private road access, the Municipality shall require the entering of a limited services agreement to recognize that lots on private roads will receive limited services in comparison to a lot on a municipally maintained road.

### **J.3.6 Recreation Trails**

J.3.6.1 Existing trails in the Municipality include hiking trails (day hike and overnight hike), ~~cross-country~~ ski trails (backcountry and track-set), ATV trails, mountain biking, dog sledding trails, and groomed Ontario Federation of Snowmobile Clubs (OFSC) snowmobile trails. Other trail opportunities exist which are not groomed or maintained and include snowshoeing on lakes and portages or snowmobiling and ATViing on other trails and forest access roads. It should be noted that many of these trails are part of the Temagami Anishnabai and Temagami First Nation heritage.

J.3.6.2 Trail-related recreation may provide additional tourism opportunities since only snowmobile trails and short distance hiking and ski trails have developed significantly in the Municipality.

J.3.6.3 The Municipality supports trail-related recreation provided that the uses respect the sensitive character of the Temagami area. Co-operation between trail users is encouraged by the Municipality to ensure maximum use and benefit from the trail system.

J.3.6.4 New snowmobile trail access points to lakes ~~shall~~should be kept to a maximum width of 3 metres and shall enter lakes at an oblique angle to minimize visual impact. Tree cutting at access points and along trails shall be limited to that required for trail maintenance.



### **J.3.7 Camp Sites**

J.3.7.1 It is the Municipality's intent that no new campsites be located closer than 500 metres to a lake access point or within 500 metres of an existing residential dwelling or vacant patented lot, or existing campsite.

### **J.3.8 Railways**

J.3.8.1 Existing and planned intercommunity passenger and freight transportation services facilitate vital connections to and from surrounding areas. The Municipality will plan for current railway infrastructure by protecting its long-term operation and economic role. Land uses immediately adjacent to railways will be planned to facilitate local economic development by supporting current freight activity and potential future passenger rail service.

## **J.4 LAKE ACCESS**

### **J.4.1 Introduction**

J.4.1.1 Lake access points provide the link between the road network and the lake transportation network. The Municipality of Temagami shall endeavour to control lake access points in accordance with the policies set out in this Plan in order to:

- a) Protect the sensitive character of the lake communities within the Municipality of Temagami; and,
- b) Mitigate the potential impact of development and invasive species transmission on key natural resources.

### **J.4.2 General Policies**

J.4.2.1 It is the policy of the Municipality that any lake access point that provides the sole access to development on a lake shall remain open and available to the users of the lake. These access points, along with access roads are vital to lake communities and the lake economy as they provide access for residential uses, the Teme-Augama Anishnabai and Temagami First Nation, tourist commercial uses and other users of the lake system.

J.4.2.2 For clarity, the term lake access point does not include a pedestrian access point provided within a lakeshore ~~plan~~Plan of ~~subdivision~~Subdivision for the use of residents of lots that do not have direct access to the water.

J.4.2.3 With the exception of the Town Waterfront Access Point, all existing approved access points, as shown on Schedule C to this Plan, are on Crown Land. Wherever desirable and affordable, the Municipality will work with the Ministry of Natural Resources ~~and Forestry~~ to obtain appropriate tenure to approved lake access points. The Municipality will pursue

management agreements with the Province for lake access points where neither a patent nor a land use permit can be secured.

J.4.2.4 This Plan supports the implementation of public education initiatives and infrastructure that protects the quality of lake water as well as the protection of natural environments and species from impacts associated with invasive species.

### J.4.3 Approved Lake Access Points

J.4.3.1 ~~Sixteen~~Fourteen lake access points currently approved by the Ministry of Natural Resources ~~and Forestry~~ and maintained by either the Ministry or the Municipality of Temagami are identified on Schedule C to this Plan. Additional lake access points are located throughout the Municipality however, they shall not be considered as approved for the purposes of this Plan.

J.4.3.2 Certain uses and facilities are permitted at the approved access points. The uses or facilities permitted at each approved access point are dependent on the site characteristics of the individual access point. The uses or facilities permitted include:

- Camping (CP);
- Municipal maintenance (M);
- Commercial lodge pick up and retail deliveries (C);
- A large parking lot with multiple trailer ramps (AP1);
- A small parking lot with one trailer ramp (AP2);
- A small parking lot with no trailer ramp (AP3);
- Transit of industrial/building supplies (I);
- Sanitary facilities (S);
- Dockage (D)
- Security; and,
- Garbage collection facilities (G).

J.4.3.3 The approved access points, as shown on Schedule C to this Plan, and the uses or facilities permitted at each are as follows:

- Finlayson Provincial Park - AP1, CP, S, D;
- Strathcona Road - AP1, C, I, M, D;
- Lake Temagami Access Road - AP1, C, I, M, S, D, G;
- Town Waterfront - AP1, C, M, D, G;
- Baie Jeanne - AP2 (10 spaces), CP, S;
- Rabbit Lake - Southwest Bay, Houghton Landing - M, AP2, C and Lowell Lake Road, Camp 16 - AP2, CP;
- Snake Island Lake - Temagami Boat Livery – AP2, C, M;
- Cassels Lake - Northshore – AP2;
- Red Cedar Lake - Loon Bay, MTO maintained - AP1, C;
- Marion Lake - Marion Lake (150m south of gas station) - AP2;
- Jumping Caribou Lake - Raynor's Road - AP3;
- Marten River - Marten River Provincial Park - AP1;
- Herridge Lake - Herridge Lake Access Point- AP2, D; and,
- Wilson Lake - Wilson Lake Access Point, north side of camp- AP3, D.

- J.4.3.4 Boat launching facilities should be designed to be functional and be as unobtrusive as possible.
- J.4.3.5 Parking areas must be screened with a vegetative buffer from the main body of the lake. Illegal access points are to be closed.
- J.4.3.6 New snowmobile trails accessing Lake Temagami/Cross Lake are to be no wider than three (3) metres and zoned exclusively for winter snowmobile use. No new private structures should be permitted.

#### **J.4.4 New Lake Access Points**

J.4.4.1 Should consideration be given to the establishment of new public motorized lake access points, the following should be given full consideration:

- a) The need for the additional access point;
- b) The ability of the site to be developed without any significant visual impact that cannot be mitigated;
- c) The potential for environmental impacts;
- d) The uses or facilities to be permitted;
- e) The availability of existing municipal road accesses to the proposed access point; and,
- f) If Ministry of Natural Resources ~~and Forestry~~ grants approval for a new lake access point, the following policies shall apply:
  - The Municipality shall consider obtaining a patent for the site and operating the facility;
  - Municipal approval of a detailed site plan;
  - No new public motorized road and/or access point should be permitted within two (2) kilometres of the shore of Lake Temagami and Cross Lake; and,
  - Existing gates are to be maintained and new ones installed to prevent new public access roads to Lake Temagami and Cross Lake.

#### **J.4.5 Lake Temagami Access Point**

J.4.5.1 The Lake Temagami Access point is a gateway to Lake Temagami. Residents, seasonal residents, tourists, campers, business owners, government and the Teme-Augama Anishnabai and Temagami First Nations Nation all use the access point to the Lake. The Lake Access point requires expansion and improvement to safely service the users.

J.4.5.2 The Municipality supports collaboration in the undertaking of improvements to the Lake Temagami access point.

## **J.5 WASTE MANAGEMENT**

### **J.5.1 General Policies**

J.5.1.1 Waste management facilities including active and defunct sites are identified on Schedule D to this Plan. Land in proximity to land formerly used for waste disposal purposes may be used in accordance with the applicable land use designation and the land use policies of this Plan.

Where development is proposed within 500 metres of an open or closed waste disposal site, a D-4 Study shall be required in accordance with Ministry of Environment, Conservation and Parks legislation and guidelines.

## **J.6 POTENTIALLY CONTAMINATED SITES**

### **J.6.1 General Policies**

J.6.1.1 Potentially Contaminated Sites including brownfield sites are land, buildings and/or structures where it is reason to suspect that substances, either individually or collectively, are present that may pose a danger to public health, safety and/or the environment.

J.6.1.2 If the site of a proposed use is known or suspected to be contaminated due to its previous use, the Municipality will not approve the development until the proponent has demonstrated that the site has been assessed and if necessary, remediated in accordance with the requirements of Ministry of Environment, Conservation and Parks. The proponent shall have a Record of Site Condition prepared by a qualified professional.

## **J.7 TEMPORARY WAYSIDE PITS AND ASPHALT PLANTS**

### **J.7.1 General Policies**

J.7.1.1 Although the Municipality does not have jurisdiction over temporary wayside pits and asphalt plants, such pits and plants opened for the purpose of public road construction or maintenance are generally permitted. However, these uses are not permitted in the Protected Area land use designation, in the Skyline Reserve or in recognized environmentally sensitive areas.

# K GENERAL POLICIES

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## ~~K.1 AGRICULTURE~~

## K.1 AGRICULTURE

### K.1.1 Agricultural Uses

No prime agricultural areas have been identified within the Municipality. However, some agricultural and agriculture-related uses including the production of maple syrup and keeping of trail riding horses and similar uses occur. Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices are permitted in the Municipality outside the Urban Neighbourhood and Lake Temagami Neighbourhood. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the Minimum Distance Separation formulae, as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

### K.1.2 Minimum Distance Separation

K.1.2.1 The Provincial Minimum Distance Separation Formulae and Implementation Guidelines, as amended from time to time, shall be used to determine appropriate minimum separation distances between new land uses, and existing agricultural uses and to determine appropriate separation distances between new or expanded livestock facilities and existing non-farm uses. The ~~MDS~~Minimum Distance Separation Formulae and Implementation Guidelines shall be applied throughout the Municipality.

K.1.2.2 Implementation of the Provincial Minimum Distance Separation Formulae shall not apply to development within a ~~settlement area~~Settlement Area, consents involving existing dwellings and development on closed cemeteries.

K.1.2.3 Minimum Distance Separation Formulae requirements shall be included within the ~~Township's~~Municipality's Zoning By-law.

## K.2 LAND USE COMPATIBILITY

### K.2.1 General Policies

K.2.1.1 Sensitive land uses such as residential uses, day care centres, educational facilities and health facilities shall be appropriately buffered and/or separated from major facilities in order to prevent adverse effects from odour, dust, traffic, pests, litter visual impact, noise, and other contaminants. Major facilities include highway and rail corridors, sewage disposal facilities,

waste disposal sites, aggregate and mining activities and other industrial uses. Consideration shall be given to the Ministry of Environment, Conservation and Parks D-Series guidelines.

## **K.3 ALTERNATE ENERGY GENERATION SYSTEMS**

### **K.3.1 General Policies**

K.3.1.1 Private green energy infrastructure, including wind and solar energy generation systems are encouraged by the Municipality, particularly for those residential lots and non-residential facilities that are not on the 'power grid'. In selecting the type and colour of the generation system and the installation location, care should be taken to minimize possible visual impacts on nearby properties. The Zoning By-law shall include provisions related to the siting of private green energy infrastructure in order to ensure the wilderness and semi-wilderness values of the Municipality are preserved. Stand-alone commercial green energy infrastructure projects shall not be permitted in proximity to Lake Temagami- and shall not be visible from Lake Temagami.

## **K.4 ADDITIONAL DWELLING UNITS**

### **K.4.1 Standard Secondary Dwelling Units in the Urban Neighbourhood**

K.4.1.1 Standard~~This policy applies to the Additional Dwelling Unit policies in the Planning Act, for lots serviced with municipal water and sanitary within the Settlement Areas.~~

K.4.1.1K.4.1.2 ~~Within the Urban Neighbourhood, on lots serviced by municipal water and sanitary within the Settlement Areas, standard~~ secondary dwelling units may be permitted in single detached or semi-detached dwellings or townhouses, or in a building or structure ancillary to a single detached or semi-detached dwelling or townhouse provided that:

- a) ~~Not more than one~~A maximum of two (2) standard secondary dwelling ~~unit is~~units are permitted in association with each principal dwelling on the same lot;
- b) Only one (1) standard secondary dwelling unit is permitted to be located within an accessory building;
- ~~b)c)~~c) All requirements of the Zoning By-law, including the provision of adequate parking, of the Building Code and other relevant municipal and ~~provincial~~Provincial regulations can be satisfied; and,
- ~~e)d)~~d) It has been determined that municipal services and community facilities are adequate to meet the anticipated demand for secondary dwelling units.

## **K.4.2 Garden Suites**

K.4.2.1 On lots not in the ~~settlement area~~Settlement Area and not on a waterbody a garden suite may be permitted on the same lot as an existing single detached dwelling unit. Each application will be reviewed for eligibility and other considerations on a case by case basis, including:

- a) Located on a sufficiently large lot to ensure appropriate siting and buffering of the 'garden suite';
- b) Located where appropriate servicing can be provided;
- c) Anticipated that the occupant(s) will generally be elderly relatives of the owners/occupants of the main dwelling; and,
- d) Permitted on a temporary basis through a site specific, temporary use by-law.

## **K.4.3 Definitions of Secondary Dwelling Units**

K.4.3.1 A standard secondary dwelling ~~units~~unit is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas created by an interior renovation or exterior addition to the primary dwelling unit or accommodated within part of an accessory building. Such residential unit is an accessory use to the main dwelling.

K.4.3.2 A cabin secondary dwelling unit is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas that is the entirety of an accessory building. Such residential unit is an accessory use to the main dwelling.

K.4.3.3 A sleep cabin is an accessory building for sleeping accommodation that is not a residential premises and is an accessory use to the main dwelling, in which a private kitchen or bathroom facilities may be permitted. A sleep cabin is not a secondary dwelling unit.

## **K.4.4 ~~Secondary Dwelling Units in the Rural Areas~~**

K.4.4.1 Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Standard secondary dwelling units are permitted in the Urban Neighbourhood and the rural area on non-shoreline residential lots, subject to the policies of this Plan. The Zoning By-law shall contain provisions to regulate the establishment of standard secondary dwelling units and cabin secondary dwelling units. Other than lots referenced in Section K.4.1 of this Plan, where applicable, only one (1) form of secondary dwelling unit shall be permitted.



K.4.4.2 Standard secondary dwelling units may be permitted in single detached dwellings or in a building or structure accessory to a single detached dwelling within the Urban Neighbourhood and the rural area on non-shoreline residential lots. Standard secondary dwelling units may only be located within an accessory building on lots serviced with municipal water and sanitary within the Settlement Areas.

K.4.4.3 Standard secondary dwelling units, cabin secondary dwelling units and sleep cabins on non-shoreline residential lots shall only be permitted provided:

- a) All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the standard secondary dwelling unit or cabin secondary dwelling unit and other standards including the Ontario Building Code and other relevant municipal and ~~provincial~~Provincial regulations can be satisfied;
- b) It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the secondary dwelling unit;
- c) A standard secondary dwelling unit or cabin secondary dwelling unit shall not be permitted in the front yard ~~or in the minimum distance from the shore~~ as defined by the Zoning By-law; and,
- d) The standard secondary dwelling unit or cabin secondary dwelling unit shall comply to all other policies of this Plan.

#### **K.4.5 Sleep Cabins and Cabin Secondary Dwelling Units**

K.4.5.1 Cabin secondary dwelling units and sleep cabins are permitted on shoreline residential lots subject to the policies of this Plan.

~~K.4.5.2 Sleep cabins are accessory building used for sleeping and may include a washroom. Cabin secondary dwelling units are accessory buildings on waterfront lots that contain a washroom and a kitchen.~~

~~K.4.5.3~~K.4.5.2 Sleep cabins and cabin secondary dwelling units are permitted on waterfront shoreline residential lots within the rural areas of all Neighbourhoods, subject to the following policies and the provisions of the Zoning By-law.

~~K.4.5.4~~K.4.5.3 The size and number of sleep cabins and cabin secondary dwelling units on a lot affects the intensity of use on the property. In order to reduce visual impact, sleep cabins and cabin secondary dwelling units should be located no closer to the lake than the main residential dwelling or the minimum front yard setback (minimum distance from shore for shoreline residential lots) specified in the Zoning By-law whichever is the lesser.

~~K.4.5.5~~K.4.5.4 Sleep cabins are not permitted in the Urban Neighbourhood except in association with rural residential development.

~~K.4.5.6~~K.4.5.5 The maximum number of sleep cabins and cabin secondary dwelling units permitted on a residential lot in the Lake Temagami Neighbourhood is set out in the Zoning By-law.

~~K.4.5.7~~K.4.5.6 The total number of sleep cabins and cabin secondary dwelling units shall not detract from the main residential use of the property and shall not exceed a total of two per lot, only one of which may be a cabin secondary dwelling unit.

~~K.4.5.8~~K.4.5.7 Cabin secondary dwelling units may be permitted subject to an approved connection to an independent, on-site sewage disposal system. A cabin secondary dwelling unit shall be located on the lot so that the cabin secondary dwelling unit and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a cabin secondary dwelling unit shall be such that the severed and retained lots would conform to the provisions and standards for the Zoning By-law.

~~K.4.5.9~~K.4.5.8 For the purpose of this section, a boathouse with sleeping accommodations that lawfully existed as of April 18, 2013 ~~came into effect,~~ is deemed to be a sleep cabin.

## **K.5 HOME OCCUPATIONS**

### **K.5.1 General Policies**

K.5.1.1 Home occupations are permitted on lots within all Neighbourhoods. Home occupations shall only be carried out in part of a residential dwelling and/or part of or all of a building accessory to a dwelling, and shall be incidental to the residential use. The home occupation shall not change the residential character of the dwelling or the character of the dwelling or the lot.

K.5.1.2 Where a home occupation exists on a shoreline property, the sale of goods or the provision of a service shall only be permitted if adequate docking facilities can be provided and an unacceptable level of increased boat traffic does not result, and these activities do not become a nuisance because of noise, fumes, dust, odour, traffic or otherwise interfere with the enjoyment of the residential amenities of the Neighbourhood.

K.5.1.3 Home occupations shall be permitted in accordance with the Zoning By-law, however as a guide, occupations such as small engine repair and minor boat repairs are not considered to be home occupations.

**K.6 HOME INDUSTRIES**

**K.6.1 General Policies**

K.6.1.1 Home industries may be permitted in all or part of a building accessory to a dwelling, and/or in part of a single detached dwelling unit on a Residential lot in the Municipality.

K.6.1.2 Home industries shall proceed by way of a rezoning. As part of the rezoning process, Council shall consider the adequacy of the building for the use proposed, the potential impact of the home industry on adjacent residential areas, the size of the operation, the visual impact from the shore, and the potential for the home industry, including any outside storage to become a nuisance because of noise, fumes, dust, odour, traffic or to otherwise interfere with the enjoyment of the residential amenities of the Neighbourhood, water quality, the environment and other matters as may be set out in the Zoning By-law.

K.6.1.3 There shall be no outside storage associated with the home industry, unless the storage area is limited in size to support the on-site use, and is completely screened and not visible from off site.

K.6.1.4 The Zoning By-law may prescribe minimum shoreline setbacks and vegetative buffer widths for home industry outside storage on water access lots. Relief from any such provisions shall only be considered if it has been demonstrated that due to lot configuration or physical or environmental constraints, it is not possible to comply with the provisions.

K.6.1.5 A Home Industry shall at all times be clearly incidental to the primary residential use of the property and shall be subject to Site Plan Control.

**K.7 CONTRACTOR’S YARD**

**K.7.1 General Policies**

K.7.1.1 Contractor’s yards may be permitted on a rural residential lot in all Neighbourhoods as an accessory use, subject to an amendment to the Zoning By-law and site plan approval in accordance with the following policies.

K.7.1.2 The contractor’s yard shall be used for the outside storage of tools, equipment and in-transit building materials, except noxious or hazardous goods or materials and shall be screened by a solid vegetative buffer from the viewing public.

K.7.1.3 The contractor’s yard shall:

- In the case of a lot fronting on a public road, be located in the rear yard;
- In the case of a lot fronting on both a public road and a lake, be located in the yard abutting the road;
- In the case of a water access lot, the contractor's yard may be located in any yard, but shall be screened from view from the shoreline; and,
- At all times be clearly incidental to the primary residential use of the property.

K.7.1.4 The Zoning By-law may prescribe minimum shoreline setbacks and vegetative buffer widths for contractor's yards on water access lots. Relief from any such provisions shall only be considered if it has been demonstrated that due to lot configuration or physical or environmental constraints, it is not possible to comply with the provisions.

## **K.8 BED AND BREAKFAST ESTABLISHMENTS**

### **K.8.1 General Policies**

K.8.1.1 A bed and breakfast establishment, licensed by the Municipality, is permitted within a single detached dwelling in the Urban Neighbourhood provided that the physical character of the dwelling is not substantially altered. The single detached dwelling must clearly be the principal use of the land, the owner must live in the dwelling and the bed and breakfast must clearly be an accessory use to the dwelling. Bed and Breakfast accommodation shall not be provided in a sleep cabin or boathouse. The local health unit shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing Zoning By-law shall define a Bed and Breakfast use and the appropriate zone provisions.

## **K.9 WILDLAND FIRE AND FIRESMART**

### **K.9.1 General Policies**

K.9.1.1 In accordance with the Wildland Fire Risk Assessment and Mitigation Manual provided by the Province, development shall be directed away from areas having hazardous forest types and development applications in areas of high to extreme risk for wildland fire must be supported by a risk assessment that identifies mitigation measures to lower the risk. Refer to Appendix 5 for mapping of the high to extreme risk areas.

K.9.1.2 The FireSmart Program in Ontario is designed to reduce the risk of wildland fire damage to communities, where development meets forests and other natural areas. The Program aids to enhance public safety, protect property, and promote wildland fire resilient landscapes through education, planning, and community/individual participation.

K.9.1.3 Land owners are encouraged to review the FireSmart Program in an effort to minimize exposure to potential wildland fires in the Municipality. It is recognized that mitigation measures may be implemented in order to protect against potential wildland fire hazards associated with both new development and alterations associated with existing development. The Municipality shall utilize Site Plan Control to implement recommended mitigation measures, generally supported by a risk assessment in order to lower the risk to buildings and structures from potential wildland fire risks.

K.9.1.4 Where there is conflict between the FireSmart principles and the semi-wilderness policies of the Official Plan, efforts should be made through the planning process to ensure risk to public health and safety is mitigated while encouraging the protection of semi-wilderness values.

## **K.10 URBAN DESIGN**

### **K.10.1 General Policies**

K.10.1.1 The Municipality is committed to strengthening the visual identity of the Municipality, particularly in the downtown core while maintaining the potential for diversity in style, density and form of development. All types of commercial development are encouraged to exhibit a high standard of physical design. The Municipality encourages both proposals for new development and redevelopment in commercial areas to consider the following urban design principles:

- Strengthen the visual identity of the downtown core;
- Consistent building setbacks along Highway 11;
- Appropriate signage for pedestrian and vehicular movement;
- Promote pedestrian friendly designs;
- Provide parking in rear of buildings where possible;
- Uniformity in architectural style;
- Barrier-free design standards;
- The use of native trees for shade / landscaping purposes;
- The use of local building materials such as rock and wood; and,
- Uniformity of landscape architecture elements and site furnishings (i.e., trash receptacles, benches, lighting, signage).

# L IMPLEMENTATION

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## L.1 IMPLEMENTATION

### L.1.1 General Policies

L.1.1.1 This Plan shall be implemented utilizing the powers conferred on the Municipality by the *Planning Act*, the *Municipal Act* and such other statutes as may be applicable. Implementation tools may include but not be limited to the following:

- Zoning By-laws, in conformity with the provisions of this Plan and the *Planning Act*;
- Legislation pursuant to the Municipal and Building Code Acts;
- Subdivision control and ~~part lot control~~Part Lot Control;
- Capital works programs and the construction of public works;
- Site Plan Control;
- Development Permits;
- Building Permits issued only in conformity with the Official Plan, the Zoning By-law and the *Building Code Act*;
- Holding By-laws;
- Temporary Use and Interim Control Bylaws;
- Other enabling legislation including but not limited to the *Environmental Assessment Act*, *Environmental Protection Act*, the *Ontario Water Resources Act*;
- Studies leading to the development of policies, diction, and implementation strategies; and,
- Agreements with the Province ~~or~~for the use and management of Crown ~~lands~~Lands.

## L.2 PLANNING ADMINISTRATION

### L.2.1 General Policies

L.2.1.1 In accordance with the *Planning Act*, Council may delegate authority given by the Minister under the *Planning Act* to a Committee of Council or an appointed officer.

L.2.1.2 Council may also delegate authority for granting ~~minor variances~~Minor Variances and/or ~~consent granting authority~~Consent Granting Authority to a Committee of Adjustment.

L.2.1.3 Council may appoint a Planning Advisory Committee to make recommendations to Council on planning matters

## **L.3 REVIEW AND MONITORING OF THE PLAN**

### **L.3.1 General Policies**

L.3.1.1 The Municipality shall review the Official Plan at regular intervals in accordance with the requirements of the *Planning Act*. When necessary, the Plan shall be revised to reflect the changing needs of the residents of Temagami and to ensure consistency with the Provincial ~~Policy~~Planning Statement and other ~~provincial plans~~Provincial Plans, in accordance with the provisions of the *Planning Act*.

## **L.4 AMENDMENTS TO THE PLAN**

### **L.4.1 General Policies**

L.4.1.1 The Municipality may undertake amendments to the Plan on its own initiative. The Municipality may also consider, at the request of other levels of government, private individuals, companies or organizations, other amendments to this Plan. An amendment to this Plan is required to permit the establishment of uses other than those provided for and to change Settlement Area boundaries in accordance with the policies of this Plan. In considering an amendment to this Plan, the Municipality shall consider the following:

- a) Provincial ~~Policy~~Planning Statement and other Provincial Plans, legislation and regulations;
- b) The completion of supporting studies, information, and materials that may be required as part of a development application, in accordance with the policies for complete applications in this Plan;
- c) The desirability and appropriateness of changing the Official Plan to accommodate the proposed use in light of the General Development Policies of this Plan;
- d) The objectives and policies of this Plan;
- e) The need for the proposed use including justification for the amount of land proposed for a change in designation based on existing undeveloped lands available for development;
- f) Whether the lands are within or adjacent or in close proximity to fish habitat significant wetlands, significant woodlands, significant valley lands, areas of natural and scientific interest (ANSIs), significant wildlife habitat, significant habitat of endangered and threatened species, other locally significant natural heritage features and areas, and the subsequent results of an Environmental Impact Statement which is required for development and site alteration within or adjacent to these features;
- g) The effect on the economy and financial position of the Municipality;

- h) The compatibility of the proposed use with existing uses or potential uses in adjoining areas and the effect of such use on the surrounding area including the natural environment;
- i) The location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services as required including whether or not logical extensions to services could be provided; and,
- j) The physical suitability of the land for the proposed use.

L.4.1.2 In support of the application, the applicant shall consult with the Municipality and provide the prescribed information and any other information or material that the Municipality considers it may need, as set out in this Plan.

## **L.5 EXISTING USES**

### **L.5.1 General Policies**

L.5.1.1 It is the intent of this Plan that existing uses that do not conform to the provisions of this Plan shall, in the long term, be brought into conformity with this Plan. However, this Plan is not necessarily intended to prevent the continuation, expansion, or enlargement of uses that do not conform to the designations and provisions of this Plan. At its discretion, the Municipality may zone or grant ~~minor variances~~ Minor Variances to permit the continuation, expansion or enlargement of legally existing non-conforming uses, or as an exception to permit minor variations of existing uses to similar types of uses, provided that such expansions, enlargement or similar uses:

- a) Have no adverse effect on the present surrounding uses;
- b) Will not detrimentally ~~effect~~ affect the implementation of this Plan; and,
- c) Will not create or further aggravate a traffic hazard.

### **L.5.2 Non-Conforming Uses and Buildings**

L.5.2.1 Any use of land, buildings and structures that legally existed at the date of adoption of this Plan that do not conform to the land use designation within which it is located, may be recognized in the Zoning By-law as a legal non-conforming use. The enlargement of the lot area of the non-conforming use shall not be permitted. The buildings or structures within which such non-conforming use is located, may be expanded, provided that the expansion would not have a negative impact on the environment or abutting properties and the expansion is in accordance with all provisions of the Zoning By-law.

### **L.5.3 Non-Complying Lots and Buildings**



- L.5.3.1 Lots that legally existed at the date of adoption of this Plan that do not comply with the minimum lot frontage and/or lot area requirements of this Plan or buildings and structures that legally existed at the date of adoption of this Plan that do not comply with one or more zone provisions or standards may be recognized in the Zoning By-law.
- L.5.3.2 A use that conforms to the policies of the Official Plan and the provisions of the Zoning By-law may be permitted to develop on a vacant non-complying lot provided that:
- a) The lot is suitable and of sufficient size to accommodate the use proposed and the necessary water and sewage disposal systems;
  - b) The lot is in general character with the surrounding lots;
  - c) The environmental and development constraints policies of the Plan can be addressed; and,
  - d) Any other policies of this Plan respecting the development of an existing lot are satisfied.
- L.5.3.3 The expansion of a non-complying building or structure may be permitted provided that the non-compliance is not exacerbated by the expansion and/or a new non-compliance is not created.
- L.5.3.4 The Municipality may require the preparation of a site evaluation report to ensure that these matters can be properly addressed and that the lot, building and structure are suitable for the development proposed.
- L.5.3.5 The adherence to coverage provisions, careful siting of development and maintenance or restoration of vegetation on existing undersized lots, particularly in the waterfront and rural areas, will be required and implemented through the Zoning By-law and ~~site plan control~~Site Plan Control to ensure that the intent of the Official Plan is maintained.

## **L.6 NOTIFICATION AND CONSULTATION**

### **L.6.1 Public Notice**

- L.6.1.1 The Municipality shall provide notification of any *Planning Act* application, in accordance with the requirements of the *Planning Act*. Public notice shall take into consideration the geographic and temporal considerations of all ratepayers in the Municipality.

### **L.6.2 Public Consultation**

- L.6.2.1 By using a variety of techniques, the Municipality shall encourage and provide the opportunity for public participation, when the Municipality is considering changes to this Plan, in accordance with the provisions of this

Plan and the requirements of the *Planning Act*. Equitable participation in the land use planning process will be promoted.

- L.6.2.2 The Municipality shall establish the public consultation program it feels will best be able to deal with the matters before it, recognizing that there are many non-permanent residents in the Municipality. Innovative methods to overcome barriers faced by seasonal residents will be developed to improve the municipal public consultation processes as well to facilitate the active participation of residents in the decision making process.

### **L.6.3 Public Education**

- L.6.3.1 Council may undertake a program of planning education for all the residents of the Municipality whenever opportunities may arise and shall be satisfied that an adequate level of public understanding of the Plan exists at the time of formal approval and with any future amendments to the Plan, as they arise.

### **L.6.4 Indigenous Communities**

- L.6.4.1 The Municipality shall notify the Band Council of the Indigenous Community of a complete application for Official Plan or Zoning By-law ~~amendment, minor variance~~Amendment, Minor Variance, or land division (~~subdivision, condominium~~Subdivision, Condominium or ~~consent~~Consent) which is proposed within the Municipality. The Municipality may notify the ~~First Nation~~Indigenous Community of an application that has been received for pre-application consultation.

- L.6.4.2 Upon the request of the Indigenous Community, the Municipality will provide the Indigenous Community with copies of any supporting studies or documentation submitted in support of an application. Requests for supporting studies or documentation are more likely for applications such as a large-scale plan of subdivision or a change of use. The Municipality may require proponents to provide additional copies of supporting studies or documentation for the purpose of circulation to the Indigenous Community.

## **L.7 COMMUNITY IMPROVEMENT**

### **L.7.1 General Policies**

- L.7.1.1 The Municipality, may by By-law, designate land in the Municipality as a 'Community Improvement Project Area' and will prepare a plan for that project area. The following matters should be considered in the preparation of a community improvement project plan:

- a) The basis for the selection of the project area;

- b) The boundary of the area;
- c) The land use designations and intent of the Official Plan;
- d) The nature of existing land uses, the physical condition of the buildings and structures;
- e) The existing level of services and the nature of improvements proposed to municipal infrastructure, such as roads, water supply, sanitary and stormwater sewers, public utilities, and other community and recreational facilities;
- f) The identification of properties proposed for acquisition and/or rehabilitation;
- g) The phasing of improvements to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses; and,
- h) The estimated costs, means of financing, and the potential for stimulating private sector investment and an improved municipal tax base.

## **L.8 LAND DIVISION**

### **L.8.1 Introduction**

L.8.1.1 The preferred means of lot creation shall be by Plan of Subdivision. -Where a limited number of lots are proposed, new lots by be created by ~~consent~~Consent or by other mechanisms available under the *Planning Act*. New Plans of Subdivision shall not be permitted in the Lake Temagami Neighbourhood or on lakes in other Neighbourhoods.

### **L.8.2 Consents to Sever Patented Land**

L.8.2.1 The Municipality of Temagami has consent granting authority to sever ~~patented land~~Patented Land. Applications to create new parcels on Crown ~~land~~Land shall proceed in accordance with the Province's planning process however, the Municipality encourages the Province to consider the policies of each Neighbourhood and this Section during its deliberations.

L.8.2.2 Consents to sever land for the purpose of creating a new building lot shall only be granted where:

- a) The intended use of the severed and retained parcels conform with the intent and policies of this Plan;
- b) Generally the number of new lots created does not exceed three; (3);
- c) A registered ~~plan~~Plan of ~~subdivision~~Subdivision is not required;
- d) The size and dimensions of the severed and retained parcels comply to the provisions of the Zoning By-law;
- e) The application represents an orderly and efficient use of land and the severance would not hinder development of the retained lands;

- f) The size and dimensions of the severed parcel and the retained parcel, are adequate to accommodate the proposed use or uses;
- g) Demonstrated ability that the dock locations are suitable by study and/or approval by the appropriate authority;
- h) The lot shall be subject to ~~site plan control~~Site Plan Control which shall include:
  - o Visual screening, setbacks, protection of vegetation, and landscaping;
  - o Utilization of existing vegetation and topography to minimize visual impacts;
  - o Lots with sparse or no vegetative buffer where the siting of buildings or structures have the potential for significant visual impact;
  - o Buildings and structures located in the shoreline activity area;
  - o Rehabilitation of vegetation disturbed due to construction and
  - o Mitigation techniques to minimize impacts on surrounding development and uses.
- i) Adequate access to the severed and retained parcel can be provided;
- j) If located within 500 metres of a known sanitary landfill site, a D4 Study has been completed in accordance with Provincial requirements;
- k) Suitable lake access and adequate vehicle parking is available;
- l) Where central sewage and water facilities are not available, it has been established– that the soil and drainage conditions on the severed and retained parcels are suitable or can be made suitable to permit the proper siting of buildings and the installation of an approved water supply and Class IV or VI sewage disposal systems;
- m) Where a water well is proposed, the well shall be established and quality and quantity standards proven prior to final consent is granted;
- n) The applicant, when required, has provided a study or studies acceptable to the Municipality that include an inventory of all existing natural and cultural heritage features both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- o) The financial impacts on the Municipality have been considered;
- p) The intended use is a permitted use in accordance with this Plan;

- q) The applicant, when required, shall provide a study or studies acceptable to the Municipality that may include any of the required studies identified in the required studies section of this Plan;
- r) Demonstration that the proposed lots have regard to Section 51(24) of the *Planning Act*;
- s) Access to Provincial Highway or Maintained Municipal Road or Water access is provided. Or, the new lot is located on a private road and is within two (2) kilometres of a highway or maintained municipal road or is an infill lot between existing lots of record. All development on a private road shall demonstrate legal access and shall enter into a limited service agreement;
- t) Where access to the lot is by water, adequate long term parking and docking facilities and a receiver for garbage shall be secured to the satisfaction of the Municipality;
- u) For waterfront lots, demonstration of a suitable dock locations; and,
- v) The lot shall be subject to ~~site plan control~~Site Plan Control.

### **L.8.3 Crown Land Consent Policies**

L.8.3.1 In addition to the above policies, the following policies also apply to tenure created by the Crown for residential uses:

- a) In order to preserve the privacy of neighbouring properties and to mitigate auditory and visual intrusion, a Crown ~~land~~Land buffer area shall be maintained between existing and new lots, as set out in the Zoning By-law. Notwithstanding the intent of the buffer policy, individual undeveloped Crown islands may be considered for single ownership development provided the other policies of this Plan and the provisions of the Zoning By-law can be met;
- b) The lot created by the Crown shall be located at least a minimum distance from any public access point accessible by motor vehicle, as set out in the Zoning By-law;
- c) The lot shall be located at least 500 metres from an existing tourist lodge;
- d) The lot shall be subject to a Zoning By-law ~~amendment~~Amendment;
- e) The lot shall be located at least 500 metres from other land uses/activities such as approved campsites, trails, portages, beaches and 120 metres from spawning areas, and cultural heritage sites;
- f) The lot shall be at least 200 metres straight line distance from a residential lot;
- g) The lot shall be located to avoid sites on narrow boat channels and/or major canoe routes; and,
- h) The lot shall be subject to the policies of G.8.1 of this Plan.

## **L.8.4 Urban Neighbourhood**

L.8.4.1 In addition to the provisions of Section L.8.2, ~~consents~~Consents to sever land for the purpose of creating a new building lot in the Urban Neighbourhood shall also be subject to the following:

- a) The severed and retained parcels front on and have access to a municipal road that is maintained on a year round basis;
- b) Access to the severed or retained parcels shall not create, or increase, an existing traffic hazard due to limited site lines; and,
- c) Where the severed or retained parcel obtains its access from a ~~provincial~~Provincial highway, approval of the access point shall be obtained from the Ministry of Transportation.

## **L.8.5 Plan of Subdivision**

L.8.5.1 A plan of subdivision is required when generally more than three residential lots are being created or when a new municipal road will be created, or when the extension of an existing municipal road will occur, or when and extension to municipal water and/or sewer services is necessary to support the development. In considering a draft ~~plan~~Plan of ~~subdivision~~Subdivision, regard shall be had, among other matters, to the health, safety and welfare of the present and future inhabitants of the Municipality. In considering an application for approval of a draft plan of subdivision, the Municipality shall have regard to, and the applicant shall provide information to address to the satisfaction of the Municipality the matters outlined in Section 51(24) of the *Planning Act* and the following:

- a) All existing natural and cultural heritage features and functions within and adjacent to the subject lands both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- b) The area of land that is to be conveyed or dedicated for public purposes; and,
- c) The financial impact on the Municipality.

L.8.5.2 Prior to filing a formal subdivision application, the applicant ~~shall~~should undertake a pre-consultation meeting with municipal staff and commenting agencies to ensure that all required supporting studies and documentation are identified and prepared by the applicant.

L.8.5.3 The Municipality may require that the applicant provide any other information or material that the Municipality considers it may need to adequately consider the application.

L.8.5.4 The Municipality shall attach to the approval of a ~~plan~~Plan of ~~subdivision~~Subdivision such conditions it deems appropriate.

## **L.8.6 Plan of Condominium**

L.8.6.1 In considering a ~~plan~~Plan of ~~condominium~~Condominium, regard shall be had, among other matters, the requirements of Section 51(24) of the *Planning Act* and the following:

- a) The *Condominium Act*, other ~~provincial~~Provincial legislation, policies, regulations and guidelines;
- b) Provision of adequate sewage and water service, amenities and public facilities;
- c) Impact on the transportation system and adjacent land uses;
- d) The condominium, condominium units and common elements are suitable for their intended use and implement the requirements of the implementing Zoning By-law;
- e) The feasibility of the proposal with regard to the other provisions of this Plan, ~~provincial~~Provincial legislation, policies, regulations and guidelines and supporting studies for the use proposed.
- f) All existing natural and cultural heritage features and functions within and adjacent to the subject lands both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- g) The area of land that is to be conveyed or dedicated for public purposes; and,
- h) The financial impact on the Municipality.

L.8.6.2 Prior to filing a formal condominium application, the applicant ~~shall~~should undertake a pre-consultation meeting with municipal staff and commenting agencies to ensure that all required supporting studies and documentation are identified and prepared by the applicant.

L.8.6.3 The Municipality may require that the applicant provide any other information or material that the Municipality considers it may need to adequately consider the application. The Municipality shall attach to the approval of a ~~plan~~Plan of ~~condominium~~Condominium such conditions it deems appropriate.

## **L.9 ZONING BY-LAW**

### **L.9.1 General Policies**

- L.9.1.1 This Plan shall be implemented, in part, through the enactment of a ~~zoning~~ byZoning By-law in accordance with Section 34 of the *Planning Act*.
- L.9.1.2 Council may, in accordance with the provisions of Section 34 (16) of the *Planning Act* impose conditions in any by-law passed that regulates the use of land or the erection, location or use of buildings or structures, once regulations come into effect to support Zoning with conditions.
- L.9.1.3 The size of a dwelling, combined with its location, will have a direct effect on the visual impact of the development. As such, the Zoning By-law may provide standards to limit dwelling size. Dwelling size may be regulated through a combination of restrictions on the total footprint, floor area, width and height, combined with building setback and landscaping standards.

## **L.10 HOLDING ZONES**

### **L.10.1 General Policies**

- L.10.1.1 In accordance with the provisions of the *Planning Act*, the Municipality may utilize a holding symbol '(H)'.
- L.10.1.2 The holding symbol may be used anywhere in the Municipality in situations where the specific future use of the land is known or determined to be appropriate, but the development of the land is premature until a specific requirement is met. Demonstration of adequate services or ~~site plan control~~ Site Plan Control are common reasons that a holding symbol is used.

## **L.11 INTERIM CONTROL BY-LAWS**

### **L.11.1 General Policies**

- L.11.1.1 The Municipality may pass ~~interim control by~~ Interim Control By-laws pursuant to the provisions of the *Planning Act* where the Municipality has directed that a review or study be undertaken of land use planning policies in the Municipality or a defined area of the Municipality.

## **L.12 TEMPORARY USE BY-LAWS**

### **L.12.1 General Policies**

- L.12.1.1 The Municipality may pass ~~byBy-~~ byBy-laws pursuant to the provisions of the *Planning Act* in order to authorize the temporary use of any land, buildings or structure.
- L.12.1.2 A ~~byBy-~~ byBy-law authorizing a temporary use shall define the area to which it applies and set out the period of time for which the authorization shall be in effect but shall not exceed three years from the day of passing of the ~~byBy-~~ byBy-



law. The Municipality may through a ~~by~~By-law, grant further periods of not more than three years each during which the temporary use is authorized. Once the by-law or extending by-law(s) has lapsed, the use shall cease and otherwise will be in contravention of the Zoning By-law.

L.12.1.3 Prior to the approval of a ~~temporary zoning by~~Temporary Zoning By-law, the Municipality shall be satisfied that the following is met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use provisions;
- b) The proposed use shall not be incompatible with adjacent land uses and the character of the surrounding area;
- c) The proposed use shall not require the extension or expansion of existing municipal services;
- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the Municipal roads; and,
- e) Parking facilities required by the proposed use shall be provided entirely on-site.

L.12.1.4 Notwithstanding the policies contained in this Plan, the Municipality may authorize the temporary use of land which may not comply with the land use designation as established by the Official Plan, provided that such temporary use is determined to not have any detrimental effect upon the existing land uses in the area.

## **L.13 CLIMATE CHANGE ACTION PLAN**

### **L.13.1 General Policies**

L.13.1.1 The Municipality may develop a Climate Action Plan and/or Climate Change Adaptation Plan to implement climate change initiatives in the Municipality.

## **L.13L.14 SITE PLAN CONTROL**

### **L.13.1L.14.1 General Policies**

L.13.1.1L.14.1.1 The Municipality shall enact a Site Plan Control By-law that recognizes all areas as being subject to Site Plan Control. The Site Plan Control By-law may establish uses or circumstances that do not require the execution of a Site Plan Control Agreement.

L.13.1.2L.14.1.2 Prior to submitting an application for site plan approval, the applicant shall pre-consult with the Municipality.

~~L.13.1.3~~L.14.1.3 Under Section 41 (7) of the *Planning Act*, and as a condition of granting Site Plan approval, Council may require the owner of a parcel of land to provide certain information, maintain certain works or facilities and enter into certain agreements with the Municipality. Some of the considerations that the municipality will have due regard for during the site approval process are:

- a) The preservation of the natural viewscape and landscape;
- b) The design of structures to ensure they are harmonious with the terrain and neighbourhood;
- c) That traffic areas and parking areas are safe and convenient; and,
- d) That surface water drainage will not negatively impact neighbouring properties.

~~L.13.1.4~~L.14.1.4 The entire area covered by this Plan is hereby designated as a proposed ~~site plan control area~~Site Plan Control Area.

~~L.13.1.5~~L.14.1.5 The Municipality may, through ~~by~~By-law, designate the whole or any part of the ~~proposed site plan control area~~Municipality as a ~~site plan control area~~Site Plan Control Area.

~~L.13.1.6~~L.14.1.6 In addition to detailing the location of buildings and structures, entrance locations, parking and loading spaces, the Site Plan Agreement shall address:

- a) The location of existing natural trees, shrubs and ground cover vegetation to be removed and retained;
- b) The re-vegetation plan to take place during the post-construction and the timing of such re-vegetation; and,
- c) The location of view/ventilation/access corridors from the shoreline to the buildings and structures on the site.

## ~~L.14~~L.15 SHARING ECONOMY

### ~~L.14.1~~L.15.1 General Policies

~~L.14.1.1~~L.15.1.1 The Municipality may use the tools available under the *Planning Act* and *Municipal Act* to regulate areas of the sharing economy.

## ~~L.15~~L.16 FINANCIAL IMPACT DEVELOPMENT

### ~~L.15.1~~L.16.1 General Policies

~~L.15.1.1~~L.16.1.1 It is the policy of the Municipality that new development shall bear the full cost of its share of growth related capital costs.

~~L.15.1.2~~L.16.1.2 It is the policy of the Municipality not to undertake any actions that would place the Municipality at financial risk.

~~L.15.1.3~~L.16.1.3 It is the policy of the Municipality to ensure that municipal costs attributable to new development are recovered through development charge levies or any other method of financing, in accordance with the *Development Charges Act*, the *Municipal Act* and/or any other applicable statutes.

~~L.15.1.4~~L.16.1.4 It is the policy of the Municipality, in reviewing any development proposal to consider the following matters to determine its financial impact on the municipality:

- a) The effect of the proposal on the municipal general tax levy;
- b) the potential revenue-generating ability of the proposal; and,
- c) Any other financial considerations that the Municipality may deem necessary.

## ~~L.16~~L.17 CASH-IN-LIEU OF PARKLAND

### ~~L.16.1~~L.17.1 General Policies

~~L.16.1.1~~L.17.1.1 Cash-in-lieu of parkland is authorized by the *Planning Act* for park or public recreational uses. Cash-in-lieu may be required for residential severances or residential subdivisions at the rate of 5% or for commercial or industrial severances at the rate of 2%.

L.17.1.2 For the purpose of calculating cash-in-lieu under Section 42 of the *Planning Act*, the value of the land shall be determined ~~as of the:~~

- a) The day before an application for approval of development in a Site Plan Control area was made in respect of the development or redevelopment;
- b) If clause a) does not apply, the day an application for a Zoning By-law Amendment was made in respect of the development or redevelopment; or
- c) If neither clause a) nor clause b) applies, the day a building permit ~~is~~was issued in respect of the development or redevelopment ~~– or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.~~

~~L.16.1.2~~ Construction of a building on the land to be developed or redeveloped shall not commence unless the cash-in-lieu payment has been made or arrangements for payment have been made to the satisfaction of Council.

~~L.16.1.3~~L.17.1.3 For the purpose of calculating cash-in-lieu under Sections 51 and 53 of the *Planning Act*, the value of the land shall be determined as of the day before the day of approval of the draft ~~plan~~Plan of ~~subdivision~~Subdivision or the day before the granting of the provisional ~~consent~~Consent is given.

## ~~L.17~~L.18 MAINTENANCE AND OCCUPANCY BY-LAWS

### ~~L.17.4~~L.18.1 General Policies

~~L.17.1.4~~L.18.1.1 It is the policy of the Municipality to pass ~~by~~By-laws establishing minimum standards of maintenance and occupancy to conserve, sustain and protect the existing and future development ~~in the~~ Municipality.

## ~~L.18~~L.19 TREE REMOVAL & BLASTING

### ~~L.18.4~~L.19.1 General Policies

~~L.18.1.4~~L.19.1.1 The Municipality may, from time to time, utilize the provisions of the *Municipal Act* to regulate or prohibit the destruction or injuring of trees or the removal of rock.

## ~~L.19~~L.20 PUBLIC WORKS

### ~~L.19.4~~L.20.1 General Policies

~~L.19.1.4~~L.20.1.1 The construction of public works shall be used to implement the policies of this Plan.

~~L.19.1.2~~L.20.1.2 No public works shall be carried out and no ~~by~~By-law shall be passed under the provisions of the *Planning Act* that are not in conformity with this Plan.

## ~~L.20~~L.21 SITE ALTERATION BY-LAW

### ~~L.20.4~~L.21.1 General Policies

~~L.20.1.4~~L.21.1.1 The Municipality may pass a Site Alteration By-law when substantial alterations to the natural landscape are proposed or development is proposed in or adjacent to natural heritage features and areas.

## ~~L.21~~L.22 SEWER AND WATER ALLOCATION

### ~~L.21.4~~L.22.1 General Policies

~~L.21.1.4~~L.22.1.1 When vacant lots that have been allocated sewer and/or water capacity remain vacant, the Municipality may re-allocate water and/or sewer capacity, as required to permit other development.

~~L.21.1.2~~L.22.1.2 Where municipal sewer and water capacity has been re-allocated from vacant lots, Council shall place these vacant lots in a Holding Zone until such time that sewer and water capacity becomes available.

~~L.21.1.3~~L.22.1.3 Council shall not draft approve any new lot or unit development by way of consent, plan of subdivision or condominium in the Municipality without first confirming there is sufficient existing sewer and water capacity available to provide the development with full municipal services. If there is capacity in only one of the two municipal systems, draft approval shall not be granted on the basis of partial services, except where necessary to address failed services, or because of physical constraints.

## ~~L.22~~L.23 PRECONSULTATION

### ~~L.22.1~~L.23.1 Pre-Application Consultation

~~L.22.1.1~~L.23.1.1 If a person or public body files *Planning Act* application, the person or public body should and is encouraged to consult with the Municipality, prior to submitting a formal application, to among other things determine the information required in support of the application.

~~L.22.1.2~~L.23.1.2 The Municipality may enact a Pre-consultation By-law that prescribes a pre-consultation process for the Municipality.

## ~~L.23~~L.24 COMPLETE APPLICATION

### ~~L.23.1~~L.24.1 General Policies

~~L.23.1.1~~L.24.1.1 Certain supporting studies, information and materials shall be required as part of a development application, as identified throughout this Plan. The need, extent, and timing of such supporting studies, information and materials shall be determined by the Municipality on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.

~~L.23.1.2~~L.24.1.2 Applicants seeking development approval shall participate in a pre-application consultation meeting to determine the information, supporting studies, and application materials that will be required as part of a complete application.

~~L.23.1.3~~L.24.1.3 The following information and supporting studies may be identified during pre-application consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance in accordance with accepted professional standards and/or guidelines, as applicable:

- Deed and/or Offer of Purchase;
- Topographic Plan of Survey;
- Site Plan (Conceptual);
- Floor Plan and/or Elevations;
- Record of Site Condition (RSC);
- Municipal Financial Impact Statement;
- Draft Plan of Subdivision;
- Condominium Description; and/or,
- Other information relevant to the development and lands impacted by the proposed development;
- Owner's authorization, where agents are making applications;
- Planning Rationale Report;
- Retail Market Impact Study;
- Urban Design Study;
- Archaeological Study;
- Hydrogeological Study;
- Groundwater Impact Study;
- Environmental Impact Statement;
- Phase I Environmental Site Assessment (ESA);
- Approved Class Environmental Assessment;
- Noise and/or Vibration Study;
- Transportation Impact Study;
- On-Street Parking Study;
- Geotechnical Study;
- Functional Servicing Report;
- Stormwater Management Plan;
- Comprehensive Development Master Plan;
- Heritage Impact Study;
- Tree Survey and Protection Report including a Tree Retention Plan;
- Lot grading and Drainage Report;
- Lighting Study;
- Lakeshore Capacity Assessment as per the ~~provincial~~Provincial Lakeshore Capacity Assessment Handbook;
- Aggregate Impact Assessment; and,
- Other supporting studies or information relevant to the development and lands impacted by the proposed development.

L.23.1.4L.24.1.4 Supporting studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications shall be advised in writing by the Municipality of the required supporting study contents during the pre-consultation process.

~~L.23.1.5~~L.24.1.5 At the discretion of the Municipality, supporting studies may be peer reviewed at the cost of the development proponent.

~~L.23.1.6~~L.24.1.6 The following additional materials may be identified during pre-consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance:

- Completed application form;
- Current application fee; and,
- Draft proposed amendment, including schedules and text.

~~L.23.1.7~~L.24.1.7 Under the provisions of the *Planning Act*, when the pre-consultation process for a proposed development approval application identifies the need for information, supporting studies, and materials, the application shall not be considered complete for processing ~~proposes~~purposes until the required information, supporting studies, and materials is prepared and submitted to the satisfaction of the Municipality.

~~L.23.1.8~~L.24.1.8 Notification of a complete application shall be given in writing to the applicant and all other parties by the Municipality in accordance with the *Planning Act*.

~~L.23.1.9~~L.24.1.9 The Municipality shall ensure that information, supporting studies, and materials provided by an applicant as part of a complete application shall be made available to the public for review.

~~L.23.1.10~~L.24.1.10 While the need for additional studies may emerge through the circulation of the application, it is intended that at the conclusion of the pre-consultation meeting, the potential applicant will know what studies and material needs to be filed with the application to have a complete application.

# M INTERPRETATION

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## M.1.1 GENERAL

M.1.1.1 Unless otherwise specified in this Plan, major deviations from the provisions of the text and Schedules A, B1, B2, C and D of this Plan shall require an amendment to this Plan. The Appendices are for information and do not form part of the Plan.

M.1.1.2 In order to provide for flexibility in the interpretation of the numerical figures and quantities in the text, it is intended that such figures and quantities be considered to be approximate. However, where a maximum number of lots is specified, these are not flexible and are not subject to interpretation.

M.1.1.3 The examples of permitted uses are included in this Plan to illustrate the range of activities permitted in each designation. Specific uses shall be defined in the implementing Zoning By-law but shall not alter the intent of this Plan.

M.1.1.4 In the case of a perceived discrepancy between policies, the more restrictive policy shall apply.

## M.1.2 Editorial Changes

M.1.2.1 Council may make editorial changes to the Plan without notice and without amendment to this Plan to correct grammatical or reference errors, Ministry/agency change in name or function, punctuation, or to alter formatting, numbering, sequence or arrangement provisions, provided there is no change to any meaning, intent or interpretation of the Plan, including the Schedules.

## M.1.3 Schedules

M.1.3.1 Schedules A, B1, B2, C and D demonstrate the extent of the land use designations. Where the boundaries of the land use designations abut a road, railway, transmission line, lake or watercourse, or any other physical feature, it is intended that these boundaries coincide with these features. In the backcountry area where boundaries of land use designations are not defined by identifiable physical features, boundaries shall be established by scaling from the Schedules. However, in doing so caution should be exercised. It is not the intent of this Plan that a distance scaled on a Schedule should be interpreted as a precise distance. There is some degree of flexibility in interpreting the location of a feature, if the only way of determining its location is through a measurement on a Schedule.

M.1.3.2 The boundaries between features shown on Schedules A, B1, B2, C and D are approximate except where they coincide with roads, railway lines, rivers,



transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan.

M.1.3.3 Changes as a result of new information shall be made to Schedules A, B1, B2, C and D without amendment to this Plan.

M.1.3.4 All lands whose surface rights remain in Crown ownership are designated as Crown Land, or if within a Provincial Park or Conservation Area, Crown Land – Protected Area, despite any designation to the contrary on Schedule A.

## Attachment 3 to Staff Report for Final Official Plan January 23, 2025

Comment Response Table to Public and Agency Comments on Draft #2 of Official Plan  
Please refer to Section Numbers from the Track Changes Version of the Final Official Plan

#	Comment	Comment Response
	Barrett Luedke August 2, 2024	
1.	<p>I've looked at the mapping and zoomed in and it is hard to see clearly whether or not the grey is just the close property lines or the property is all grey indicating the zoning is different.</p> <p>As far as we understand all 3 properties on Island 212-44 are entirely zoned tourist commercial and always have been. Please clarify that the mapping reflects the correct zoning. It may very well be the grey lines representing the property lines being so close on the map that's overlapping the red. Please confirm this.</p>	<p>The properties located on Island 212-44 are located within the Tourist Commercial designation.</p>
2.	<p>In addition there are 3 other property owners that have similar concerns. They each have history of being zoned tourist commercial going back in history prior to amalgamation and the original official plan adoption! Never have any of these property owners ever had the intention to convert their TOURIST COMMERCIAL USES TO RESIDENTIAL! And there is no evidence that an "AMENDMENT TO THE OFFICIAL PLAN" was ever initiated as required in section E.7.5.2. It states "Where the conversion of a Tourist Commercial use is proposed, an amendment to the Official Plan shall be required.</p> <p>Concerning parties to this issue are...</p> <p>1 - Diane Macleod Island 216 - history of property is its always been TC and historic business use was a marina, tourist outfitter, floatplane base, outfitter base camp and outpost camp support.</p> <p>2 - Julian and Monika Davies Island 205 - Manitou island was always a tourist resort originally Mantiou Lodge and hotel.</p>	<p>Properties #1 and #2 are designated Residential and are zoned the Residential. They had historic commercial uses but have not been used in some time. The Owners should make a specific request to Council to pass a resolution to request that their properties be redesignated and should provide evidence of historic use.</p> <p>Staff are not prepared to modify the designation of these properties as part of the Official Plan review.</p> <p>Property #3 was changed to Tourist Commercial designation based on the existing use.</p> <p><b>Please refer to Staff Report.</b></p>

	Barrett Luedke August 2, 2024	
#	Comment	Comment Response
	3 - Loon Lodge - Adam and Kayla Pugh - Island 184, not shown in red on the mapping. Always a tourist commercial establishment.	

	Beth Armstrong September 27, 2024	
#	Comment	Comment Response
3.	In reviewing Draft #2 of the Official Plan, I recognize that much of the information is clear, detailed and specific. I also note that the language within D.2.6.10 does not follow suit. It is vague and left open to many interpretations.	Comment noted.
4.	<p>Concern #1</p> <p>D.2.6.10</p> <p>Prior to any development along the shoreline of Lake Temagami from Boatline Bay, through the Manitou and Mine landings and Strathcona Landing, ...</p> <p>As I understand it, the intent of this portion of Draft #2 is to point out the specific locations of the Boatline Bay Landing, the Manitou and Mine Road Landing and the Strathcona landing. The Draft #2 wording of the official plan reads as if the lands connecting these three locations are also included. That would encompass most of the south shore of the northeast arm. I do not agree with this.</p> <p>An edited version, such as the following, would be more specific:</p> <p>Prior to any development along the shoreline at Boatline Bay, at the shoreline of the Manitou and Mine Landing and at the shoreline of the Strathcona Landing</p> <p>....</p>	This wording was carried forward from the current Official Plan. Section D.2.6.10 deleted on the basis of modifications made to Section D.2.3.1.
5.	Concern #2	Section D.2.6.10 deleted on the basis of modifications made to Section D.2.3.1.

	Beth Armstrong September 27, 2024	
#	Comment	Comment Response
	<p>These three landings (Boatline Bay, Mine Road and Manitou, Strathcona) are within the Skyline reserve and any "development" would need to follow the Tenets for Temagami. That needs to be stated in the Official Plan. D.2.6.10 needs to address the fact that any development at these landings would be limited to projects which would support and benefit the ecological and environmental state of that specific area. Think Algonquin Park and the measures they take to limit the impact on lakes and forests. Be very specific in noting that any development at these three landing locations and on adjacent lands must be within the scope of the Tenets for Temagami.</p> <p>The list of "matters to be considered" towards the end of D.2.6.10 needs to include a reminder that shoreline development is not allowed and that credible solutions need to be found away from the water, according to the Official Plan and the Tenets for Temagami.</p> <p>Thank you for taking time to consider these points. We are all stewards of the land and that must remain our top priority.</p>	

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
6.	<p>Dear Mr. Mayor and Council Members,</p> <p>I'm writing concerning the Official Plan Draft #2.</p> <p>I've been visiting our family cabin on Lake Temagami for 61 years.</p> <p>I was happy to see the Tenets for Temagami mentioned in the plan and included in Appendix 1.</p> <p>The addition of the Municipality considering re-inspecting on-site sewage systems is most welcome.</p>	Comment noted.

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
7.	<p>My primary concern is the vagueness surrounding the possible development of patented land on the mainland of Lake Temagami as described in E.16, reproduced below:</p> <p>E.16 RESTRICTED RURAL/WATERFRONT – LAKE TEMAGAMI</p> <p>E.16.1 Introduction</p> <p>E.16.1.1 The Restricted Rural/Waterfront – Lake Temagami land use designation applies to Patented Lands that are located on the mainland areas of Lake Temagami and within portions of the Skyline Reserve.</p> <p>E.16.2 Permitted Uses and General Policies</p> <p>Permitted uses include those listed under Section D.2.6 of this Plan due to the location of these lands being on the mainland of Lake Temagami and within portions of the Skyline Reserve.</p> <p>The relevant subsection of D.2.6 is reproduced below:</p> <p>D.2.6.5 A very small portion of mainland within the Skyline Reserve is patented. Most patented land is located on islands. The following policies are applicable to patented land within the Skyline Reserve and are intended to guide the Municipality’s discussions with the Province regarding uses permitted in the Skyline Reserve.</p> <p>D.2.6.6 Permitted Uses on the mainland within the Skyline Reserve shall be limited to:</p> <ul style="list-style-type: none"> <li>• Existing tourist commercial uses;</li> <li>• Forest renewal and maintenance;</li> <li>• Hunting, trapping, and angling;</li> <li>• Mineral exploration, subject to the Ontario Mining Regulations;</li> <li>• Water based camping;</li> <li>• Snowmobile, hiking, and ski trails; and,</li> <li>• Non-extractive resource use, (i.e. trapping, sugar bush, harvesting pine cones).</li> </ul>	<p>It may serve difficult to identify all legally existing uses in this area, however the patented properties within the Lake Temagami Neighbourhood (on the mainland) have been refined to five properties.</p> <p>Two of the patented properties are designated Tourist Commercial and therefore are existing legal uses.</p> <p>The other three properties are vacant and appropriately designated Restricted Rural/Waterfront on the schedule to the Official Plan.</p> <p>All other properties, other than the five identified, are appropriately designated as Crown Land.</p>

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	<p>Uses permitted on specific parcels of land on the mainland within the Skyline Reserve shall be limited to legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures except those deemed to be minor by the Municipality shall be subject to site plan approval.</p> <p>My concern is the vagueness of "legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council."</p> <p>Precisely, what are the legal uses on the date of adoption?</p> <p>Precisely which specific parcels are covered?</p> <p>The plan should be updated to describe these legal uses, or at least where they are defined elsewhere.</p> <p>Section D.2.6.5 should be updated with the legal descriptions of the parcels in question.</p> <p>The plan must be updated to exclude any mainland development in preexisting patented land on the mainland of Lake Temagami.</p> <p>I suggest including the text from the Tenets for Temagami in this section and stating that it applies to all previously patented land on the mainland of Lake Temagami.</p> <p>Previously patented land on the mainland of Lake Temagami shall not be developed as per the Tenets for Temagami: "There should be no mainland development on Lake Temagami and Cross Lake with the exception of those potential lots immediately adjacent to the Township of Temagami that are able to be serviced by the Township's central sewage treatment facility."</p>	
8.	I've also found a few minor issues or typos that require clarification or correction:	The geographic Township of Sisk is not part of the Temagami Land Use Plan. A

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	<p>1. Why is the Township of Sisk (Marten River) excluded in A.3.1.2? Further explanation would be helpful.</p> <p>A.3.1.2 Notwithstanding the valuable input received during the Official Plan Review and the resulting Official Plan policies, the Municipality of Temagami acknowledges that the Temagami Land Use Plan for the Temagami Comprehensive Planning Area is the governing land use planning document applicable to Crown Land within the Municipality of Temagami except in the geographic Township of Sisk. The Tenets for Temagami (Lake Temagami) are found in Appendix 1 to the Official Plan.</p>	reference has been added to Section A.3.1.2 which is carried over from the current Official Plan.
9.	<p>2. "complimentary" should probably be "complementary"</p> <p>A.2.6.1 The Municipality of Temagami is within the Traditional Lands of the Teme-Augama Anishnabai and Temagami First Nation. The Municipality of Temagami would like to work with the Temagami First Nation and Teme-Augama Anishnabai to develop complimentary land use policies to the mutual benefit of all.</p>	Revised.
10.	<p>3. The new name is the Ministry of Natural Resources. The following should be updated:</p> <p>B.3.2 Community Interest and Engagement ... To encourage the development of partnerships with the Ministry of Northern Development, Mines, Natural Resources and Forestry Having "M.1.2 Editorial Changes" include "Ministry/agency change in name or function" is wise.</p>	Revised. The name of various Ministries have been revised throughout document.
11.	<p>4. "a year" should probably be "the year"</p> <p>C.1.1.1 Based on the 2021 Census, the population of the Municipality was 862. There are 928 private dwellings and 432 of those dwellings are occupied permanently throughout a year.</p>	Revised.
12.	<p>5. "and Forestry" appears twice, and both should be removed.</p>	Revised.

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	C.2.2.8 Most of the natural resources found in the Municipality of Temagami are held and governed by the Ministry of Natural Resources and Forestry and Forestry	
13.	6. "Leisure Island Boathouses" should be "Leisure Island Houseboats"  D.1.3.3 For the purpose of this Plan, Temagami Shores, Finlayson Provincial Park and Leisure Island Boathouses are deemed to be within the Settlement Area Boundary	Revised.
14.	7. "the Bear Island" should be "Bear Island"  D.2.1.1 The Lake Temagami Neighbourhood is shown on Schedule A and includes islands and mainland areas contained within the Skyline Reserve around Lake Temagami, but excludes the Bear Island.	Revised.
15.	8. "their pristine nature" should be "the pristine nature"  D.2.5.2 There shall be no new development on islands in the following areas of Lake Temagami: Kokoko Bay, Pickerel Bay, Partridge Neck, and Couch Bay in order to preserve their pristine nature of these islands and their environs.	Revised.
16.	9. Why is Island 1022 specifically mentioned in E.7.7.3? 1022 is where Wishin You Were Fishing is located. 1022 is "limited to eight (8)." Eight what? Cottages?  E.7.7.3 Notwithstanding any other policies of this Plan, the Tourist Commercial uses on Island 1022 in Lake Temagami shall be limited to eight (8).	Policy is updated to specifically recognize 8 housekeeping cabins. This has been carried forward from the current Official Plan and is recognizing an existing use.
17.	10. "road" should probably be "roads"  E.8.4.2 In approving an industrial site plan, the Municipality shall have regard to the requirements of the Planning Act and shall give special consideration to the methods proposed to screen and buffer the industrial use from adjacent uses and road.	Revised.
18.	11. "phosphorous loading" should probably be "phosphorus loading"	Revised.



	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	F.1.2.5 The natural waterfront landscape shall prevail with the buildings blending into the landscape ... Protect adjacent surface water quality from phosphorous loading;	
19.	12. "of nesting site" should be either "of a nesting site" or "of nesting sites"  H.2.8.1 No development and site alteration activities should occur within 300 metres of nesting site during the sensitive breeding season (April 1 to August 15).	Revised.
20.	13. Heading K.1 should be "AGRICULTURE," not "AGRILCULTURE."	Revised.
21.	14. Heading K.8 should be "ESTABLISHMENTS," not "ESTABISHMENTS." "effect" should be "affect"  L.5.1.1 It is the intent of this Plan that existing uses that do not conform to the provisions of this Plan shall, in the long term, be brought into conformity with this Plan. ... b) Will not detrimentally effect the implementation of this Plan; and,	Revised.
22.	15. Appendix 1: Tenets for Temagami. There is a strange line break between "Strathcona" and "Landing"  The three groups support the current ban on the construction of new public road access points to Lake Temagami and Cross Lake. The existing public road access points consist of the Village waterfront, Finlayson Park, Strathcona Landing and the Lake Temagami Access Road landings  The text listed in Appendix 1 differs slightly from the text that appears on page 224 of Temagami Lakes Association by Pamela (Glenn) Sinclair and from the text at <a href="https://tlatemagami.ca/tla-business/tenets/">https://tlatemagami.ca/tla-business/tenets/</a> . The OP's text should be compared carefully with text from the actual March 8, 1994 agreement. For example, the OP states:	Appendix 1, has been updated to include the same text as presented on the Temagami Lake Association website. It is understood that the slight wording modifications ensure the correct wording has been included from the 1994 agreement.

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	<p>The three groups support the current ban on the construction of new public road access points to Lake Temagami and Cross Lake. The existing public road access points consist of the Village waterfront, Finlayson Park, Strathcona Landing and the Lake Temagami Access Road landings. Where possible, parking areas must be screened from the main body of the lake.</p> <p><a href="https://tla-temagami.ca/tla-business/tenets/">https://tla-temagami.ca/tla-business/tenets/</a> differs:</p> <p>The current ban on the construction of new public road access points to Lake Temagami and Cross Lake is supported by our three groups. The current ban on the construction of new public road access points to Lake Temagami and Cross Lake is supported by our three groups. We define the existing public road access points to consist of the Village waterfront, Finlayson Park, Strathcona Landing and the Lake Temagami Access Road landings. We agree that, where possible, parking areas must be screened from the main body of the Lake.</p> <p>The OP states:</p> <p>New snowmobile trails accessing Lake Temagami/Cross Lake are to be no wider than 3 metres and zoned exclusively for winter snowmobile use.</p> <p><a href="https://tla-temagami.ca/tla-business/tenets/">https://tla-temagami.ca/tla-business/tenets/</a> differs:</p> <p>New skidoo trails accessing Lake Temagami/Cross Lake are to be no wider than ten feet and zoned exclusively for winter skidoo use.</p> <p>Appendix 1 should precisely reproduce the 1994 agreement without updates. Any changes from the 1994 document could be marked with square brackets or using some other method.</p>	
23.	I appreciate the effort many people have put into the Official Plan over the years.	Comment noted.

	Christopher Brooks August 16, 2024	
#	Comment	Comment Response
	Other than clarifying the prohibition on developing the previously patented land on the mainland of Lake Temagami and some minor details, I feel the document will be an excellent guide for future development.	

	Biff Lowery February 28, 2022	
#	Comment	Comment Response
24.	My first comment pertains to the mining claims in Schedule "A" located in the Skyline Reserve/Buffer Area surrounding Lake Temagami. I am informed by the comments (Feb 27, 2022) contained in the MHBC planning report for August 22, 2024 (#44 and #45) in which MHBC committed to confirm said comments with the Ministry database.	Comment noted.
25.	The draft OP (H.6.1.1) states the Planning Act applies to "fee simple Mining Patents of surface rights including a planning approval to sever or subdivide surface rights." The draft OP then created the Restricted Rural/Waterfront Lake Temagami designation (E.16), which was then applied to ten single and multi cell mining claims in Schedule "A." All ten mining claims were treated as if they were identical "fee simple Mining Patents of surface rights" distinct from Crown land and subject to the Planning Act.	Comment noted.
26.	As a layman, I have searched for the aforementioned mining claims in the four provincial mapping portals (listed below) and compared the results with the mining claims shown in Schedule "A." I was unable to find a PIN number for any of the ten mining claims, which would have allowed me to facilitate a Land Titles search as a means of obtaining any reliable documentation (such as a survey or any other documentary evidence that could be used to support land use planning processes). - The Ministry of Mines MLAS site - MPAC assessment rolls for Temagami -	Comment noted.

	Biff Lowery February 28, 2022	
#	Comment	Comment Response
	<p>MPAC mapping through "About My Property" - OnLand Property Index Mapping While not exhaustive, my review revealed only nine of the ten sites are identified as mining claims. As for the single outlying site, I could not locate it on any of the four mapping portals. The remaining nine mining claims were created under the Ministry of Mines regimen. Of these nine mining claims, only three were shown to have the Title Type of patent. Regarding those three, two were Freehold Patents and one was a Leasehold Patent. It is unclear what actual rights were being granted because mining patents may not all be "fee simple Mining Patents of surface rights." Some literature on the subject describes mining patents as declaring a given property to be exempt from the required work needing to be done to keep the claim in good standing. Another description characterizes a patent to be granting an exclusive right only to the locatable minerals underground and the right to develop a mine to access them. In essence, all three were identified by a majority of the mapping portals as mining locations or lands. Only MPAC referenced one patented mining claim in the assessment rolls as a mining location and, in their mapping portal, as residential/recreational land on water. On an-other, MPAC did not include it in the assessment rolls at all—however, in the same entry, it was included in their mapping portal as both a mining location as well as a residential/ recreational land on water. Our current Zoning Bylaw shows them to be SMA.</p>	
27.	<p>Of the remaining six mining claims, one was a ten-year lease with surface and mining rights. Two ten-year leases were found among the large block of claims surrounding Austin Bay. Many of the claims were identified as having a "limited interest" while the rest of the mining claims had two-year anniversary dates, which were, for the most part, held by the MNRF. Again, many of the mining claims had contradictory information among the four mapping</p>	Comment noted.

	Biff Lowery February 28, 2022	
#	Comment	Comment Response
	portals. It may take a lawyer to sort out these apparent contradictions.	
28.	Considering the concerns outlined above, it is unclear to me if these mining claims satisfy the test to become subject to the Planning Act. Therefore, once MHBC confirms the public comment with the Ministry database, it should demonstrate which mining claims shown on the mainland surrounding Lake Temagami in Schedule A require their own designation under the Planning Act. Those claims shown to be "fee simple Mining Patents of surface rights" should be listed in the requisite section of the draft OP with legal descriptions as well as locations within the Skyline Reserve identified.	<p>In accordance with the comments provided by the TLA, the schedule as it applies to properties on the mainland of Lake Temagami has been updated.</p> <p>Two properties with existing uses are designated as Tourist Commercial.</p> <p>Three properties that are patented are designated as Restricted Rural/Waterfront on the schedule.</p> <p>All other parcels have been returned to the Crown Land designation.</p>
29.	The current draft states: "A very small portion of mainland within the Skyline Reserve is patented" (D.2.6.5). In a similar nature, the last paragraph in D.2.6.6 states: "Uses permitted on specific parcels of land on the mainland within the Skyline Reserve shall be limited to legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council." The properties that fall under these two policies should be identified within the policies in the manner described above.	Based on a review of the mapping and associated information, this applied to a total of five patented properties, identified in Comment #28.
30.	The next question is, once a mining claim in the Skyline Reserve/Buffer Zone is determined to be subject to the Planning Act, would we want to discard a foundational unifying community principle (The Tenets) and permit a negative impact to Temagami's wilderness brand by developing it? One would think mining exploration and mine development would be neither intertwined with land use planning nor residential lot creation, and a prospector could not replace a registered professional planner. It is probable that the province has safeguards in legislation to protect mining claims from activities that would hinder the development of the mining	The policies of H.6 do not operate in isolation and must be read along with the other policies in the Plan.

	Biff Lowery February 28, 2022	
#	Comment	Comment Response
	industry in Ontario. Further, mining claims have been viewed in the past by the Municipality as employment lands, and there are policies in the draft plan I support to protect mining claims in the interest of preserving the economic benefits the mining industry could provide the Municipality going forward (B.3.3.1; E.13.4.1; H.6.1.1; and H.6.1.2).	
31.	I do not support lot development on mining claims in the Lake Temagami Skyline Re-serve and I support the seven bullet points in D.2.6.6 describing permitted uses on the mainland within the Skyline Reserve. In those areas of the municipality where lot creation from mining claims is permitted, the application as well as the approval process should require documented evidence of the rights held on a mining claim by the applicant and, also, a proper survey should be provided to the municipality at the applicant's expense to document property details (such as boundaries) before an application is deemed complete. The Ministry of Mines should be consulted in each application as a requirement by the applicant in order to obtain a clearance in writing. The approval process should never rest, alone, on hand-drawn sketches by the applicant.	Comment noted.
32.	With respect to the 2km setback policies (D.2.5.2 and D.2.5.3), I suggest they be repeated in a new section called "D.3.6 Buffer Zone" as the buffer zone around the Lake Temagami Neighbourhood is, in its entirety, located in the Rural Neighbourhood.	Sections D.2.5.2 and D.2.5.3 apply regardless of including recommended policy as D.3.6.
33.	In response to the first draft of the OP, I commented on the Lake Service Designation (E.6) in my March 1, 2022 submission and have reviewed the response (#5) in the MHBC planning report dated August 22, 2024. The inclusion of a study the municipality <i>may</i> conduct does not address the problem that the approach contradicts the "fundamental principle" described in D.2.3.1 and far exceeds the "limited opportunities for service providers to have mainland access to Lake Temagami." The creation of lots and	Although Draft #2 of the Official Plan included reference to a Lake Service Designation, this specific reference in the Final Official Plan has been removed.  There were no lands designated as Lake Service designation. Regardless if this section is included in the Official Plan, an Official Plan Amendment would have been required for any new proposed

	<b>Biff Lowery</b> <b>February 28, 2022</b>	
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
	encouraging the construction of permanent structures (E.6.2.1; E.6.3.1; E.6.3.6) contradicts the Tenets of Temagami as well as the uses permitted in the Skyline Reserve (D.2.6.6 [seven bullets]). It is acknowledged as an exception in D.2.6.7b. The dedicated contractor's area at the Mine Landing was established to separate residential uses from light industrial uses, but the landing suffers from the lack of enforceable operating procedures, which is outside the scope of the OP. The optional study (E.6.3.7) cannot address the longer term and broader issues I expressed in 2022. In short, the lots are not needed. I would like sections E.16 and D.2.6.7b deleted from the OP.	development on the mainland. This approach remains the same, whether this designation is included in the Official Plan or not.  D.2.6.7 b) removed. Any request can be considered on an individual basis.

	<b>Councillor Jo-Anne Platts</b> <b>September 30, 2024</b>	
<b>#</b>	<b>Comment</b>	<b>Comment Response</b>
34.	Summarized below are my comments. <ul style="list-style-type: none"> <li>- For the most part I agree with edits made to draft 2 of the Official Plan.</li> <li>- An official plan describes how land in our community should be used. It helps to ensure that future planning and development will meet the specific needs of our community. An official plan deals mainly with issues such as: <ul style="list-style-type: none"> <li>o where new housing, industry, offices and shops will be located</li> <li>o what services like roads, watermains, sewers, parks and schools will be needed</li> <li>o when, and in what order, parts of your community will grow</li> <li>o community improvement initiatives</li> </ul> </li> </ul>	Comment noted.
35.	I must say in trying to get through the first read of the OP, it comes across as very negative. It's a document that identifies what CANNOT be done in the region rather than a positive future vision. Once I got half-way through the document I felt that I was reading the 'Lake Temagami' Draft Official Plan rather than the	The Official Plan includes both permitted and prohibited uses throughout. TREDCO provided comments on Draft #2 of the Official Plan.

Councillor Jo-Anne Platts September 30, 2024		
#	Comment	Comment Response
	'Municipality of Temagami' Draft Official Plan. Although this is not a concrete or specific suggestion on how to change that, the point is that there is an abundance of restrictions and limitations. I truly hope that the Economic Development Officer and TREDCO provided specific input on how and what future growth can and should look like in the Region of Temagami. This may help to balance the content of the document and provide a more growth oriented future vision for the Region.	
36.	<p>- Unlike others who spoke against the "Lake Service Designation" at the end of the Mine Landing, I do not have any issues with E.6.2 Permitted Uses e.g. E.6.2.1 Permitted uses in the Lake Temagami Service designation include waterfront landings, storage and laydown areas for construction materials and aggregate materials, buildings for the storage of materials and equipment associated with the delivery of services to residential and tourist commercial lots on Lakes and the assembly of products that service residential and tourist commercial lots</p> <p>I disagree with the comment that "this would be considered mainland development". Part of growth and development recognizes the need to support businesses that provide services to those on Lake Temagami and surrounding area.</p> <p>AND</p> <p>E.6.3.1 Lots within the Lake Service designation may have accessory structures and facilities including, but not limited to an accessory office, docks, and boat launch</p>	<p>Although Draft #2 of the Official Plan included reference to a Lake Service Designation, this specific reference in the Final Official Plan has been removed.</p> <p>There were no lands designated as Lake Service designation. Regardless of if this section is included in the Official Plan, an Official Plan Amendment would have been required for any new proposed development on the mainland. This approach remains the same, whether this designation is included in the Official Plan or not.</p>

David Taylor August 28, 2024		
#	Comment	Comment Response
37.	<p>General</p> <p>1. This is a very high level plan that might be improved by being slightly more prescriptive and granular</p>	Comment noted.
38.	<p>2. While lake Temagami and the village deserve considerable focus, the Plan appears to lack balanced</p>	Comment noted.



	David Taylor August 28, 2024	
#	Comment	Comment Response
	detail for the rest of the Municipality and the many waterways and significant land mass	
39.	3. While Tourism has been prominently mentioned in successive reports commissioned by various Councils as a major economic community driver it has not been well acknowledged in this Plan that purportedly supports Economic Development.	Revisions to policies within the Official Plan have been updated in accordance with comments provided by TREDCO.
40.	4. Commercial destinations require indications as to actual land use prior to zoning by law creation	Comment noted.
41.	5. Indications of useful Municipal Crown land applications and targeted use throughout the Municipality would be very welcome	Section E.13.3.2 provides the opportunity for the disposition of Crown lands in accordance with the goals and policies of the plan.
42.	6. The Skyline Reserve - the Tenants for Temagami are not secure as it appears that breaches are not being dealt with in part due to lack of confidence in identification and secure knowledge of action that should/could be taken	The Skyline Reserve has been mapped and the Tenets for Temagami is attached as an appendix to the Official Plan. No further action to be taken at present time.
43.	7. Identifications of Plan breaches are not part of the consideration of the document but an array of consequences of lack of adequate adherence could well be included (where the Plan has been ignored by individuals, and perhaps against the law, shoulders are shrugged with authorities not knowing what to do)	The plan is not a regulatory document. The Zoning By-law regulates land use in the Municipality.
44.	8. Lake Temagami access road requires further commentary which may include the discussion of commercial activity. This also ties to the lake access point.	Section J.4.3, J.4.4 and J.4.5 provide policies related to access points and permitted uses in these locations.
45.	9. Contractors access to lake Temagami seems to be problematic. We are aware of soil in the village very likely contaminated by historical MNR vehicle and equipment servicing. Consequently, no heavy equipment should be stored, serviced, or parked waiting for use near the shoreline. Contractor access should be provided for immediate transfer of very recently delivered materials and not for storage. Contractor buildings, and trailers should not be permitted and offices and similar facilities should not be permitted. Accommodation needs to be resolved for various forms of watercraft used in performance of	No changes to existing access points are proposed as a result of the policy direction in the Official Plan.

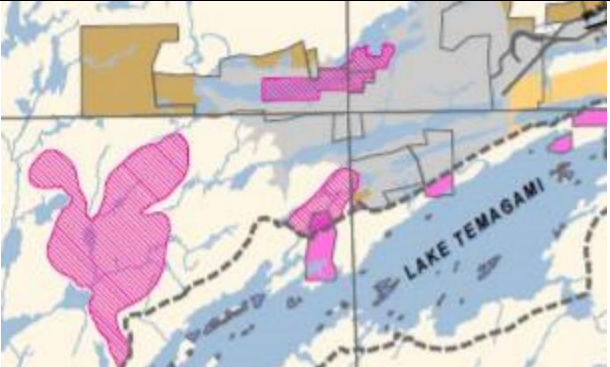
	David Taylor August 28, 2024	
#	Comment	Comment Response
	Contractors' work and houseboats should not be permitted	
46.	10. The Plan, even in its welcome rewriting, seems to follow a tried and true format and may not acknowledge relevant studies commissioned by successive Municipal Councils	We are not aware of specific documents that have been omitted.
47.	11. This is an opportunity to deliver an Official Plan, perhaps not exactly in the historical tradition of similar Plans that can be useful, in all its complexity, in significantly moving the Municipality in the direction it wishes to go.	A significant change in approach is proposed in this Official Plan, including general Rural policies rather than individual neighbourhoods like the current Official Plan.
48.	12. How does this Plan relate to the MNR Recreational Land Use Plan?	The Official Plan is completed in accordance with Section 17 of the Planning Act and applies to all land within the Municipality. The Recreation Plan applies to Crown Land.
49.	Other 1.The First Nations land settlement may well have significance to the final Plan. Advice as to this consideration would be welcome	It is understood that the comments provided by Temagami First Nation were presented to Joint Council of the TAA/TFN Council.
50.	2. Infrastructure is inextricably linked to land use. How might this Plan identify uses where there are legitimate possibilities for infrastructure support or reasonable and legitimate alternatives?	Section J.1 provides policies pertaining to infrastructure. The Zoning By-law also provides exemptions for infrastructure and utilities in some instances.
51.	3. Should/could the Plan include the requirement for 'sign' regulations? Where, size and style and content?	This would be accomplished through a Sign By-law and signs along Provincial Highways are under the jurisdiction of the Ministry of Transportation.
52.	4. There is no apparent Sustainability Plan for Temagami Region	Noted.
53.	5. Scientific research of many topics, a broad spectrum of education and training combined with a 'refreshed' understanding of tourism could be reflected in the document.	Revisions to policies within the Official Plan have been updated in accordance with comments provided by TREDCO.
54.	6. A form of partnership with the TFN and TAA is highly desirable to give mutual benefit to Economic Development opportunities.	It is understood that there is a MOU being prepared. The Official Plan was presented to TAA/TFN Joint Council and comments were received.

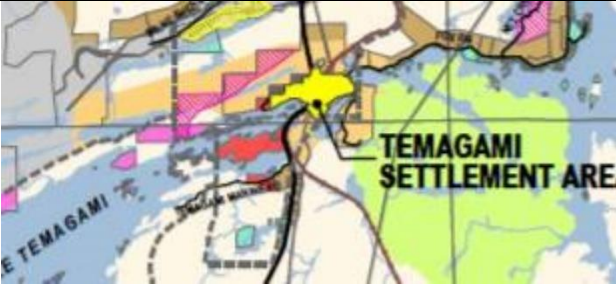
	David Taylor August 28, 2024	
#	Comment	Comment Response
55.	7. The disposition of First Nation land claim is an important ingredient in this Official Plan. Can it be concluded without the claim being settled?	The lands set aside have been included in the Official Plan.  Depending on the result of the land claim amendments to the Official Plan may be required.
56.	8. Could the Municipality be master planned as a Wilderness/semi Wilderness Park with regard to sustainability, capacity, tourism activities & economic viability etc. This could be a complex and very creative exercise???	A master planned Wilderness/Semi-Wilderness Park could be developed. Direction from Council would be required to include as policies to the Official Plan.
57.	Detailed Comments B.1.1.2 the value of other lakes and land requires consideration	Comment noted.
58.	B.3.2.1 d) shoreline development? There is to be none on the mainland. e) incl Parks & Tourism, Sport and Recreation and Education	Section B.3.2.1 includes policies for Community Interest and Engagement.
59.	B.3.4.1 h) to secure funding especially for required infrastructure	Section B.3.4.1 h) added to Official Plan.
60.	C.1.1.1 Municipality does not provide rec properties	Revised to reflect resource based recreational properties (i.e. shoreline).
61.	C.1.1.4 hard & soft services ?	Now Section C.1.1.3.  Hard services are generally in reference to infrastructure and soft services are other services the Municipality provides.
62.	C.1.2. Too speculative...,	Based on previous growth within the Municipality, it is difficult to predict future growth. The new Provincial Planning Statement includes direction to plan for 20-30 years into the future.
63.	C.1.2.4 urban only???	Revised to state that development is to be focused in the Urban Neighbourhood. This stems from the Province's policy direction for the focus of growth to occur in Settlement Areas.
64.	C1.3.2 only potentially serviceable lots should be shown ?	Vacant lands are shown and not necessarily just serviced land.

David Taylor August 28, 2024		
#	Comment	Comment Response
65.	C1.3.5 condos - zoning issue?	A Plan of Condominium can take on many forms, including various densities as described in the Official Plan.
66.	C2.2.5 home occupations must be legal and then all must be monitored re abuse. Is Air B&B part of this consideration?? Hope not!	This policy is not directed at short term rental uses, and are captured under a different policy/By-law perspective compared to bed and breakfast establishments, home occupations, etc.
67.	C.2.2.8 believe this needs to be mapped on the plan	Natural resource mapping is not available from the Province in this area.  Natural heritage features are mapped.
68.	D.1.3.3 Temagami Marine?	This policy has been carried forward from the current Official Plan. Temagami Marine is not included.
69.	D. 2.3.1 Goods and services must exclusively be provided in the Village to enable success of any in Town venture - absolutely not at the landing!!!	Development is encouraged within the Settlement Areas.
70.	D. 2.3.2 Importantly appears the Tenets have been breached with no accountability	Do not understand comment.
71.	D.2.6.6 this requires review given non conforming existing uses that should not continue	Existing uses are permitted to continue. They are not non-conforming.
72.	D.2.6.8 please review re existing non supported uses	Do not understand comment.
73.	E. Please develop a broader perspective of Tourism and consider Research and Education as desirable generally and in an Urban setting	Revisions to policies within the Official Plan have been updated in accordance with comments provided by TREDCO.
74.	E8. + A Sustainability Plan is required to evaluate opportunities	The Official Plan does not contain a requirement for a Sustainability Plan.
75.	K. Limited access to lakes, while useful in preservation, may also present a significant safety hazard in the case of forest fires. Some clear thinking is needed with respect to the eventuality of a forest fire and the multiple actions to be taken.	Reference to Wildland Fire and FireSmart have been provided.

	Diane Green August 7, 2024	
#	Comment	Comment Response
76.	<p>May I have some clarification on the following section extracted from Appendix 1 – Tenets for Temagami and Crown Land Information</p> <p>Under Mining in the Skyline Reserve I see:</p> <p>A work permit for mineral exploration in MA 39 will only be approved if the proposed physical work “does not significantly impact the ecological, tourism or aesthetic values of the skyline and Lake Temagami”. The application for this type of work permit is circulated to the Lake Temagami Review Committee for comment before the permit is issued.</p> <p>The Mining Act requires a formal public consultation process to address issues related to advanced exploration, mine development, production and closure.</p> <p>The CPC recommended that mitigating measures be developed for mining related activities in MA 39 (Recommendation #22) and that the Ministry of Northern Development, Mines, Natural Resources and Forestry seek the willingness of holders of existing mining patents and crown leases to conform with these mitigating measures that have now been developed (Recommendation #23). Some of the measures relating to mine development, production and closure consist of the following: etc..</p> <ol style="list-style-type: none"> <li>1. Can you clarify what the CPC is and</li> <li>2. What is the Lake Temagami Review Committee...members, scope, etc.</li> </ol>	<p>Reference to the Lake Temagami Review Committee is not included in the Official Plan. It is our assumption that this Committee is no longer is existence, and any reference in the document would be directed to the Council of the Municipality of Temagami – unless otherwise directed.</p>

	Diane Green Pt. 2 September 24, 2024	
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77.	<p>Good morning.</p> <p>Following are my revised comments on Draft 2 of the Official Plan.</p> <p>For reference I am forwarding at the bottom my original comments on Draft 1.2 which I sent on February 27, 2022.</p> <p>I can see that the plan has incorporated many improvements however there are still some outstanding issues, which I clarify below:</p>	Comment noted.
78.	<p><u>Mineral Aggregate</u></p> <p>I raised the following issue in 2022 and I am still unclear as to the response:</p> <p>Areas colored as Potential Aggregate Overlay on Schedule A (large striped pink polygon on NE Arm below) are not shown on the Ontario GeoHub Pits and Quarries system and therefore there is no evidence that a Provincial Interest has been expressed in these areas. What source was used to validate the areas. They have been incorrectly identified on Schedule A as Land Use when according to PPS 2.5 MA areas should be merely identified, for example similar to ANSIs on Schedule D, not zoned for exclusive use. Areas were incorrectly zoned as MA in the 2006 zoning maps and zoning bylaw, implying that no other activities are permitted such as fishing, camping or hunting. That contradicts CLUPA policy for these areas which state that MA is but one permitted land use.</p> <p>In the same schedule, the Patent lands colored brown are zoned as Rural with very broad permitted land use. Yet they are in the back country with no access or infrastructure.</p>	<p>The area referenced in this comment was recognized in the current Official Plan, and therefore this area was carried forward as a Potential Aggregate Overlay in the new Official Plan. The Overlay has been moved to Schedule D of the new Official Plan.</p> <p>The Patented Lands mapping around Lake Temagami have been updated, only to reflect patented lands, and not unpatented mining claims, etc.</p> <p>This was also completed for the lands to the north of the Lake Temagami Neighbourhood.</p>

	Diane Green Pt. 2 September 24, 2024	
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79.	<p><u>Water Resource Management</u></p> <ul style="list-style-type: none"> <li>• There continues to be no inclusion of watershed boundaries at even the highest level.</li> <li>• Section E.8.5.3 deals with setback on Link Lake under the Special Industrial Designation. The listed setback is a minimum 15 metres for all buildings and structures from the Link Lake shoreline. As a PreCambrian lake a baseline minimum setback of 30 metres should apply to the septic system unless the lake is thought to be at or near capacity..</li> </ul>	<p>The approach is to be consistent with the current Official Plan and Zoning By-law, in regard to the 15 metre setback.</p> <p>Watershed boundaries have not been included.</p>
80.	<p><u>Schedule A</u></p> <p>It is not clear on this schedule whether the mapped polygons closer to the settlement area represent an expansion from the current 2013 plan. For example the orange section seems to be identified on the legend as Future Development. However this is not consistent with areas identified on Schedules B1 and B2 as Future Development. The Schedule A orange polygon appears to be larger than the current settlement area and raises questions about the economy of developing such a large area when it is so financially challenging to service even the existing settlement area.</p> <p>Also is the grey area on Schedule A for Industrial Development an expansion of the current Sherman Mine site, or does it mark the boundary of that site? If the former then the prior comments apply here as well.</p>	<p>In regard to the Future Development Areas, Section E.11.1.1 of the Official Plan states the following:</p> <p>“The Future Development designation recognizes areas both <u>inside and outside</u> the Settlement Areas where the potential for development may exist, but where the lands may not be required to meet the 20-year land needs of the Municipality or where site development constraints remain unresolved.”</p> <p>A future Official Plan Amendment would be required prior to development within these areas.</p>

	Diane Green Pt. 2 September 24, 2024	
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	 <p>Thank you for the opportunity to comment</p>	

	Diane MacLeod September 30, 2024	
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81.	<p>Good morning, I am the owner of island 12-T216 Lake Temagami. I am requesting my island zoning be reverted back to tourist/commercial from residential.</p> <p>My father, Charlie Reeder operated Reeder’s Marine and Electric from island 216 from 1963 until the company was dissolved in May, 2012.</p> <p>My husband Mark MacLeod and his partner, Marshall Smith, operated NorAir, an ice bungalow and flight training business from June 1999 into 2000s as well. At some point our zoning was changed to residential.</p> <p>I have attached a couple pieces of information, unfortunately, records have not been kept dating before 2007.</p>	<p>This property is proposed to be designated as Residential Waterfront and is located within the Remote Residential (R1) Lake Temagami Zone.</p> <p>The proposed designation in the Official Plan is consistent with the designation in the current Official Plan.</p> <p>Evidence was provided that shows the property was used for a commercial use in 2007 and that the business was dissolved in 2012.</p> <p>The previous tourist commercial use on the subject property appears to have only existed in the early 2000s.</p> <p>The property has not been used for a tourist commercial use for a long period of time.</p> <p>It is recommended that a request be made to Council to pass a resolution to designate the properties Tourist Commercial. Staff are not prepared to make this modification without a resolution from Council.</p>



	Diane MacLeod September 30, 2024	
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		Please refer to Staff Report.

	Economic Development – John Shymko September 13, 2024	
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82.	<p>Following is an attempt to organize and summarize the comments provided by the board members of the Temagami Region Economic Development Corporation to the planners of the municipality of Temagami on Draft 2 of Temagami’s proposed Official Plan.</p> <p>These comments are aligned with the relevant sections of the draft Official Plan and focus on concerns related to economic development.</p> <p>The summary is categorized based on the different areas of the plan, ensuring that the questions and recommendations reflect the collective stance of the corporation.</p> <p>Please acknowledge receipt.</p> <p>Thank you</p>	Noted.
83.	<p><b>General Comments</b></p> <p>- High-Level Nature of the Plan: The plan is described as high-level and might benefit from being more prescriptive and granular, particularly in relation to economic development (refers to B.3.3 Economic Opportunity).</p>	Additional objectives added to Section B.3.3 of the Official Plan to include specific reference to economic development.

	Economic Development – John Shymko September 13, 2024	
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84.	- Balanced Focus Across Municipality: The plan seems to lack balanced detail across the entire Municipality, including other waterways and land masses beyond Lake Temagami and the village (refers to A.2 Context).	The information in Section A.2 outlines the main areas of the Municipality. The lands within the Municipality are encompassed in three general areas, the Urban Neighbourhoods and the Lake Temagami Neighbourhood which were carried forward from the current Official Plan; and then the general Rural Neighbourhood which would encompass the remaining lands, watercourses and lakes within the Municipality. The focus of activities is Lake Temagami and the urban neighbourhood. Examples of how more balance can be achieved would be entertained.
85.	- Tourism: While recognized as a key economic driver, tourism is not adequately addressed, and there are concerns about the lack of focus on tourism's contribution to economic development (refers to C.2 Economic Development).	Additional policies included in Section C.2 of the Official Plan. The Official Plan can include enabling objectives and policies to encourage tourism, including investment in this industry.
86.	- Municipal Crown Land Applications: There is a need for more detailed guidelines on Municipal Crown land applications and targeted land use, particularly regarding commercial development and zoning (refers to E.12 Future Development).	New Section E.13.1.5 related to the disposition of Crown lands for economic development initiatives and housing initiatives. Flexible approach is proposed.
87.	- Skyline Reserve and Plan Breaches: There are concerns about the enforcement and consequences of breaches in the Skyline Reserve and general adherence to the plan, impacting both environmental and economic sustainability (refers to D.2.6 Skyline Reserve).	The Skyline Reserve policies were carried forward from the current Official Plan. If there are issues associated with uses that are not permitted in the Zoning By-law, this is a zoning compliance issue. New uses are reviewed in the context of the Official Plan policies.
88.	- Lake Temagami Access Road: Further commentary is needed on the economic impact of the Lake Temagami access road and the lake access point, particularly concerning commercial activity (refers to J.4 Lake Access).	Additional policies provided to Section J.4.2.1.
89.	<b>Specific Recommendations</b> - Contractor Access and Environmental Impact: Suggestions include limiting non local contractor	Official Plan cannot control access based on an individual.

	Economic Development – John Shymko September 13, 2024	
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	access to Lake Temagami, prohibiting heavy equipment storage near shorelines, and ensuring that contractor buildings and offices are not permitted, with a focus on environmental protection and economic impact (refers to D.2 Lake Temagami Neighbourhood).	It is appropriate to find a balance between protecting the natural environment and providing opportunities for community supportive uses. The Official Plan contains a number of general policies which require the protection of the semi-wilderness values of Lake Temagami. Any new use considers consideration of these policies.
90.	- Plan's Alignment with MNR Recreational Land Use Plan: There are questions about how the Official Plan relates to the MNR Recreational Land Use Plan and its implications for economic development (refers to A.3 Basis).	The Official Plan is completed in accordance with Section 17 of the Planning Act and applies to all land within the municipality. The Recreation Plan applies to Crown land.
91.	<b>Other Considerations</b> - First Nations Land Settlement: The final plan should consider the impact of First Nations land settlements on economic development and provide guidance on potential collaborations with First Nations communities (refers to A.2.6 Temagami First Nation).	Official Plan modifications may be required following any lands settlement.
92.	- Infrastructure: The plan should explicitly link infrastructure development with land use, addressing how infrastructure can support or hinder economic development (refers to J Servicing Temagami).	New Section J.1.1.2 added.
93.	- Sign Regulations: There is a suggestion to include regulations on signs, addressing location, size, and style, which could impact local businesses (refers to K.5 Home Occupations).	This is an item to be included in the implementing Zoning By-law or a Sign By-law.
94.	- Sustainability Plan: A Sustainability Plan for the Temagami Region is recommended, focusing on long-term economic, environmental, and social sustainability (refers to B.3.1 Natural Environment).	The Official Plan does not contain a requirement for a Sustainability Plan.
95.	<b>Detailed Section Comments</b> - Section B.1.1.2 (Value of Other Lakes and Land): Suggests broader consideration of other lakes and land for economic development.	Section modified B.1.1.2 a).
96.	- Section B.3.2.1 (Shoreline Development): Comments on the need to address shoreline development restrictions and potential impacts on tourism and recreation.	These objectives work together with the economic objectives provided in B.3.3.

	Economic Development – John Shymko September 13, 2024	
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97.	- Section B.3.4.1 (Infrastructure Funding): Recommends securing funding for infrastructure to support economic development.	Subsection added to Section B.3.4.1 of the Official Plan.
98.	- Section C.1.2.4 (Urban Focus): Questions whether the urban focus is too narrow, suggesting a need for broader economic development strategies.	This policy is based on the Provincial Planning Statement which includes policy direction at the Provincial level to focus growth to Settlement Areas.
99.	- Section C.2.2.5 (Home Occupations and AirBnB): Suggests that home occupations, including AirBnBs, should be strictly regulated to prevent abuse and ensure fairness with other businesses.	Comment noted. The Municipality may explore a Short Term Rental By-law to control the use of Airbnb's.
100.	<b>Recommendations for Future Development</b> - Temagami North Expansion: Encourages expanding the Temagami North Townsite, including pursuing Crown lands for quick residential and commercial development.	Comment noted. The Plan recognizes potential opportunities to expand in the future.
101.	- Village of Temagami: Suggests reviewing residential land use designations, particularly concerning pipeline properties and steep, rocky areas.	Land use designations are based on Settlement Area boundaries. Any undevelopable land would be reviewed at the time proposed development is considered.
102.	- Industrial Site Development: Recommends revisiting the creation of industrial sites to promote future economic development.	Permitted uses for industrial uses are included in the Official Plan.
103.	<b>Additional Thoughts</b> - Multi-use Development: Advocates for mixed commercial and residential development, similar to models like Blue Mountain Village, to maximize economic potential.	Mixed-use development is permitted in the Settlement Areas and would be considered in other areas as per the permitted use policies.
104.	- Controlled Access Routes: Recommends establishing predetermined access routes for recreational activities to prevent landlocking and ensure economic viability.	This is more of a Master Plan exercise to establish trail networks, etc.
105.	- Affordable Housing: Emphasizes the need for affordable rental units to support seasonal workers and lower-income residents, crucial for sustaining commercial growth	Affordable housing is a priority for the Province. The permitted uses for additional residential uses promote affordable housing opportunities.

	Joseph Seivold September 5, 2024	
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106.	<p>I appreciate the efforts of Council to set priorities moving forward via the creation of an Official Plan for the Municipality of Temagami. The Seivold family has been on the Lake since 1961, and in that time has seen many changes, and not all for the good. To be clear, the decline of the town's business center is of greatest concern to me. As such, I write to question the inclusion of provision D.2.3.4, allowing the addition of up to five lots island lots per year, whether those lots be on patented <i>or crown land</i>. The town's draft Official Plan rightly addresses many matters, and chief amongst them must be endorsing paths that lead to an increase in the municipality's number of permanent residents. Adding island lots by allowing the transfer of crown land to patented land and then development does nothing to promote a year-round labor force, does not appreciably increase the number of consumers needed to spend money in town, and risks overpopulating the very lake that other aspects of the plan seek to protect. I am at a loss to understand how preserving 'The Skyline Reserve' by banning mainland development seems paramount in this draft version, but that it is acceptable to endorse an increase in the number of island lots? Temagami's island shoreline is as much a part of the vista for our residents, seasonal residents, and visitors as is the mainland shoreline – why is one type of waterfront property ok to develop but not the other? Such a stance is logically inconsistent at best, and at worst misguided. The Municipality would be better off supporting the development of (up to) five lots of crown land per year down the northeast arm, as driveway access would allow; at least then new residents could access both their properties and town year-round. If that proposal is objectionable, then so should be the concept of opening additional crown land on the lake's islands to development.</p> <p>Not wanting to impede the rights of landowners, I do not object to the notion of a limited number of lots per year being able to be developed as allowed by applicable law, if those lots are owned by</p>	<p>The intent of this policy is to limit the number of lots that are created in the Lake Temagami Neighbourhood. This policy has been carried forward from the current Official Plan.</p> <p>Only island development is permitted on Lake Temagami and that is not proposed to be changed in the new Official Plan.</p> <p>Removed distinction of Crown vs. patented land.</p>

	Joseph Seivold September 5, 2024	
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	private citizens. I strongly urge that "crown land" be deleted from this part of the plan (D.2.3.4). Thank you for your consideration..	

	John Kenrick September 27, 2024	
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107.	<p>Thank you for the opportunity to respond to the proposed Temagami Official Plan (draft2). I attended the August 22 open house/public meeting but was provided only a few minutes to speak to MHBC. Subsequently I provided extensive verbal comments to Mr. Townes of MHBC.</p> <p>This letter is my formal response to one issue in the plan – the reference to Municipal Lot Creation and Development Plans and the related issue of the Municipality acquiring Crown land for disposition of significant numbers of private cottage lots on small lakes in the Rural area.</p> <p>Temagami’s first attempt to create these lots between 2009 and 2011 resulted in a proposal to establish 84 additional lots on 3 small lakes near Marten River. These lakes have a total area of 536 ha.</p> <p>By comparison this level of “saturation’ cottaging on these 3 lakes would be equivalent to a 200% increase in the present cottage density per hectare on 20,960 ha. Lake Temagami.</p> <p>Clearly this is bad planning and more than disrespectful to the natural resources and the existing low density cottage environment on area lakes.</p> <p>As a result at the 2011 proposal, a 200 person Marten River petition opposed the plan and a detailed presentation was made to council.</p> <p>Subsequently, Municipal Council Resolutions 11-597 and 596 (Dec. 15, 2011), essentially halted the project by</p>	Comment noted.

	John Kenrick September 27, 2024	
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	<p>directing Temagami to reassess the project, clarify outstanding issues with MNR including Environmental Assessment requirements, market value prices and incomplete natural resource inventories. In addition, the municipality was to expand public consultation on the lakes and significantly reduce the numbers of lots. No progress has been made on this motion since 2011.</p> <p>This current 2024 Official Plan offers even less protection to Marten River residents, their semi wilderness values, fish and wildlife or water quality.</p> <p>I therefore request the following modifications to the Draft Plan.</p>	
108.	<p><u>Appendix 1 and elsewhere</u></p> <p>All references to Lot Creation and Development Plans should be omitted until an improved methodology is determined.</p> <p>Note the MNR 1997 Comprehensive Land Use Plan did not reference the municipal Lot Creation and Development process, did not propose to complete subsequent recreational management plans and did not propose Crown land user fee for Ontario residents. See Section 1.0 Introduction to the 1997 plan.</p>	Reference to Lot Creation and Development Plans was removed from the new Official Plan.
109.	<p><u>A.2.4. Rural Neighbourhood</u></p> <p>Add a reference to traditionally low density development</p>	Reference added to Section A.2.4.
110.	<p><u>B1.1.2. Purpose</u></p> <p>This section should recognize the existing semi wilderness values on all lakes in the Municipality.</p>	Revised Section B.1.1.2 to apply semi wilderness values on all lakes.
111.	<p><u>D.3 Rural Neighbourhood</u></p> <p>The principles and goals section is totally inadequate and void of specifics.</p> <p>Add references to:</p> <ul style="list-style-type: none"> <li>- Protecting ecological functions</li> <li>- Protecting visual aesthetics</li> <li>- Protecting fish and wildlife values</li> </ul>	Similar to the goals of the Lake Temagami Neighbourhood, details were added to Section D.3.2.1 to address this comment.

	John Kenrick September 27, 2024	
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	<ul style="list-style-type: none"> <li>- Maintaining water quality</li> <li>- Ensuring new development reflects the current low density and privacy patterns of historic development</li> </ul>	
112.	<p><u>E – 13 Crown Land</u></p> <p>This section is unclear and misleading. Clarify that only private land but not Crown land or Federal land is subject to O.P. designations.</p> <p>The reference to the sale of Crown land should note the requirement to largely follow the requirement of the Environmental Assessment Act for projects carried out by the province or municipalities. The use of the Municipal Class E.A. is intended for use only on recurring common projects such as roads, water or sewage projects. The disposition of Crown land is subject to MNRF's Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects. Prior to disposing of lands to a public body such as a municipality, a screening process and public consultation process must be followed.</p>	Disposition of Crown Land is a Provincial process. Provincial documents should be relied upon to explain the process. The Official Plan is not the appropriate location for this information.
113.	<p><u>E – 1 Waterfront Development/Fire Smart etc.</u></p> <p>These sections need editing to clarify that rural dwellers have the right to protect themselves from wild fire fuel threats to their property. In addition it is doubtful that municipalities or Official Plans have any jurisdiction on Crown land adjacent to, including in front of a private cottage lot. Cottage owners can make personal trade offs between buffers and fire safety in this age of climate change.</p> <p>Please notify me of your response to my requests prior to plan approval.</p>	Additional details have been added to Section K.9. It is recognized that owners may need to protect existing development from a wildland fire.



John Kenrick – Summary of Verbal Comments September 27, 2024		
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114.	Concern for development pressures on other lakes within the Municipality due to restrictions placed on Lake Temagami.	Applications for new lot creation are treated independently and new lot creation must conform to the policies of the Official Plan.
115.	The Official Plan should explain the Environmental Assessment process associated with the disposition of Crown Land.	Disposition of Crown Land is a Provincial process. Provincial documents should be relied upon to explain the process. The Official Plan is not the appropriate location for this information.
116.	Make it clear that the appendices are not part of the Official Plan.	Updated Section M.1.1.1.
117.	On the lands set aside, approximately 1/3 of the shoreline is within this area. Something should be referenced in the Official Plan about this.	Comment noted. The Lands Set Aside have been included as an Appendix at the request of Temagami First Nation staff.
118.	Forest Management Plans are updated constantly and this should be referenced in the Official Plan.	New Section H.7.1.3.
119.	Check reference to a Recreational Master Plan – referenced under Section 4 of the Tenets for Temagami.	This is referring to a Provincial document that could be used for Crown Land. It is not relevant for the Official Plan.
120.	Remove reference to Lot Creation and Development Plans.	Reference has been removed from the new Official Plan.
121.	Section A.1.1.1 - Check the term "Indigenous Communities"	No change.
122.	Section A.1.1.7 – Does this section apply to Crown Land?	Policies apply to patented lands. Owners are not permitted to develop on original shore road allowance.
123.	Section A.2.4.1 – Reference low density development.	Reference has been added to Section A.2.4.1.
124.	A.2.6 – Highlight cooperation amongst parties.	Memo of Understanding is required to be updated based on comment received from Temagami First Nation staff, establishing the relationship between the Municipality, TAA and TLA.
125.	B.1.1.2 – Include reference to all lakes when referring to semi-wilderness values.	Revised Section B.1.1.2 to apply semi-wilderness values on all lakes.

John Kenrick – Summary of Verbal Comments September 27, 2024		
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126.	Section C.1.1.1 – Check numbers in this section.	Numbers provided are based on the Census. Revisions made to the wording in Section C.1.1.1 in the new Official Plan.
127.	Section C.2.2.8 – Check references to the different Ministries referenced throughout the plan.	References have been updated throughout Official Plan.
128.	Section C.2.2.7 – Could expand on process and public consultation process to deal with disposition of Crown Land. Could also reference low density development again.	See earlier comment. Province controls this process
129.	Section D.2 – Add reference to the Lands Set Aside.	Have not included this. Should these lands proceed, and Official Plan Amendment to the Plan will be required.
130.	Section D.2.2 – Goals should also apply in the Rural Area.	The goals for the Rural Area have been updated.
131.	Section D.2.5.3 – Should this reference private and public roads? What is the definition of a public road?	This policy is maintained from the current Official Plan. The land within 2 km of the lake is public lands.
132.	Section D.3 – This section needs more detail and something to limit lot creation in the Rural Area. Recreational carrying capacity has been used in other municipalities.	New L.8.1.1 added.
133.	Section D.3.3.1 – This section should also reference residential.	Reference added.
134.	Section E.5.2.1 – Check reference to islands and remove in this section.	Removed reference to islands.
135.	Section E.7 – Should the term “licensed” be used when referring to these uses.	This term should not be used. All uses do not require a license.
136.	Section E.7.2 – Review the list of permitted uses.	No changes
137.	Section E.7.2.1 – Why are restaurants not permitted in the Rural Neighbourhood?	Modified to permit restaurants.
138.	Schedule A – Review the colour of Marten River.	Mapping within this area reflect the correct designations.
139.	Section E.7.5 and E.7.6 – Why are youth camps treated differently than a tourist commercial use	Principle of this was carried forward from the previous Official Plan. Policy test and application process is higher for the conversion of a tourist commercial use.

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140.	Section E.13 – Make it clear that this Plan does not apply to Crown Land.	Section E.13.1.1 provides this clarity.
141.	Section E.13.1.2 – Make it clear that there is a Ministry process for this, including Environmental Assessment and public consultation.	Official Plan is not the place for detailing how the MNR disposes of crown land.
142.	Section E.13.1.4 – Check this statement. Is there really no appeal rights for this process?	Section modified.
143.	Section E.13.3 – Add reference to access to lake may be controlled.	Modified.
144.	Section E.13.3.1 – Is the term shall appropriate here?	Modified to may
145.	Section E.13.3.4 – Check old plan for this reference.	Section removed.
146.	Section E.16.1.1 – Confirm lands within this designation are patented.	Only patented lands are now included in this designation. Crown Land with mining claims were removed and reverted to Crown Land.
147.	Section F - What is the impact of Fire Smart on these policies?	F.1.2.1 modified
148.	Section F.2.1.2 – This section is not consistent with Fire Smart.	Should be read in conjunction with F.1.2.1.
149.	Section H – Can information be added to this section about recreational carrying capacity?	No proposal to introduce the concept of recreational carrying capacity to the OP.
150.	Section I.1.2.2 – Consider adding policies on docks.	Section modified.
151.	Section I.1.2.4 – Check this information with the Ministry.	The information used in the mapping is based on the latest date set available from the Ministry.
152.	Section J.3.5.2 – Should there be details added here that relate to potential new development created through the disposition of Crown Land? Can there be a subdivision or can it be accessed via a private road?	Official Plan Amendment would be required.
153.	Section J.3.6.4 – Who has jurisdiction over this?	There is no authority over this.
154.	Section J.4.3.3 – Marion Lake access point has limited parking. Need to review status of these access points before considering new development on lakes.	Under Section L.8.2.2 k), suitable lake access and adequate parking is a consideration when evaluating new lots.
155.	Section J.4.4.1 – Consideration for fish and wildlife should be added. Does this have to go through the EA process?	Consideration to the potential environmental impacts would include impacts to fish and wildlife.  Ministry responsibility.
156.	Section K.1.2.3 – Reference Municipality.	Modified.

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157.	Section K.3.1.1 – The term proximity should be expanded on.	Modified.
158.	Section K.9 – Add reference to Fire Start.	Section updated to reflect FireSmart.
159.	Section L.1.1.1 – Check last bullet point.	Modified.
160.	Section L.4.1.1 – This is not consistent with Section E.13.1.1 and E.13.1.4 when referring to Crown Land.  Not democratic if amendments are completed without public involvement.	These are general considerations when it comes to the Municipality completing Official Plan Amendments in the future. There is a public process associated with Official Plan Amendment application under the Planning Act.  Not connected to E.13.
161.	Section L.6.4.2 – Should something be added to clarify the duty to consult vs. prior and informed consent?	Do not this this is necessary. These policies work together to ensure that Indigenous communities are consulted through the planning process.

Lila Cleminshaw September 30, 2024		
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162.	Thank you for the opportunity to comment on the Draft Official Plan.  We are seasonal residents on Island 1113 and 1107 on Lake Temagami. Our family has been on the lake since the 1930s with alleviations with Camps Keewaydin, Wabun, and Northwaters, as well as membership on the board of the Temagami Community Foundation.  We have several concerns about the current Draft Official Plan and feel that it needs significantly more work and clarification, and ensuing public input, before adoption as a planning document.  <ul style="list-style-type: none"> <li>The Skyline Reserve must be accurately defined in the Official Plan. The Skyline Reserve is a critical component to maintaining the wilderness and semi-wilderness quality of the</li> </ul>	The Skyline Reserve policies and the reference to the Tenets for Temagami have been carried forward from the current Official Plan.

	Lila Cleminshaw September 30, 2024	
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	<p>lake, which is a huge economic driver for the area.</p> <ul style="list-style-type: none"> <li>The Tenets of Temagami and the Skyline Preserve must be clear priorities and guiding principles when planning for lake development. They must be maintained and incorporated into the Official Plan.</li> </ul>	
163.	<ul style="list-style-type: none"> <li>Provincial and Ministry of Environment best practices for construction on the shoreline of Precambrian Shield Lakes suggest a minimum setback of 30 meters.</li> </ul>	The current minimum setback in the implementing Zoning By-law is 15 metres. No change is proposed to this minimum setback at current time; however it is recognized where new development, specifically new lots are proposed, often times there is a site-specific recommendation for an increased setback from the shoreline.
164.	<ul style="list-style-type: none"> <li>D 2.5: Prohibited Uses should include a subsection that specifically addresses rehabilitation of any road built for specific uses permitted outside of Town Control (especially, for example mining access). If mining occurs on any mining claims, the lands and access must be rehabilitated to their prior condition.</li> </ul>	Do not suggest a policy be included in the Official Plan access roads over Crown land are MNR's jurisdiction.
165.	<ul style="list-style-type: none"> <li>D 2.6.6 - Mineral exploration should be subject to Ontario Mining Regulations with further local control and oversight specific to protecting the lake waters and the Skyline Preserve.</li> </ul>	Skyline Preserve policies apply to these uses. Ontario Laws and Regulations apply without requiring reference to Official Plan.
166.	<ul style="list-style-type: none"> <li>D 2.6.10 - The wording about the Northeast Arm Development is quite vague. It concerns us that this wording could be interpreted as the entire south shore of the Northeast Arm being open for development. This needs to be clarified before adoption. We are against any Mainland Development along the shorelines of Lake Temagami beyond the current access points.</li> </ul>	The intent is still to restrict mainland development which is an approach carried forward from the current Official Plan, including the specific wording in Section D.2.6.10.
167.	<ul style="list-style-type: none"> <li>An additional bullet point should be added to address the need to add an Aquatic Invasive Species inspection and clean station. The water and sustainability of the unique trout habitat on</li> </ul>	Reference added to Section J.4.1.1 regarding invasive species transmission.  New policy J.4.2.4 included.

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	Lake Temagami and its vulnerability to the huge volume of boats being brought in with no inspections is a huge problem and potentially catastrophic. This should be an issue addressed in the Official Plan.	
168.	<ul style="list-style-type: none"> <li>The Lake Service Designation in section E.6. needs to be clarified. It seems that there is guidance in other parts of the plan about certain businesses that may fall into this designation. Additionally, current ongoing problems with parking and ownership in service areas, especially at the end of the Temagami Access Road must be addressed before making room for any more service development.</li> </ul>	Section E.6 was removed from the new Official Plan on the basis that an Official Plan Amendment would be required, regardless of pre-establishing a designation to recognize this use.
169.	<ul style="list-style-type: none"> <li>E7.4.1 An additional bullet is needed stating that, in the Lake Temagami neighborhood, Tourist Commercial Establishments shall be located minimum 500m. straight line distance from any residential property. This is stated in the plan for Rural Areas and must be a requirement in the Lake Temagami neighborhood as well.</li> </ul>	Reference added to Section E.7.4.2 that clarifies these polices apply to the Lake Temagami Neighbourhood and the Rural Neighbourhood.
170.	<ul style="list-style-type: none"> <li>Additionally, regarding new or expansion of Tourist Commercial Establishments on Lake Temagami, there must be a requirement that any noise emanating from the use of the property will not have an adverse impact on the enjoyment of neighboring properties.</li> </ul>	This would be a policy test under Section E.7.4.1 d) when evaluating land use compatibility amongst existing and surrounding uses.
171.	<ul style="list-style-type: none"> <li>E 12.3.1 - The General Policies considered in Future Development Lands must be consistent with the Tenets of Temagami and the continued protection of the Skyline Preserve.</li> </ul>	There are no lands designated as Future Development within the Skyline Reserve. The Future Development Lands were carried forward from the current Official Plan.
172.	<ul style="list-style-type: none"> <li>E 13.2.1 - Permitted uses on Crown Land should be compatible with other permitted uses and consistent with the Tenets for Temagami and the Skyline Preserve.</li> </ul>	Policies apply to all Crown Lands. Skyline Reserve policies would apply if located within the Skyline Reserve.

	Linda Bangay September 27, 2024	
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173.	First, I'd like to commend Patrick Townes and Jamie Robinson from MHBC for their hard work on the Municipality of Temagami "Official Plan" (OP). This has been a long process, and their diligence is appreciated.	Comment noted.
174.	Here are some additional comments of Draft # 2 of Temagami's OP:  1. "Land Use in the Temagami Neighbourhood" (D.2.3.1) and "Approved Lake Assess Points" (J.4.3): The OP should indicate that in addition to allowing no further unauthorized access to Lake Temagami, any current, unauthorized access points should be terminated and returned to their natural state.	No changes. Comment for Council to consider whether they would absorb the additional obligation of unauthorized access points to natural state.  On private land revegetation could be a condition of any future development approvals.
175.	2. "Skyline Reserve" (D.2.6.10): Why would "any development along the shoreline of Lake Temagami from Boatline Bay, through the Manitou and Mine landings and Strathcona" be permitted under the OP? This is in the "Skyline Reserve", and further development violates the "Tenets for Temagami". Currently, the wording is a bit vague and could be interpreted as the entire south shore of the NE Arm being open for potential development. If the intent is to apply these guidelines only to the existing landings, this should be clarified to a greater extent.	This section has been removed.
176.	3. "Lake Service Designation" (E.6): This designation seems unnecessary when there is already sufficient guidance re: contractor's yards and home industry in other sections of the OP and the Zoning By-law.	Section E.6 was removed from the new Official Plan on the basis that an Official Plan Amendment would be required, regardless of pre-establishing a designation to recognize this use.
177.	4. "Rural" (E.9.2.2): Currently, the OP indicates that agricultural uses should be "encouraged not to locate within proximity to watercourses or waterbodies." Simply encouraging this is not restrictive enough. Agricultural uses should, in fact, <u>not</u> be permitted in close proximity to area watercourses/waterbodies due to the potential for runoff carrying pesticides and fertilizers to	Policy modified. Setbacks to be included within Zoning By-law.

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	contaminate these watercourses/waterbodies. A minimum setback, as per provincial best practices, should be required.	
178.	5. "Restricted Rural/Waterfront – Lake Temagami" (E.16): This applies to patented lands that are located on the mainland areas of Lake Temagami and within portions of the "Skyline Reserve". Although permitted uses are listed under section D.2.6.6, the OP should also describe what will happen with these parcels in the future.	The Official Plan cannot predict what will happen with these lots in the future. Any development applications will be subject to policies within this Plan and the provisions of the Zoning By-law.
179.	6. "Waterfront Development" (F.1.2): Provincial "best practices" suggest a minimum setback of 30 meters for construction on the shorelines of Precambrian Shield lakes. This distance should be stated explicitly in the OP.	The current minimum setback in the implementing Zoning By-law is 15 metres. No change is proposed to this minimum setback at current time; however it is recognized where new development, specifically new lots are proposed, often times there is a site specific recommendation for an increased setback from the shoreline.
180.	A number of typos and grammatical errors exist. For example, on page 12 of the OP (under C.2.2.8), it reads, "Ministry of Natural Resources and Forestry <u>and Forestry</u> " in two separate instances. I believe that the Ministry has gone back to its previous name: "Ministry of Natural Resources" ( <a href="http://www.ontario.ca/page/ministry-natural-resources">www.ontario.ca/page/ministry-natural-resources</a> ). Also, on page 71, the "AGRICULTURE" heading is misspelled.	Revised.
181.	Further, although there is not the time to complete this task and incorporate it into the "Official Plan" before November 2024, the "Skyline Reserve" (D.2.6 and Schedule D) must be accurately defined <u>and</u> mapped in the near future. Currently, there is no map that depicts the exact dimensions of this reserve in meters on either the Lake Temagami or Cross Lake shorelines.  Thank you for the opportunity to make comments on Draft # 2 of the Temagami "Official Plan".	The boundary of the Skyline Reserve has been carried forward from the current Official Plan (with the exception of the addition of Cross Lake).



	Lisa & Russ Tuckerman Date	
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182.	It struck us during the zoom meeting in August, that there is some rush to just “get it done” rather than seriously consider the implications of decisions that will guide the Temagami community for years to come. There needs to be a willingness to return to the drawing board on numerous topics. Further, it is virtually impossible to find the maps associated with the plan on your website. Given that this is the most important near term topic facing the community, why would the Official Plan Draft and the associated maps not be a front page link on the website?	The draft Official Plan, both Draft #1 and Draft #2 have been publicly available for review since 2022.
183.	B 1.1.2 - The Tenets of Temagami and the Skyline Preserve should be called out as specific elements of the community that the Official Plan intends to maintain and incorporate into the Official Plan. That was the agreement at Amalgamation and there is no reason it should not be a priority now and a guiding force as regards lake development.	The Skyline Reserve policies and the reference to the Tenets for Temagami have been carried forward from the current Official Plan.
184.	B 3.2.1 - It is great that you want “equitable public participation” but a single meeting (for 46 minutes) ahead of such a major change and the inability to even find the information front and center on the website hardly invites robust engagement.	The Municipality has hosted public open houses and a public meeting.
185.	C.2 - We are in general agreement that a strong local economy, with a mix of businesses located in a walkable, accessible core of the Temagami Settlement area is both needed and desirable. We hope the town works to support businesses in this area, rather than waste resources such as the Fox Run Road fiasco. This was NEVER in the economic interest of the town or community, yet you committed precious resources and time rather than, for instance, helping save a bank branch in town.	Comment noted.
186.	C 2.2.8 - This section should specifically say “regarding initiatives to develop, use or manage Crown Land Resources consistent with the Official Plan and with deference to both the Tenets of Temagami and the Skyline Preserve.”	Revision made to Section C.2.2.8 of the Official Plan.

	Lisa & Russ Tuckerman Date	
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187.	D 2.5 Prohibited Uses should include a subsection that specifically addresses rehabilitation of any road built for specific uses permitted outside of Town Control (especially, for example mining access. If mining should occur on any mining claims, reversion of the lands and access to its prior condition should be required.	Do not suggest a policy be included in the Official Plan access roads over Crown land are MNR's jurisdiction.
188.	D 2.6.6 - Again, mineral exploration should be subject to Ontario Mining Regulations with further local control and oversight specific to protecting the lake waters and the Skyline Preserve.	The Skyline Reserve policies and the reference to the Tenets for Temagami have been carried forward from the current Official Plan.
189.	D 2.6.10 - Add a bullet point - The need to add an Aquatic Invasive Species inspection and clean station. If we really care about the water and sustainability of the unique trout habitat on Lake Temagami, the huge volume of boats being brought in with no inspections is the single most immediate risk to the lake and should be considered in the context of something as critical as our Official Plan. Once invasive species take hold, the cost and effort to remove them is far more cost prohibitive than putting town resources NOW to an invasive species inspection and clean station.	Do not suggest a policy be included in the Official Plan access roads over Crown land are MNR's jurisdiction.
190.	E.3 - Highway Commercial - again this would be the obvious place to call out finding a site for an Aquatic Invasive Species inspection station.	New permitted use added to E.3.2.1
191.	E.6 - This entire section needs much more serious consideration. There is no question Lake Services need reasonable, well designed and thought out access with minimal impacts on lake quality and shoreline views. However, given the current parking issues and fights over maintenance costs, it hardly seems feasible to allow new light industrial uses driven by private development of lots in the area	Section E.6 was removed from the new Official Plan on the basis that an Official Plan Amendment would be required, regardless of pre-establishing a designation to recognize this use.
192.	E 6.3.4 - Vegetation within 30 meters shall be maintained with the exception of limited and sight-line appropriate lake access.	Section E.6 was removed.
193.	E 8.5.3 - Setbacks should also be set to 30 meters.	Policy was carried forward from the current Official Plan.

	Lisa & Russ Tuckerman Date	
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194.	E 9.2.5 - Should call out that logging operations must be carried out consistent with maintenance of the Skyline Preserve as well as setbacks of 300 meters.	Reference added to Section E.9.2.5 regarding the Skyline Reserve.
195.	E 12.3.1 - It is critical that the most General Policies considered in Future Development Lands is that they are consistent with the Tenets of Temagami and the continued protection of the Skyline Preserve.	Future development lands are outside skyline reserve.
196.	E 13.2.1 - Again, should be compatible with other permitted uses and consistent with the Tenets for Temagami and the Skyline Preserve.	Reference added to Section E.13.2.1 regarding the Tenets for Temagami and the Skyline Reserve.
197.	F 1.2.8 - The Municipality shall <b>REQUIRE</b> through planning approvals and encourage via landowner education, the use of Best Management Practices for Shoreline Development.	Maintain current language. Council to consider.  <b>Please refer to Staff Report.</b>
198.	F1.2.11 - The Municipality <b>SHALL</b> implement a re-inspection system for individual on-site sewage systems. (why "not directly address" with such a critical element of protecting water quality?)	Maintain current language. Council to consider.  <b>Please refer to Staff Report.</b>

	Kayla (Loon Lodge) August 2, 2024	
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199.	After reviewing the document. I noticed that Loon Lodge is mistakenly coloured blue and classified as "waterfront residential". We are zoned commercially, and this should be reflected in the "Schedule A" document.	Based on the existing use on the property and the zoning, this property has been designated Tourist Commercial in the new Official Plan.

	Lori Hunter September 8, 2024	
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200.	E.6.2 Permitted uses and E.6.3 General Policies  1. These policies allow for the construction of buildings, offices, docks and boat launches in the Skyline Reserve of Lake Temagami. This is mainland development which is not an	Section E.6 has been removed from the new Official Plan.

	Lori Hunter September 8, 2024	
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	<p>existing use or a permitted use according to Section D.2.6.6 of this document.</p> <p>2. Section D.2.6.7 does not support new land use permits in the Skyline reserve or within 2 kilometres of the shoreline</p>	
201.	<p>Section E.6 should be removed from the OP in its entirety. What these policies are talking about is the creation of an industrial park on the shores of Lake Temagami.</p> <p>There are no lots, or an area identified for this Lake Service Designation. Section E.6.3.7 notes a study “may be undertaken”. Yet this section has permitted uses and general policies being laid out with no area or lots within the Lake Service Designation.</p> <p>These policies allow and encourage contractors and business from outside of the Municipality of Temagami to set up shop on the shoreline of Lake Temagami. I see along with shop buildings and offices, would come bunk houses for staff and more buildings for storage of boats and equipment.</p>	Section E.6 has been removed from the new Official Plan.
202.	<p><b>Section D.2.6.7 b)</b></p> <p>I do not support the exception of the conversion of existing land use permits to patented lands in the area of the access point and where related to the access point and service uses. This is a form of mainland development in the Skyline Reserve. Both the Province and the Municipality have policies of no mainland development and this exception goes against those policies and their intent. The use of land use permits as a tool for tenure at the access areas works well, and therefore, I see no reason to create patented land on the mainland of Lake Temagami. This exception should be removed from the OP.</p>	Section deleted.
203.	<p><b>Schedule D</b></p> <p>Schedule D of the OP, dated August 2024 has the Lake Temagami Access Road Waste Transfer station marked as “Former waste management site” which is incorrect.</p>	Revised on Schedule D.

	Lori Hunter September 8, 2024	
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	That site is an Active Waste Management Site and this correction needs to be made.	

	Lake Temagami Group (c/o William Bateman) September 26, 2024	
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204.	Based on this historical account, the LTG requests that the Municipality of Temagami reinstate reference to the Lot Creation and Development Study as per the OMB's 2004 decision on the original Official Plan and as expressed in sections 5.1 and 5.3.6 of the present Plan, while pointing out inappropriate references to such studies in other contexts. The Crown Island Lot Creation and Development Study will establish the conditions and locational criteria for new lot creation, based on: <ul style="list-style-type: none"> <li>- a sound technical foundation relying on specific and measurable ecological standards and values,</li> <li>- locally recognized principles of environmental, economic, and social sustainability,</li> <li>and</li> <li>- consistency with existing development character.</li> </ul>	No changes proposed.  <b>Please refer to Staff Report.</b>
205.	Further, the LTG recognises that while no LC&DS are warranted at this time, if the Province of Ontario were to change its Lake Trout Lake Development position, the Municipality would be obliged to perform a LC&DS as per the OMB decision/agreement of 2004, prior to any new lot development on Crown islands. Additionally, we would request that any future OPs include reference to the LC&DS as an automatic inclusion, as the renewal of OPs can take considerable amounts of time and effort, and we feel the OMB decision of 2004 should not be lost in that process.	No change proposed. Disposition of Crown land. Future lot creation would be required to conform with the policies of the Plan including those related to natural heritage features and lot creation. If Province lake trout policies, updates to the Official Plan in that regard would be required.

	Michael M. Bloomfield Date	
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206	<p>C.1.1.1 <del>The permanent population as of 2016 the Municipality was 1,412 (requires more review) persons and there were a total of 806862. There are 928 private dwellings with 375 being occupied by usual residents. As a result, there are another 431 and 432 of those dwellings that are used seasonally-occupied permanently throughout a year.</del> The Municipality <del>also</del> provides recreational properties for a number of seasonal residents and tourists. Youth camps, Provincial Parks, tourist lodges, canoeists, and extended cottage use greatly increase the seasonal population. <del>Due to seasonal residents and tourists, it is estimated that the peak summer population in the Municipality reaches about 9,000.</del></p> <p>Why was the last line taken out?</p>	Based on comments received on the previous draft, this number was not believed to be accurate.
207	<p>D.2.1.1 The Lake Temagami Neighbourhood is shown on Schedule A and includes <del>islands and</del> mainland <del>and lakes</del> areas contained within the Skyline Reserve around Lake Temagami, <del>all the islands within Lake Temagami</del> but excludes the Bear Island <del>Indian Reserve.</del></p> <p>Take out "the" before Bear Island.</p>	Revised.
208	<p><del>D.2.3.4 On Lake Temagami, a maximum of five (5) lots from patented or Crown Land shall be permitted per year through lot creation applications.</del></p> <p><del>D.2.3.5 New lot creation by plan of subdivision is not permitted in the Lake Temagami Neighbourhood.</del></p>	No comment identified.
209	<p>E.4.3.2 New lots shall generally have a minimum lot area of <del>0.8 hectares</del> <u>1 hectare</u> and a minimum lot frontage of 90 metres. <del>New lots less than 1 hectare in lot area will require a hydrogeological assessment.</del></p> <p>"generally" is vague. It still leaves open the option of new lots &lt; 1 hectare with no guidelines for which are allowed.</p>	The term generally leaves some flexibility and interpretation to staff when evaluating whether an assessment is required or not.
210	<p>Ditto these two sections:</p> <p>E.5.2.1 Permitted uses include existing and new low density residential uses on islands, <del>including the following accessory uses: home occupations and home industries, cabin secondary dwelling units, sleep cabins and contractor's yards.</del></p>	No comment identified.
211	<p>E.5.3.1 New residential development shall primarily take the form of single unit shoreline development.</p> <p>New lots shall generally have a minimum lot area of <del>0.8 hectares</del> <u>1 hectare</u> and a minimum lot frontage of 60 metres. <del>New lots less than 1 hectare in lot area will require a hydrogeological assessment.</del></p>	The term generally leaves some flexibility and interpretation to staff when evaluating whether an assessment is required or not.
212	<p>F.1.2.10 <del>When considering applications for new waterfront development,</del> Council shall ensure that cultural heritage resources, both on shore and in the water, are <u>conserved</u> not adversely affected. When necessary, Council will require satisfactory measures to mitigate any <del>negative</del> impacts on significant cultural heritage resources.</p>	Revised.

	Michael M. Bloomfield Date	
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	First sentence is not grammatical.	
213.	<u>F.1.2.11</u> The Municipality will consider adopting and implementing a re-inspection program for in individual on-site sewage systems, on waterfront lots in the Lake Temagami and Rural Neighbourhoods.  Remove the word "in".	Revised.
214.	<u>K.4.3</u> <b>Standard Secondary Dwelling Units</b> <u>K.4.3.1</u> A standard secondary dwelling units is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas created by an interior renovation or exterior addition to the primary dwelling unit or accommodated within part of an accessory building. Such residential unit is an accessory use to the main dwelling.  Second line: Remove the letter 's' in "units"	Revised.
215.	<del>K.4.4.8</del> <u>K.4.5.9</u> For the purpose of this section, a boathouse with sleeping accommodations that lawfully existed as of <del>the date this Plan</del> <u>April 18, 2013</u> came into effect is deemed to be a sleep cabin.  Not grammatical: "came into effect"	Revised.

	Dave & Clara (Olive the Lake Cottages & Fishing Lodge) September 30, 2024	
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216.	Of particular concern to us (Olive the Lake), is the reference of Municipal Lot Creation and Development plans of the Marten River Neighbourhood. We 100% against this proposal, for several reasons.  First and foremost, it will kill our business, and our livelihood. We bought Olive the Lake back in 2016 and have been running it successfully ever since. We have survived forest fires in 2018 that basically shut down northern Ontario, and then Covid in 2020 and beyond. We're afraid that our business will not survive if Temagami council allows cottage lots (32 in total) to be added to our lake, and creates a mini Muskoka in our front yard. The majority of our guests travel to our property to escape the busy lakes in southern Ontario. Our lake is peaceful with virtually no boat traffic, no loud parties, no jet skis and no other sources of noise pollution. If there are 32 new lots on	See L.8.1.1 and Section L.8.2.2 b).

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	the lake, that will all change and our guests will lose the tranquility they have become accustomed to.	
217.	Furthermore, we did not move to the Marten River area to become inundated with cottagers. One of the reasons we moved here was to get away from the hustle and bustle of every day life in southern Ontario, and to get away from the crowds. Having 32 lots on our small lake will forever change that. The proposed density of lots on our lake, and the other small lakes in our area is much higher than that on Lake Temagami, equivalent to a 200% increase. Back in 2011 when this was proposed, council made resolutions to reassess the project by clarifying issues with the MNR. Have any of these issues been investigated? Rectified?	Any future lot creation will be required to conform to the Official Plan.
218.	We understand there are other lakes which have the same proposals being explored. None of the lakes in our area (all small in size) can support additional lots and cottagers. The resources are already stretched thin as they are. Our lake has a healthy population of fish because we have been strict in asking our guests to only keep a few fish for their personal consumption. Being a small lake, the fishing will decline drastically with that many new lots and our business with suffer irreparable damages because of it.	Noted.
219.	We request the following:  <u>Appendix 1 and elsewhere</u>  All references to Lot Creation and Development Plans should be put on hold until an improved methodology is determined and implemented.	Reference to Lot Creation and Development Plans was removed from the new Official Plan.
220.	<u>A.2.4 Rural Neighbourhood</u>  Add a reference to traditionally low density development	Reference to low density shoreline residential development was added to Section A.2.4.
221.	<u>B1.1.2. Purpose</u>	Revision made to Section B.1.1.2.



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	A reference should be made to recognize the existing semi wilderness values on all lakes in the Municipality.	
222.	<p><u>D.3 Rural Neighbourhood</u></p> <p>Add references to:</p> <ul style="list-style-type: none"> <li>• Protect ecological functions</li> <li>• Protect visual aesthetics</li> <li>• Protect fish and wildlife values</li> <li>• Maintain water quality</li> <li>• Ensure new development reflects the current low density and privacy patterns of historic development</li> </ul>	Similar goals as the Lake Temagami Neighbourhood have been included in Section D.3.2.1 to expand on what was provided for the Rural Neighbourhood.
223.	Several other sections of the plan need changes as well. Fire protection comes to mind. The Marten River Fire Dept is not equipped to handle the added cottages and properties. As a captain on the department I know how hard it's been to get any kind of funding for equipment or new trucks. Garbage collection/disposal. The municipality does not want to take responsibility for garbage collection in Marten River. This will lead to unauthorized dumping, illegal burning and an increased risk of forest fires due to the burning. The negatives far outweigh the positives from what we can see.	These are considerations that are taken into account and review when there are development proposals submitted to the Municipality.
224.	In conclusion, we are vehemently opposed to any new development on Olive Lake, or any other lake in Marten River until a proper assessment is conducted to establish whether or not such development will have a negative impact on the businesses and residences who currently reside in Marten River. And just to be clear, we oppose this plan not just through our business, but also on a personal level for our families future.	There is a land use planning process associated if new developments are proposed.
	Mike and Judy Boucher September 30, 2024	
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225.	As a resident of Olive Lake I agree with Dave and Cara regarding development of seasonal lots on Olive Lake	Any new lots would require approvals under the Planning Act process and reviewed for

	<p>.My wife and myself are also disappointed we were not contacted by the township regarding the proposal of a possible sale and development of waterfront lots (32 lots in total) which we are strongly opposed to. We would also appreciate the township be more transparent and give the residents of Olive Lake more notice regarding any future discussion or decisions on this matter.</p>	<p>consistency with the PPS and conformity to the Official Plan.</p>
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	<p><b>Mike Beam</b> <b>September 30, 2024</b></p>	
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<p>226.</p>	<p>On Page 119 it states the following “The Municipality shall not assume any responsibility for the provision of municipal services such as fire fighting, ambulance, water supply, sewage treatment and garbage collection to remote residential properties;”</p> <p>This is very concerning for a few reasons. The local fire department is not equipped to handle an increased number of residents and will not be unless the Municipality steps up to fund them, these lots will very likely be in areas that will be remote and in the wilderness. This makes them more likely to cause forest fires if there is any irresponsible burning (very likely with seasonal residents)</p> <p>It also states the Municipality will not be responsible for garbage collection. From what I’m hearing garbage is a complete disaster on Lake Temagami it would be completely irresponsible to create additional lots without accepting responsibility of garbage collection. In 2011 there was a proposal that looked to add a total of 84 new lots to this area, this was put on hold and Temagami was to clarify outstanding issue with the MNR including Environmental Assessment requirements, market value prices and incomplete natural resource inventories. The municipality was also to expand public consultation on the lakes and significantly reduce the number of lots. No progress has been made on this motion since 2011.</p>	<p>Apologies we do not see a reference to this statement in the Official Plan.</p> <p>The Municipality does not provide waste collection services for remote shoreline properties. This is not a service controlled through the Official Plan.</p>

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	With these concerns in mind I request the following modifications be made:	
227.	<p>Appendix 1 and elsewhere All references to Lot Creation and Development Plans should be omitted until an improved methodology is determined. Note the MNR 1997 Comprehensive Land Use Plan did not reference the municipal Lot Creation and Development process, did not propose to complete subsequent recreational management plans and did not propose Crown land user fee for Ontario residents. See Section 1.0 Introduction to the 1997 plan.</p>	Reference to a Lot Creation and Development Plan has been removed.
228.	<p>A.2.4. Rural Neighbourhood Add a reference to traditionally low density development</p>	Revised.
229.	<p>B1.1.2. Purpose This section should recognize the existing semi wilderness values on all lakes in the Municipality.</p>	Revision made to Section B.1.1.2.
230.	<p>D.3 Rural Neighbourhood The principles and goals section is totally inadequate and void of specifics.</p> <ul style="list-style-type: none"> <li>• Add references to:</li> <li>• Protecting ecological functions</li> <li>• Protecting visual aesthetics</li> <li>• Protecting fish and wildlife values</li> <li>• Maintaining water quality</li> <li>• Ensuring new development reflects the current low density and privacy patterns of historic development</li> </ul>	Similar goals as the Lake Temagami Neighbourhood have been included in Section D.3.2.1 to expand on what was provided for the Rural Neighbourhood.
231.	<p>E – 13 Crown Land</p> <p>This section is unclear and misleading. Clarify that only private land but not Crown land or Federal land is subject to O.P. designations.</p> <p>The reference to the sale of Crown land should note the requirement to largely follow the requirement of the Environmental Assessment Act for projects carried out by the province or municipalities. The use of the</p>	The Municipality defers to the Province with respect to the disposition of Crown Land.

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	Municipal Class E.A. is intended for use only on recurring common projects such as roads, water or sewage projects. The disposition of Crown land is subject to MNR's Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects. Prior to disposing of lands to a public body such as a municipality, a screening process and public consultation process must be followed.	
232.	F – 1 Waterfront Development/Fire Smart etc. These sections need editing to clarify that rural dwellers have the right to protect themselves from wild fire fuel threats to their property. In addition it is doubtful that municipalities or Official Plans have any jurisdiction on Crown land adjacent to, including in front of a private cottage lot. Cottage owners can make personal trade offs between buffers and fire safety in this age of climate change.	Information about the FireSmart Program was added to Section K.9 of the Official Plan. There is a recognition that alterations may be required on properties that result in the loss of vegetation in order to protect against potential fires.

	Nicole Brooker September 30, 2024	
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233.	Here are my suggestions to some of the language and policies for our Official Plan. You will find that most of these comments refer to areas outside of the Lake Temagami Neighbourhood but refer to the Rural Neighbourhoods. As we all live in the Municipality of Temagami, I feel consideration should be given to the semi-wilderness values of the rural neighbourhoods in all of the municipality, especially as all of the neighbourhoods contribute to the importance of Tourism to our community. I have highlighted my suggestions in <b>Bold and Italicized</b> .	Comment noted.
234.	A .2.4.1 - second sentence: The overall character of these lake communities and rural areas of <i>Traditional low density development</i> , one that protects .....	Reference added to Section A.2.4.1 to include low density development.
235.	B. 1.12 a) - Establish and foster ... semi-wilderness environment around Lake Temagami and recognize <i>the Semi-wilderness value of all lakes in the municipality</i> .	Revised to reflect semi-wilderness values for all lakes.

	Nicole Brooker September 30, 2024	
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233.	Here are my suggestions to some of the language and policies for our Official Plan. You will find that most of these comments refer to areas outside of the Lake Temagami Neighbourhood but refer to the Rural Neighbourhoods. As we all live in the Municipality of Temagami, I feel consideration should be given to the semi-wilderness values of the rural neighbourhoods in all of the municipality, especially as all of the neighbourhoods contribute to the importance of Tourism to our community. I have highlighted my suggestions in <b>Bold and Italicized</b> .	Comment noted.
236.	D. 3.2 - Principle and goals: These principle and goals should be listed: - <i>Protection of ecological functions</i> - <i>Protection of visual aesthetics</i> - <i>Protection of fish and wildlife habitats</i> - <i>Protection of the littoral of the lake</i> - <i>Maintaining the water quality</i> - <i>Mitigation of the spread of invasive species and plants</i> - <i>Ensure all new development reflects the current low density and privacy patterns of historic development</i>	Similar goals as the Lake Temagami Neighbourhood have been included in Section D.3.2.1 to expand on what was provided for the Rural Neighbourhood.

	Andy Stevens, Lynn (Buckham) Stevens and Family September 30, 2024	
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237.	<b>Section D.2 Lake Temagami Neighbourhood</b> <b>D.2.3 Land Use</b> D.2.3.4 <i>On Lake Temagami, a maximum of five (5) lots from patented or Crown Land shall be permitted per year through lot creation applications.</i> This section should have wording added to clarify that any unused quota in a particular year cannot be rolled over for future use.	The term non-cumulative was added for clarity, which was carried forward from the current Official Plan.
238.	D.2.3.5 and L.8.1.1 <i>New lot creation by plan of subdivision is not permitted in the Lake Temagami Neighbourhood.</i> Section L.8.1.1 states a preference that lot creation occur by plan of subdivision. Please consider adding the words "except in the Lake Temagami	Revised.

	Andy Stevens, Lynn (Buckham) Stevens and Family September 30, 2024	
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	Neighbourhood” given the restriction provided in D.2.3.5.	
239.	<p><b>D.2.6 Skyline Reserve</b></p> <p>D.2.6.6</p> <p><i>Permitted Uses on the mainland within the Skyline Reserve shall be limited to:</i></p> <ul style="list-style-type: none"> <li>• Existing tourist commercial uses;</li> <li>• Forest renewal and maintenance;</li> <li>• Hunting, trapping, and angling;</li> <li>• Mineral exploration, subject to the Ontario Mining Regulations;</li> <li>• Water based camping;</li> <li>• Snowmobile, hiking, and ski trails; and,</li> <li>• <i>Non-extractive resource use, (i.e. trapping, sugar bush, harvesting pine cones)).</i></li> </ul> <p><i>Uses permitted on specific parcels of land on the mainland within the Skyline Reserve shall be limited to legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures except those deemed to be minor by the Municipality shall be subject to site plan approval.</i></p> <p>We ask that the wording in this section be tightened and clarified in order to avoid confusion over the reference to “new structures” – and to which properties this reference actually applies. What specific parcels?</p> <p>The implication of this reference as written is that new structures could be allowed in the skyline reserve (on any specific parcels of land on the mainland). That is entirely inconsistent with the remainder of the D.2.5 policy restriction on all new structures in the Skyline Reserve. We are guessing that this reference to ‘new structures’ is intended to apply only to the two existing tourist commercial uses (so designated) on the Lake’s mainland – and therefore clearer wording would be useful for example, adding the words “where permitted” be added after the words “new structures.”</p>	Revisions made to Section D.2.6.6 to reflect uses that are permitted.
240.	D.2.6.10	This wording was carried forward from the current Official Plan.

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	<p><i>Prior to any development along the shoreline of Lake Temagami from Boatline Bay, through the Manitou and Mine landings and Strathcona Landing, extra scrutiny shall be taken. The matters to be considered include:</i></p> <p>Clarification is needed in this section as the current wording is vague and could be interpreted to mean that the entire south shore of the NE Arm is open for potential development when we believe the Municipality's intent is to apply these guidelines exclusively to the existing landings. Alternatively remove this section entirely as any change would require an official plan amendment anyway.</p>	<p>The intent of the wording is to refer to the general area, and not specifically just to the shoreline associated with the three areas identified.</p>
241.	<p><b>Section K.4 Additional Dwelling Units</b> K.4.3 and K.4.5.2 Definition of Sleep Cabin</p> <p>Clarification would be helpful since these two sections do not seem entirely consistent. A private kitchen or bathroom facilities may be permitted by one definition, and the other only bathroom facilities.</p>	<p>Sleeping cabins are only permitted to have a washroom. A cabin secondary unit is permitted to have a kitchen and a washroom.</p>
242.	<p><b>Schedule A</b></p> <p>We note that both the parcel fabric and designation markings on Schedule A within the Lake Temagami Neighbourhood often either extend into the lake or not to the shoreline. Is this a function of software capability or done on purpose? Is the map intended to include shoreline reserves or not? We note that in some cases where the shoreline is still crown, they are shown as designated and, in some cases are not. Could this be looked at again before finalizing the Schedule, and cleared up if necessary? The assessment information likely shows the extent of each property.</p>	<p>The parcel fabric and the water layer is from an official source (leading government organizations), and these should not be manipulated. They may not line up in all instances but it is the best information and data that is available.</p> <p>It was not intended that the shore road allowance or Crown shore road allowance be shown. This has the ability to change over time and should be confirmed on a property by property basis.</p>

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243.	<p><a href="#">Process</a></p> <p>The preparation for this review included a scan of other similar Timiskaming Health Unit work including Official Plan reviews for the City of Temiskaming Shores (2013) and the Municipality of Kirkland Lake (2014) and a review of evidence related to key health frameworks and concepts that are likely to intersect with municipal planning. The comments below are based on the strategies known to prevent chronic disease and injury, support healthy growth and development and promote general well-being, while considering health equity. Specific concepts include promoting physical activity, recreation, access to healthy food, environmental health, the impact of built environment on health and health equity approaches. Finally, also consistent with Timiskaming Health Unit’s current strategic directions and evidence as a population health issue, this review has sought to identify where initiatives may also play a role in mitigating climate change and its impacts. Review comments are structured to match those within the Official Plan.</p>	Comment noted.
244.	<p><a href="#">Review</a></p> <p><a href="#">Strengths of the Plan:</a></p> <p>A public health approach to planning requires careful consideration of the social, economic and health needs of populations while balancing land use policies and local development. The Municipality of Temagami’s Official Plan exemplifies these concepts in several areas including the careful and detailed consideration of land use, and the protection and preservation of natural resources, water, vegetation and natural features. Consideration has also been given to locating important health and education services in community hubs and the enactment of health equity principles through the inclusion and engagement of distinct populations living in Temagami, including Indigenous populations who may be affected by land use changes.</p>	Comment noted.



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245.	<p><u>Areas for Improvement:</u> The Municipality of Temagami’s Official Plan may also be strengthened in several areas to move towards a more health promoting approach that considers the needs of all populations in the following areas.</p>	
246.	<p>1. <u>Population and Housing C.1.2.3 and 1.3.4</u> Housing is a key consideration for the population of Temagami and affordable housing will be essential for underserved populations within the Municipality. It is commendable the municipality has committed to strike a balance between population increase and housing availability and consider housing for the aging population and affordable lots and dwelling units for residents.</p> <p>The Municipality has set an affordable housing target at 10%. Housing is one of the most fundamental of human needs and is an essential consideration for all individuals to ensure adequate shelter and maintain quality of life. It is also important in shaping the economic and social sustainability of communities and can be a vehicle for social inclusion and an important component of growth.<sup>1</sup> Access to safe, affordable and adequate housing influences almost every aspect of a community’s well being and its members and contributes to community benefits including economic resilience, education, and health.<sup>1</sup></p> <p>The development of affordable housing is a municipal endeavor that can impact the municipal budget.<sup>22</sup> In efforts to reduce budgetary impact and ensure the progression and sustainable development of Municipal affordable housing consider the following:<sup>1</sup></p> <ul style="list-style-type: none"> <li>○ By-laws to prohibit and regulate the demolition of residential rental properties containing six or more dwelling units and the conversion of such properties to a purpose other than residential rental.</li> <li>○ Demolition and conversion of residential rental properties.</li> </ul>	<p>Comment primarily speaks to promoting a wide range of housing options to provide potential for affordable housing opportunities.</p> <p>Lands are dedicated in the Urban Neighbourhoods for residential development, and future development when opportunities arise.</p> <p>Further, the inclusion of secondary dwelling unit (additional dwelling unit) policies promotes additional units within the Municipality on a rental basis.</p>

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	<ul style="list-style-type: none"> <li>○ Consider grants or subsidies related to municipal affordable housing i.e. in relation to the municipal capital facilities agreement.</li> <li>○ Consider passing temporary use by-laws to authorize garden suites as a temporary use in the municipality's residential areas.</li> <li>○ Use land use planning techniques to facilitate affordable housing development and sustainability including mixed-use development, increased density through reduced lot or unit size, increased density on under-utilized sites, alternative house forms and design, and the conversion of non-residential buildings located in suitable designated areas into affordable housing.</li> </ul>	
247.	<p><b>2. <u>Economic Development C.2.2.4</u></b></p> <p>The Municipal Official Plan aims to ensure the commercial urban core in Temagami will be pedestrian friendly. In a pedestrian-friendly community, the infrastructure is designed with the needs and safety of populations in mind. Infrastructure includes large, well-maintained, unobstructed walkways, crosswalks, street furniture for people to rest and socialize, and sidewalks that are thoughtfully constructed.<sup>2,3</sup></p> <p>Additionally, public areas situated in pedestrian travelled areas, such as parks and urban plazas, serve as meeting places and venues for neighbourhood events, adding to community well-being and vibrancy.<sup>4</sup></p> <p>In efforts to encourage and promote pedestrian friendly communities consider the following:</p>	Official Plan policies enable a Municipality to consider new infrastructure.

### Active Transportation

Active transportation offers many benefits for communities and populations alike<sup>5</sup> The support of active transportation and supporting infrastructure has been linked to many population-wide benefits including reduced environmental pollution and road related injuries, and increased health benefits including increased opportunity for physical activity and recreation.<sup>5</sup>

Furthermore, active transportation systems that prioritize accessibility result in more equitable access to community services, employment, healthy food options, and opportunities for active recreation by diverse populations including youth, seniors, people with disabilities, and people living on a low income.<sup>5</sup>

Consider the addition of the following policies to the Official Plan:<sup>5,20,21</sup>

- Prioritize patterns and densities that support active transportation and pedestrian and cycling oriented development.
- Provide mixed and diverse land uses that are convenient and safe and in proximity for walking and cycling.
- Provide employment areas that are accessible and connected to residential areas, transportation corridors and supported by active transportation and transit.
- Provide transportation policies that consider community-wide access for all modes of transportation, with special attention to active transportation and public transit.
- Plan for long-range transportation to ensure that community-wide access for all modes of transportation for persons of all abilities is considered with specific attention to active transportation and public transit.
- Design roadways as complete streets to allow pedestrians, cyclists, transit riders and motorists of all ages and physical abilities to interact and move safely along and across municipal streets.

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	<ul style="list-style-type: none"> <li>○ Increase street connectivity to facilitate walkability and active transportation, including road crossings that prioritize pedestrians.</li> <li>○ Encourage and support active and safe routes to school, public facilities and services, retail areas, workplaces, places of worship, and recreation and cultural areas.</li> <li>○ Provide infrastructure to support active transportation in all seasons that is safe, accessible, and connected to the road system and links with the various uses and destinations.</li> <li>○ Include a trails network that support both active recreation and active transportation.</li> <li>○ Provide road design policies that allow pedestrians, cyclists, transit users and motorists to interact and move safely.</li> <li>○ Promote a safe environment for pedestrians and cyclists, including the consideration of proper road design, and area wide traffic calming measures in selected areas with an emphasis on school zones and areas frequented by other vulnerable populations (i.e. senior’s residences, parks, etc.).</li> <li>○ Base road designs on a complete streets design framework and include well maintained infrastructure (i.e., sidewalks, extra wide road shoulders for walking and cycling, and/or pedestrian trails and walkways) that accommodates all users, particularly the most vulnerable users: children, youth, the elderly, and those with special needs.</li> <li>○ Encourage physical activity and walking in winter environments. Active transportation routes and/or networks will be maintained year round, where feasible and where demand warrants.</li> </ul>	
248.	<p><b>Parkland/Recreation</b> Recreation is another area that can be leveraged to improve the health of residents through land features</p>	In accordance with the Planning Act, applications for new lot creation and units are required to dedicate 5% parkland.

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	<p>and activities which promote the physical, emotional, and spiritual well-being of the population.<sup>5</sup></p> <p>Consider the addition of the following policies to the Official Plan:<sup>5,20,21</sup></p> <ul style="list-style-type: none"> <li>○ Increase access to recreation facilities and physical activity resources and programs close to residential areas.</li> <li>○ Provide a diversity of parks, open spaces, and recreation for residents of all ages and abilities (trails, playgrounds, bike paths, community centres, swimming pools, public spaces, open/green space areas).</li> <li>○ Encourage the protection of existing tree canopy of the community and the growth of new trees.</li> <li>○ Support the use of natural and/or naturalized landscapes in new developments.</li> <li>○ Encourage the provision of access to open/green space to residents.</li> <li>○ Encourage a sense of place, through built form, cultural planning and promoting features that help define character, such as cultural heritage resources.</li> <li>○ Provide parks and open/green spaces and recreational trails as an interconnected system that provides access between residential developments, workplaces, school, and commercial developments.</li> <li>○ Offer inclusive, safe, affordable, and quality recreation programs and facilities for all residents and visitors.</li> <li>○ Support design standards that incorporate the design approaches of Crime Prevention through Environmental Design: natural surveillance (occurs by placing windows in locations that allow users to see or be seen), access to control (discourages access to an area, such as doors, shrubs, fences, gates, and other physical design elements that limit access), and territoriality (features that</li> </ul>	

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	<p>establish a sense of ownership or belonging, such as sidewalks, landscaping, porches, and other elements that establish boundaries between public and private areas).</p> <ul style="list-style-type: none"> <li>○ Create a community environment that minimizes the incidence of crime and enhances perceptions of security by applying the principles of Crime Prevention Through Environmental Design (CPTED) within the site design and development approval process.</li> <li>○ Support the establishment of meeting spaces and common areas in the neighbourhoods to accommodate the needs of people of all ages and physical abilities.</li> <li>○ Support the creation of neighbourhood hubs to provide opportunities for recreation and social interaction.</li> <li>○ Include design features (e.g., trees, shelters) in parks and open spaces that provide shade to protect people from sun exposure.</li> <li>○ Include mixed-use development and the integration of residential, commercial, and recreational spaces.</li> </ul>	
249.	<p><b>3. <u>Urban Neighbourhood D.1.3.1</u></b> Support for quality of life and human health are essential elements of planning.<sup>5</sup> The Official Plan states the Municipality will have settlement areas that provide a variety of housing styles that are affordable and will provide lifestyle considerations that support a vibrant year-round population and will focus growth to settlement areas.</p> <p>This section would be strengthened by extending objectives to consider access to food, substances, active transportation, and parkland and recreation including the following:</p> <p><b>Local Food<sup>5</sup></b></p> <ul style="list-style-type: none"> <li>○ Ensure protection of spaces for community gardens.</li> </ul>	<p>The Official Plan provides a variety of housing styles that are affordable. The Official Plan does provide policies that promote active transportation and municipal facilities. Food access is not a Planning Act consideration.</p>

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	<ul style="list-style-type: none"> <li>○ Encourage access to food outlets/hubs/gardens where opportunity exists.</li> <li>○ Encourage community or urban agriculture, such as community gardens, and rooftop gardens.</li> <li>○ Consider including policies to permit community gardens and certain agricultural uses in appropriate land use designations, and particularly on vacant or underutilized lands, except lands designated for environmental protection and where the cultivation of crops might have negative impacts on existing natural features or might pose a risk to human health.</li> <li>○ Provide infrastructure (e.g. raised beds, water, rain barrels, top-soil, and compost) to support garden start-up as well as for existing community gardens.</li> <li>○ Conduct a comprehensive Environmental Site Assessment for sites that are known to be contaminated and/or potentially contaminated to prepare for community gardens that could be encouraged through the use of planters or other means that would avoid soil disturbance.</li> <li>○ Institute community-wide composting programs and permit small-scale community-based composting initiatives in accordance with provincial standards.</li> <li>○ Provide opportunities to support local food and promote the sustainability of agri-food and agri-product businesses by protecting agricultural resources and minimizing land use conflicts.</li> <li>○ Enable the community to integrate opportunities for community/urban agriculture all land use designations shall</li> </ul>	

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	<p>permit community gardens, edible landscaping, and roof top gardens as accessory uses for community facilities such as places of worship, schools, health, cultural, and recreational institutions.</p> <ul style="list-style-type: none"> <li>○ Provide infrastructure (e.g. raised beds, water, rain barrels, top-soil, and compost) to support garden start-up as well as for existing community gardens.</li> </ul>	
250.	<p><b>Food Retailers<sup>5</sup></b></p> <ul style="list-style-type: none"> <li>○ Establish land use designations that enable retailers of healthy foods such as supermarkets, small and mid-sized grocery stores, produce vendors, and farmers markets to be located within convenient walking and/or cycling proximity from residences, workplaces, commercial and industrial areas, educational institutions, places of worship, and places of recreation.</li> <li>○ Limit the number of retailers of foods that are primarily of low nutritional value, such as fast-food restaurants and convenience stores, based on community size and density of retailers of healthy foods, such as supermarkets, small and mid-sized grocery stores, and farmers markets such that the availability and accessibility of healthy foods is greater than unhealthy foods.</li> <li>○ Establish land use designations that encourage the establishment of retailers of healthy foods such as supermarkets, small and mid-sized grocery stores, and farmers markets and shall restrict the establishment of retailers of foods that are primarily of low nutritional value, such as fast-food restaurants and convenience stores, within walking proximity from facilities frequented by children and</li> </ul>	<p>In general retail uses are permitted within the Urban Neighbourhoods.</p>



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	<p>youth, especially elementary and secondary schools.</p> <ul style="list-style-type: none"> <li>o Establish guidelines that include the food producers, processors, and retailers as part of the Official Plan review process.</li> </ul>	
251.	<p><b>Access to substances<sup>5</sup></b>  Children and youth attitudes and behaviours are influenced by their exposure and access to commercial substance retailers.<sup>5</sup> Consider the addition of the following policies in particular for the protection of children and youth:<sup>5</sup></p> <ul style="list-style-type: none"> <li>o Identify sensitive land uses, such as public spaces and facilities where there is a concentration of children and youth and identify the importance of protecting them from incompatible uses that may cause adverse health impacts, such as tobacco retailers, alcohol retailers, cannabis retailers and establishments serving alcohol or exposing residents to tobacco smoke (e.g. on outdoor patios).</li> <li>o Amend municipal zoning by-laws that prohibit and/or restrict the number of tobacco, alcohol and cannabis retailers and establishments from specified distances of sensitive and child and youth land uses.</li> </ul>	<p>Tobacco, alcohol and cannabis retailers are considered a commercial use and would be permitted where commercial uses are permitted.</p> <p>The Provincial and Federal governments have requirements for managing the sale of alcohol and other substances.</p>
252.	<p><b>Active Transportation</b></p> <ul style="list-style-type: none"> <li>o Refer to policy recommendations in section C.2.2.4</li> </ul>	<p>The Official Plan policies promote active transportation.</p>
253.	<p><b>Parkland/Recreation</b></p> <ul style="list-style-type: none"> <li>o Refer to policy recommendations in section C.2.2.4</li> </ul>	<p>The Official Plan policies require the dedication of parkland in accordance with the Planning Act.</p>
254.	<p><b>4. <u>Lake Temagami Neighbourhood D.2.2.2</u></b>  The Municipality has incorporated land use strategies that call for the conversation of wilderness and</p>	<p>Official Plan designations permit commercial uses which would include food retailers.</p>

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	<p>preservation of the environment and vegetation among others for the Lake Temagami Neighbourhood. Recommendations to increase population and community health for the Lake Temagami Neighbourhood include the following:</p> <p><b>Local Food and Food Retailers</b></p> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section D.1.3.1</li> </ul>	
255.	<p><b>Active Transportation</b></p> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section C.2.2.4</li> </ul>	The Official Plan policies promote active transportation.
256.	<p><b>Parkland/Recreation</b></p> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section C.2.2.4</li> </ul>	The Official Plan policies require the dedication of parkland in accordance with the Planning Act.
257.	<p><b>Access to substances</b></p> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section D.1.3.1</li> </ul>	<p>Tobacco, alcohol and cannabis retailers are considered a commercial use and would be permitted where commercial uses are permitted.</p> <p>The Provincial and Federal governments have requirements for managing the sale of alcohol and other substances.</p>
258.	<p><b>5. <u>Land Use Designations E.1.4.2 and E.1.5.2</u></b></p> <p>The Municipality has developed criteria for the consideration of land use proposals for both medium and high-density development. Municipal land use and land use designation has the potential to impact population health and community wellbeing through land use policy.<sup>5</sup> When considering proposals for new medium and high-density residential development, consider the inclusion of the following policies:</p> <p><b>Environmental Health<sup>5</sup></b></p> <ul style="list-style-type: none"> <li>○ Develop design standards that require the use of natural and/or naturalized landscapes in new developments throughout the community including edible landscapes.</li> </ul>	No change proposed.

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259.	<p><b>Complete Neighbourhoods and Mixed Housing<sup>5</sup></b></p> <ul style="list-style-type: none"> <li>○ Provide mixed neighbourhoods that balance residential, commercial, and institutional development and that reduce the need for residents to commute long distances to work, school, shops, and services.</li> <li>○ Allow for mixed and non-traditional housing arrangements to support residents of all ages (e.g. universal design, secondary unit, multiple housing types within neighbourhoods).</li> <li>○ Ensure a range of human services including affordable housing, subsidized daycare, employment, and income supports will be supported to ensure all residents have adequate incomes to afford healthy food after paying fixed expenses.</li> <li>○ Adopt affordable housing targets and standards that are integrated into mixed-income neighbourhoods within complete communities.</li> <li>○ Ensure housing for older adults and supportive housing for people with other special needs shall be located wherever possible, in proximity to transit routes, medical, social service and community facilities, open/green spaces, recreation facilities, and shopping areas.</li> <li>○ Encourage a sense of place through built form, cultural planning, and by promoting features that help define character, such as cultural heritage resources.</li> <li>○ Ensure neighbourhoods are designed to include meeting spaces and common areas that address the needs of residents of all ages and physical abilities.</li> </ul>	<p>Official Plan allows for a mix of housing styles within settlement area; OP permits service uses; OP provides opportunities for affordable housing development.</p>

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260.	<p><b>6. Parks and Open Space E.11.1.1</b></p> <p>The Municipal Official Plan recognizes the designation of parks and open spaces in urban areas and regulates their permitted use. The impact of parks and open spaces on population health is significant.<sup>5</sup> Access to safe, high quality green space benefits individuals across every stage of the lifespan, enhancing their physical, mental, social and spiritual health and wellbeing.<sup>6</sup> Evidence shows that both small and large green spaces contribute to better health.<sup>7</sup> There is also evidence that certain populations including pregnant women, people with low income, minority and ethnic groups, children and adolescents and older adults gain the most from increased access to outdoor green spaces.<sup>8</sup> Apartment dwellers, without access to backyards, rely on these spaces for outdoor access.<sup>7,8</sup> Parkland and greenspace also have tremendous economic value.<sup>9</sup> Parks and preserved lands boost land values and property taxes, attract residents and businesses, encourage economic development, boost the economy of surrounding areas, save money over some types of development, preserve ecosystem services, and reduce health care costs.<sup>9</sup> Parks contribute to factors of resident quality of life, serving to attract and retain newcomers and business investment in the community.<sup>9</sup></p> <p>THU encourages the Municipality to consider the value and the utility of open space and parks for all residents within the Official Plan. Parkland and open space are valuable and of significant importance to health. Access to safe, high quality green space benefits individuals across every stage of the lifespan, enhancing their physical, mental, social, and spiritual health and wellbeing.<sup>6</sup></p> <p>For adults and seniors, local and accessible parks and outdoor spaces can facilitate active lifestyle behaviours that are in turn modelled to children and family members.<sup>6</sup> Park use is linked to physical and psychological health benefits among adults, especially older adults.<sup>6</sup></p>	<p>Official Plan permits open space uses and requires park land dedication as part of development proposals.</p> <p>Settlement area is surrounded by Crown land which provides substantial open space and recreational opportunities.</p>

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	<p>Parks may also be considered as community spaces that contribute to the resilience and connectedness of communities or neighbourhoods.<sup>10</sup> Parkland spaces which are connected include attributes that are linked by transit and active transportation routes and contribute to social connectedness and community safety.<sup>10</sup></p> <p>Parkland can also serve as the network for trail systems which can provide opportunity for recreational access, active transportation, and leisure opportunities. THU encourages consideration be given to the construction of, and access to trails and active transportation systems for all populations, especially those who tend to face barriers to access such as children, persons with low-income, seniors, and those with disabilities.<sup>6,8</sup></p>	
261.	<p>Policies that will support the access to, and development, preservation and expansion of parkland, recreation, and active transportation for all populations within the Temagami Official Plan include:</p> <p><b>Parkland/Recreation</b></p> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section C.2.2.4</li> </ul>	Policies of Official Plan support parkland, recreation and active transportation opportunities.
262.	<p><b>7. <u>Transportation J.3</u></b></p> <p>The Municipal Official Plan acknowledges the road system within the Municipality is composed of Provincial, municipal public and seasonal roads as well as recreational trails, Canoe Routes and Lake Access Points. For municipal roads, THU advocates for a safer systems approach to road safety to encourage population safety and reduce injury among all populations. Within the Official Plan there is an opportunity to include policies that support a safer system road safety approach. A safer systems approach for roadways can significantly reduce road user injuries and improve road safety.<sup>11,12</sup> This approach ensures roads are designed to be safe, convenient and comfortable for every user, regardless of transportation</p>	No changes proposed to this section.

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	<p>mode, physical ability or age.<sup>13</sup> The safer systems approach is ideal for communities and may be used to strengthen protection for vulnerable road users by integrating their needs into the transportation system.<sup>14,15</sup> Physical changes to the road are part of a safer systems approach to road safety.<sup>11</sup> The safer systems approach applies all of the 5Es of road safety including engineering, enforcement, education, engagement and evaluation to create meaningful change.<sup>11,16</sup></p> <p>Where new streets are developed, or where streets are improved by the Municipality, consider the following recommendations:</p> <p><b>Injury Prevention</b></p> <p>Traffic calming measures are essential to put pedestrian safety first and foster tranquilly. In order to lower vehicle speeds and improve driver awareness:<sup>17</sup></p> <ul style="list-style-type: none"> <li>o Create a network of side roads and interior pedestrian spaces and using strategies such as raised crossings, speed humps, and textured pavements.<sup>17</sup></li> </ul>	
263.	<p><b>8. Land Use Compatibility K.2.1.1</b></p> <p>The Municipal Official Plan states sensitive land uses such as residential, day-care, educational and health facilities shall be buffered and/or separated from major facilities to prevent effects from adverse exposures to environmental and structural contaminants. THU advocates for the reduced exposure of sensitive populations in particular children and youth to commercial substance use retailers and related substance use exposure areas.</p> <p>Children and youth attitudes and behaviours are influenced by their exposure and access to commercial substance retailers<sup>5</sup> Consider the addition of the following policies for sensitive land uses for the protection of children and youth:</p>	Noted.

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	<b>Access to substances</b> <ul style="list-style-type: none"> <li>○ Refer to policy recommendations in section D.1.3.1</li> </ul>	
264.	<p><b>9. <u>Cash-In-Lieu of Parkland L.16.1.1</u></b></p> <p>The Municipal Official Plan acknowledges cash in lieu of parkland is authorized by the Planning Act for park or public recreational uses. Parkland has tremendous value to population health and supports the physical, mental, social and spiritual health of residents.<sup>6</sup> THU advocates for the growth, sustainment and preservation of parks and parkland and preservation of environmental features and natural spaces where at all possible.</p> <p>Where on-site parkland dedication cannot be accommodated, municipalities can provide for a reduction in cash-in-lieu requirements in exchange for sustainability features.<sup>18</sup> These features might include green or cool roofing, external building shade structures, high-albedo (reflective) surface materials for non-roof areas, large shade-tree plantings paired with good soil, low-impact storm water management systems, renewable energy technology (e.g., solar heated water) and water treatment solutions to promote water conservation and reuse (e.g., ultra-violet water treatment).<sup>18</sup></p>	Noted.
265.	<p><b>10. <u>Climate Change</u></b></p> <p><b>Recommendations</b></p> <p>The Municipality of Temagami's Official Plan is an excellent opportunity to incorporate climate change initiatives into the municipality's vision. The Clean Air Partnership has developed several resources that could be used to assist the integration of climate change initiatives into the Municipality 's Official Plan.<sup>19</sup> Additional municipal resources to support climate change may be found in Appendix A.</p> <p>If the Municipality of Temagami does not have a Climate Action Plan, public health recommends the Official Plan should state that the Municipality will</p>	New policy L.13 added.

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	<p>develop a Climate Action Plan that will commit the Municipality to:<sup>19</sup></p> <ul style="list-style-type: none"> <li>○ Undertake an energy and greenhouse gas emission inventory.</li> <li>○ Set a greenhouse gas reduction target (as well as other associated targets that the municipality deems important (ex. energy avoided costs target).</li> <li>○ Develop a plan or strategy that outlines actions that the municipality and its stakeholders have prioritized for implementation.</li> <li>○ Set indicators on progress made towards actions and/or emissions reductions.</li> <li>○ Ensure the monitoring and reporting framework in place for the Plan and the timeframe associated with progress reporting.</li> <li>○ Develop a time frame and process for evaluation and updating of the Plan.</li> </ul>	
266.	<p>If the Municipality does not yet have a council direction to develop a Climate Adaptation Action Plan, the Official Plan should state the direction to develop such a Plan.<sup>19</sup> The Plan itself should include:<sup>19</sup></p> <ul style="list-style-type: none"> <li>○ The context and rationale for why the municipality needs to address climate change adaptation and resilience (i.e., impacts of severe weather events).</li> <li>○ The scope the Plan will focus on departmental/corporate-wide/community/sector specific (e.g., agriculture, infrastructure).</li> <li>○ The actions that will be undertaken to mitigate risk and vulnerabilities and build resilience to climate changes impacts.</li> <li>○ The monitoring and reporting framework for the Plan and the timeframe associated with progress reporting.</li> <li>○ The timeframe and process for evaluation and updating of the Plan.</li> </ul>	New policy L.13 added.



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267.	<p><a href="#">Opportunities for Ongoing Public Health Support</a></p> <p>The Timiskaming Health Unit is well positioned to support the implementation of the Municipality of Temagami's Official Plan with ongoing collaboration, providing access to evidence, supporting community engagement, and helping the municipality with providing services that meet the needs of the whole community. Moving forward, THU will consider the Municipality of Temagami's Official Plan and priorities as staff develop their annual plans and seek opportunities to leverage and support the municipality's work.</p>	Noted

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268.	We request that the Municipality of Temagami conduct a lake capacity study to support any new developments on the lake (in reference to the plan stating that they can add 5 new properties on the lake each year).	The permission for 5 new lots per year on Lake Temagami is meant to limit new development on islands on the lake. Lake Temagami has not been identified as an over capacity lake and therefore a study is not required on the basis that this is a carry forward from the current Official Plan. The Municipality may explore studies in the future or respond to development proposals on a lake by lake basis.
269.	We request that the official plan be corrected in regards to the Memorandum of Understanding between the Municipality, Temagami First Nation, and Teme-Augama Anishnabai. Currently the plan states that an MOU is in draft form, but the MOU was in fact created in 2003, and requires updates.	<p>Section A.2.6.1 of the Official Plan revised to state the following:</p> <p><i>The Teme-Augama Anishnabai, Temagami First Nation and the Municipality entered into a Memo of Understanding with the following vision: The Temagami First Nation, the Teme-Augama Anishnabai and the Municipality of Temagami recognizes that future political, economic, social and cultural growth, development and prosperity are dependent upon a positive interdependent relationship with respect to one another's government,</i></p>

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		<p><i>laws and citizens and our vision is to achieve this goal by working together.</i></p> <p><i>The Teme-Augama Anishnabai, Temagami First Nation and the Municipality recognize that the Memo of Understanding requires updating.</i></p>

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270.	<p><i>Schedule A</i></p> <p>We have taken a closer look at the mainland lots in the Lake Temagami Neighbourhood that are to be designated Restricted Rural/Waterfront - Lake Temagami, or Tourist Commercial.</p> <p>It appears that the standard MHBC parcel fabric has been used, and that it has been assumed that all parcels delineated in the parcel fabric are patented lots. However, this is not actually the case. Many of the parcels (and that also includes those shown on the bed of Lake Temagami that have not been designated) appear to be lapsed or expired mining claims, in other words they are Crown with no disposition of use rights. Others are subject to mining leases but remain Crown-owned.</p> <p>Our preliminary conclusion is that there are five patented lots on the mainland: the two that are designated Tourist Commercial, and three of those designated Restricted Rural/Waterfront - Lake Temagami. The rest of the parcels in the latter designation are Crown-owned.</p> <p>To ensure there is no inappropriate designation of Crown lands, we therefore recommend that <i>the ownership of all mainland parcels in the Lake Temagami Neighbourhood be reviewed, and that</i></p>	<p>The five properties identified have been included on Schedule A.</p> <p>The remaining lands are Crown Land.</p>

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	<i>all parcels found to be in Crown ownership be redesignated Crown Land.</i>	
271.	We also recommend that the following interpretive provision be added as Section M.1.3.4: <i>All lands whose surface rights remain in Crown ownership are designated as Crown Land, or if within a provincial park or conservation area, Crown Land – Protected Area, despite any designation to the contrary on Schedule A.</i>	New Section M.1.3.4 added.
272.	<i>Schedule D</i> The waste transfer station at the end of the Lake Temagami Access Road is shown as a former waste management site, but this is actually an active, licensed site.	This has been revised on Schedule D.
273.	<i>Section A.3.1.2 - references to Crown land planning policy</i>  This section still does not refer correctly to the proper source for MNR planning policy for Crown lands in the Municipality. (See February 28, 2022 letter for further discussion.)  We recommend the first sentence read:  <i>Notwithstanding the valuable input received during the Official Plan Review and the resulting Official Plan policies, the Municipality of Temagami acknowledges that the <b>Crown Land Use Policy Atlas</b> is the governing land use planning document applicable to Crown Land within the Municipality of Temagami <b>except in the geographic Township of Sisk.</b></i>	Revised.
274.	<i>Section C.1.1.1 - population</i> We believe the 2021 Census figure of 496 seasonal dwellings (derived from 928 total and 432 permanent) is not reliable and a serious underestimate. TLA and the Municipality cooperated in estimating a much higher number in 2020. (See February 28, 2022 letter for further discussion.) If the Municipality is not	Revised.

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	comfortable with the 2020 estimate, then we recommend this section read: <i>Based on the 2021 Census, the <b>permanent</b> population of the Municipality was 862. <b>There are 928 private dwellings and 432 of those dwellings are occupied permanently throughout a year.</b> The Municipality provides recreational properties for a number of seasonal residents and tourists. Youth camps, Provincial Parks, tourist lodges, canoeists, and extended cottage use greatly increase the seasonal population.</i>	
275.	As well, the population of Bear Island and the total community memberships of TFN and TAA should be mentioned and recognized. (See February 28, 2022 letter for further discussion.) We recommend <b>that MHBC obtain the correct information that reflects both groups and add an appropriate paragraph.</b>	Do not propose to include population data in the Official Plan.
276.	<i>Section C.1.2.2 - location of population growth</i> We believe that this section, though revised, still does not make clear that the Lake Temagami Neighbourhood and other non-road-accessible locations should not be part of any population growth objective. (See February 28, 2022 letter for further discussion.) We recommend the first sentence be replaced with:  <i>Although difficult to quantify, it is anticipated that <b>there may be some growth of permanent population in the rural areas and shoreline areas as a result of conversion of seasonal residences to permanent residences. However, it is the policy of the Municipality that housing intended to accommodate permanent population growth be confined to the Urban Neighbourhood and other road-accessible locations.</b></i>	Revised Section C.1.2.2.
277.	<i>Section D.2.1.1 - Lake Temagami Neighbourhood description</i> This needs to be corrected to reflect the addition of Cross Lake. We recommend this section read: <i>The Lake Temagami Neighbourhood is shown on Schedule A and includes islands and mainland areas</i>	Revised Section D.2.1.1.

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	<i>contained within the Skyline Reserve around Lake Temagami and Cross Lake, but excludes the Bear Island.</i>	
278.	<p><i>Section D.2.2.1 and other sections - references to Crown land planning policy</i></p> <p>As discussed with reference to other sections in my February 28, 2022 letter and email, the Temagami Land Use Plan of 1997 and its Area 39 have been subsumed into the Crown Land Use Policy Atlas. Area 39 no longer exists and it is not entirely clear what CLUPA areas correspond to it. We recommend the first sentence read:</p> <p><i>The land use strategies for this Neighbourhood are based upon the Tenets for Temagami and the applicable provisions of the Crown Land Use Policy Atlas.</i></p> <p>Similarly, in sections D.2.6.8 and E.13.4.1, "Temagami Land Use Plan", and in section E.13.1.1, "Temagami Land Use Plan for the Temagami Comprehensive Planning Area, (MNR, 1997)", <b><i>should be replaced with "Crown Land Use Policy Atlas"</i></b>.</p>	Revised Section D.2.6.8, E.13.1.1 and Section E.13.4.1.
279.	<p><i>Section D.2.3.1 - Lake Temagami Neighbourhood principles</i></p> <p>We recommend below that sections D.2.6.10 and E.6 be deleted. We believe that as a result, some parts of section D.2.3.1, which would appear to provide a basis for the sections we propose to delete, are no longer appropriate.</p> <p>We recommend this section read:</p> <p><i>It is the fundamental principle of the Municipality that private residential development and commercial development in the Lake Temagami Neighbourhood shall only be permitted on the islands in Lake Temagami. This type of development is not permitted within the Skyline Reserve around the lake. It is also a fundamental principle that no further unauthorized access be permitted to Lake Temagami. <b>The Municipality recognizes that there is a need for improvements at the access point and supports such improvements need to provide mainland opportunities for services that support the residents and business on</b></i></p>	Revised Section D.2.3.1.

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	<i>Lake Temagami. The Municipality supports the development of an improved access point and limited opportunities for service providers to have mainland access to Lake Temagami. These considerations will be carefully planned and managed in accordance with the policies of this Plan.</i>	
280.	<p><i>Section D.2.3.4 - lot creation cap</i></p> <p>We appreciate the addition of this section. However, it is not clear as it is in the present Plan, section 5.3.7.1, that the annual limit cannot be cumulative.</p> <p>We recommend that this section read:</p> <p><i>On Lake Temagami, a maximum of five (5) lots from patented or Crown Land shall be permitted per <b>calendar year (non-cumulative)</b> through lot creation applications.</i></p>	Revised Section D.2.3.4.
281.	<p><i>Section D.2.6.4 and Schedule D - Skyline Reserve definition</i></p> <p>We are happy with the changes that have been made. We recognize that the mapping of the Skyline Reserve perimeter on Schedule D, which is the same as the Lake Temagami Neighbourhood perimeter on Schedule A, is unchanged from the 2004 and 2013 Plans, aside from the welcome addition of Cross Lake. In order to ensure that the mapping of the Skyline Reserve is properly historically benchmarked in order to protect it from unjustified future alteration, we have looked further into the prior basis and history for this delineation.</p> <p>The Municipality's first Official Plan was approved in 2004. That is where the present mapping of the Skyline Reserve (aside from Cross Lake) appears to originate. Section 5.3.17 of that Plan says that "[t]he Skyline Reserve is defined as the line delineating Management Area 39 in the Temagami Land Use Plan for the Temagami Comprehensive Planning Area, MNR 1997". But though the present Skyline Reserve is similar to Area 39, it is not the same. On what basis the present Skyline Reserve was mapped in the 2004 Plan is unknown and at this late date, will no doubt remain so. However, its exterior boundary has been</p>	<p>Revised Section D.2.6.4.</p> <p>Other data sets were reviewed for the boundary of the Skyline Reserve. Following a review, the existing line in the current Official Plan was the most conservative and therefore was carried forward.</p>

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	<p>established and accepted in Municipal, Provincially-approved policy for 20 years now.</p> <p>We would like to see absolute clarity in the text, that the Skyline Reserve and Lake Temagami Neighbourhood boundaries are the same, and regarding the historical foundation of these boundaries. Therefore, we recommend this section now read:</p> <p><i>The Skyline Reserve is of varying depth back from the shoreline of Lake Temagami and Cross Lake. It consists of the entire mainland shorelines of Lake Temagami and Cross Lake within the Lake Temagami Neighbourhood, and is shown on Schedule D to this Plan. <b>The external boundary of the Skyline Reserve on Schedule D, and the external boundary of the Lake Temagami Neighbourhood on Schedule A, are one and the same. The Skyline Reserve's external boundary is intended to remain as originally delineated in the Municipality's 2004 Official Plan, except for the addition of Cross Lake in the present Plan. The Skyline Reserve's external boundary reflects Crown forest management dating back to 1935, as currently expressed in the Crown Land Use Policy Atlas.</b></i></p>	
282.	<p><i>Section D.2.6.6 - Skyline Reserve permissions</i></p> <p>In the first paragraph, the permitted use "water based camping" could possibly be construed as floating accommodation, a recent troublesome issue and we are confident, certainly not what's intended.</p> <p>We recommend "water based camping" be changed to "<b>water-accessible camping</b>". We appreciate the addition of the second paragraph, taken from section 5.3.17 of the present Plan.</p> <p>However, we have some concerns about this paragraph. First, there is perhaps unintended ambiguity in the first sentence, as to what are the "specific" parcels. Second, there is potential ambiguity about the relationship between the uses listed in the first paragraph and the uses described in the second.</p>	Revised Section D.2.6.6.

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	<p>Third, we are also concerned about the discretion inherent in allowing Council or delegated staff to deem certain improvements to be "minor" on a case-by-case basis. This uncertainty could be resolved by having the site plan control bylaw define what is minor and does not need site plan approval on these lots. Fourth, while new structures should be permissible on the lots designated Tourist Commercial, they should not be permissible as-of-right on the three lots which should be properly designated Restricted Rural/Waterfront - Lake Temagami.</p> <p>Therefore, we recommend this section read:  <i>Uses permitted on <b>patented lands</b> on the mainland within the Skyline Reserve shall be limited to <b>the permitted uses listed above and any other</b> legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures except those deemed to be minor <b>in accordance with provisions of the Site Plan Control By-law</b> shall be subject to site plan approval. No new structures shall be permitted on lands designated Restricted Rural/Waterfront - Lake Temagami.</i></p>	
283.	<p><i>Section D.2.6.10 - Skyline Reserve - Northeast Arm development</i></p> <p>The concerns we raised in our February 28, 2022 letter have not been addressed. The purpose of these provisions, and where they would apply, are unclear. They appear to invite development on mainland properties contrary to the intent of sections D.2.6.5 and D.2.6.6. This potential conflict was acknowledged in the Comment Response Table, but not resolved.</p> <p>In fact, this section could apply to only one existing patent, Boatline Bay Marina, or to future dispositions of Crown lands. Boatline Bay already has its own special policy, E.7.7.1, which could be considered for site-specific amendment if desired. As well, the creation of any new development along the south</p>	Section deleted on the basis of Section D.2.3.1.



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	shore of the Northeast Arm should be subject to Official Plan amendment. We therefore recommend that <i>this section be deleted</i> .	
284.	<i>Section E.6 - Lake Service designation</i> In our February 28, 2022 letter, we asked what would be the purpose of this designation. We appreciate that an answer was provided in the Comment Response Table, and that section E.6.3.7 was added. However, these do not satisfy our fundamental concern. If there is a legally existing residential use on any mainland lot as per section D.2.6.6 as we have proposed it be modified, it would appear that sections K.6 and K.7 would appear to allow rezonings to enable home industries and contractor's yards respectively on such lots. Any proposal beyond that should only be considered on the basis of a site-specific Official Plan amendment. Therefore, we recommend that <i>section E.6 be deleted</i> .	This section has been removed.
285.	<i>Section E.7.4.2 - new tourist commercial requirements</i> We do not know why in this draft, this section was changed to no longer apply to the Lake Temagami neighbourhood. (A comment we provided by email February 28, 2022 was only to correct a spelling mistake.) We recommend that the preamble be restored to read, " <i>In the Lake Temagami and Rural Neighbourhoods, the following additional requirements must be met:</i> "	Revised Section E.7.4.2.
286.	<i>Section E.7.7.3 - Island 1022</i> Part of this section appears to have been accidentally omitted, and should be restored as per Draft 1 and the present Plan. We recommend the section read, " <i>Notwithstanding any other policies of this Plan, the Tourist Commercial uses on Island 1022 in Lake Temagami shall be limited to eight (8) housekeeping cabins.</i> "	Revised Section E.7.7.3.
287.	<i>Section E.13.3.4 - resource use</i> This policy has become mangled as the drafts have progressed. It also duplicates section E.13.2.2, which we assume better reflects what is intended.	Removed Section E.13.3.4 because policy was already covered in Section E.13.2.2.

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	We recommend <i>this section be deleted</i> .	
288.	<p><i>Section E.14.1.1 - Crown Land - Protected Area</i></p> <p>Although this section has been modified, it is still not correct. The lands subject to this designation are <i>one and the same as</i> the regulated provincial parks and conservation reserves in the Municipality.</p> <p>We recommend that this section read:</p> <p><i>The Crown Land - Protected Area land use designation consists of the Provincial Parks and Conservation Reserves within the Municipality. These include Crown land with representative 'old growth' red and white pine sites, some watersheds containing the headwaters of rivers flowing through the wilderness park, significant wetlands, provincially significant ecological and geological features and significant recreation areas and applies to a portion of Temagami Island. These lands also include Provincial Parks and Conservation Reserves.</i></p>	Revised Section E.14.1.1.
289.	<p><i>Section E.16 - Restricted Rural/Waterfront - Lake Temagami</i></p> <p>We are concerned the wording is still somewhat ambiguous and therefore not entirely consistent with section D.2.6.6. We therefore recommend that this section read:</p> <p><i>(E.16.1.1) The Restricted Rural/Waterfront – Lake Temagami land use designation applies to <b>all</b> Patented Lands that are located <b>in</b> the mainland areas of <b>the Lake Temagami Neighbourhood</b>.</i></p> <p><i>(E.16.2) Permitted uses <b>are limited to</b> those listed under Section D.2.6 of this Plan due to the location of these lands being on the mainland of Lake Temagami and within portions of the Skyline Reserve.</i></p>	Revised Section E.16.
290.	<p><i>Section F.1.2 - shoreline setbacks</i></p> <p>In our February 28, 2022 letter, we advocated strengthened, more prescriptive shoreline setback policies, and provided a detailed rationale for so doing.</p> <p>In the Comment Response Table, MHBC provided the following:</p>	<p>No change proposed – to be provided to Council for consideration.</p> <p><b>Please refer to Staff Report.</b></p>

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	<p><i>Request should be made to Council to increase the setback to 30 metres for new development as this is a significant departure from the current approach. Appreciate the considering [sic] that has been proposed for existing lots and existing nonconforming situations. Will raise this point in the staff report and staff will seek direction from Council on this point.</i></p> <p><i>However, this was not raised in the staff report proper, nor was it mentioned at the August 22 public meeting.</i></p> <p><i>We continue to recommend that new sections be added as follows. Most logically, these would follow F.1.2.1. These would also replace F.1.2.5(h), which is largely the same as the first paragraph of the proposed new section.</i></p> <p><i>A setback from the flood elevation or the normal or controlled high water mark shall be set out in the Zoning By-law, in order to:</i></p> <ul style="list-style-type: none"> <li><i>- Protect the upland, shoreline and nearshore habitats;</i></li> <li><i>- Protect adjacent surface water quality from phosphorus loading;</i></li> <li><i>- Prevent erosion, siltation and nutrient migration;</i></li> <li><i>- Maintain shoreline character and appearance; and,</i></li> <li><i>- Minimize the visual impact of development.</i></li> </ul> <p><i>The minimum setback shall generally be 30 m for dwellings, sleep cabins, standard and cabin secondary dwelling units, leaching beds and other treatment components of sewage systems, and all other accessory buildings and structures, except that there shall be no setback requirement for docks, boathouses, pumphouses, gazebos, and decks where otherwise permitted. No new lot shall be created unless it can accommodate development on the basis of these standards.</i></p> <p><i>However, on a lot that existed on and whose boundaries have not been altered since [the date the Plan is approved], and that is not vacant, the minimum setback shall generally be 15 m, excepting 30</i></p>	

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	<p><i>m for leaching beds and other treatment components of sewage systems, and nil for the aforementioned shoreline structures. On such lots, the Committee of Adjustment may permit a reduced setback that would allow an existing noncomplying building to be enlarged or replaced provided there is no reduction in the least distance from the building to the shoreline, and it may permit a reduced setback that would allow an existing leaching bed to be enlarged or replaced where due to the size, shape, or topography of the lot, there is no feasible alternative. Otherwise, it is expected that the Zoning By-law setbacks will be strictly adhered to.</i></p> <p><i>The Zoning By-law will also provide for appropriate variation from these standards in the Urban Neighbourhood.</i></p>	
291.	<p><i>Section F.1.2.5 - natural landscape best practices</i> In our February 28, 2022 letter, we expressed concern with the extent to which best practices would be required, given the variation between "should" and "shall" in the policy. The Comment Response Table says, "The term shall has been incorporated into these policies". However that is not always the case. We recommend that "should" <b>be replaced by "shall"</b> throughout this section.</p>	Revisions made to Section F.1.2.5.
292.	<p><i>Section F.1.2.8 - shoreline development best management practices</i> In our February 28, 2022 letter, we expressed concern with some of the individual best management practices and where they would apply. We did not intend to suggest that all the practices be deleted, but that is what has been done. We do recognize it is difficult to provide a comprehensive list and that there is a potential for overlap with other policies of section F.1.</p> <p>We therefore recommend that this section read: <i>The Municipality shall also encourage, through planning approvals and other mechanisms such as landowner education, the use of Best Management</i></p>	Revised Section F.1.2.8.

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	<i>Practices for shoreline development, including but not limited to those described elsewhere in Section F.1.2.</i>	
293.	<p><i>Section G.14 - sharing economy</i></p> <p>We confess to not having paid attention to this section until now.</p> <p>The "sharing economy" is not defined in the Plan or in Provincial planning policy. To the best of our knowledge the only reference to it in any Provincial policy, was in "The Sharing Economy Framework", 2018, published previous to and not pursued by the present Government.</p> <p>To our understanding, the most notable examples of the "sharing economy" would be Airbnb and similar short-term accommodation-sharing, and Uber and similar ride-sharing.</p> <p>Uber etc. would not seem to be a major activity or concern in the Municipality, and to our knowledge, cannot be regulated under the <i>Planning Act</i>. That leaves short-term accommodation sharing as the only evident subject of this section.</p> <p>Certainly, there is the potential for the Municipality to regulate Airbnb as well as any other form of short-term rentals, through some combination of <i>Planning Act</i> and/or <i>Municipal Act</i> tools. The Municipality knows this has been a contentious and complex issue in many lake country municipalities, and in fact is already considering this.</p> <p>We believe there are three reasons not to include this section. First, anyone not entirely familiar with this piece of jargon, which is not even widely accepted planning jargon, will have no idea what the section is about. Second, the Municipality does not need the backing of this section for a <i>Municipal Act</i> bylaw, and should it decide that planning instruments are also required should it pursue such a bylaw, and that those should include an official plan amendment, it can pursue that at the time. Once the public understands what G.14 means, they may conclude that the Municipality has already decided to regulate short-term rentals without the full public consultation that</p>	No change proposed. This is an enabling policy.

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	would warrant. Third, if the Municipality decides not to regulate short-term rentals - and many municipalities have decided that is the better course - this section will be pointless. Therefore, we recommend <i>this section be deleted</i> .	
294.	<i>Section H.5 - lake trout lakes</i> In our February 28, 2022 letter, we recommended that the Plan identify the Municipality's lake trout lakes. The Comment Response Table says, "No issue including Lake Trout Lakes – Net, Cassels, Temagami". However, this has not been done. Nor is it clear that the three lakes named are at-capacity for lake trout, those being the most important to identify; there are many more than three lake trout lakes in the Municipality. We therefore recommend a new section H.5.1.5 be added (assuming this is a correct statement): <i>The Municipality's at-capacity lake trout lakes are Cassels, Net, and Temagami.</i>	This policy applies to Lake Trout Lakes. No reference to at capacity Lake Trout Lakes.
295.	<i>Section J.1.1.10 - reserve capacity</i> It should be made clear that this new policy does not apply in the Lake Temagami Neighbourhood. We recommend the first sentence read: <i>In the Urban Neighbourhood, approval of new development, including new lot creation, will require confirmation of a sufficient reserve sewage and water system capacity within municipal sewage and water services or private communal sewage and water services in accordance with applicable Ministry of Environment, Conservation and Parks guidelines.</i>	Revised Section J.1.1.10.
296.	<i>Section J.4.1.1 - access point principles</i> One of the key adverse effects of failure to adequately control access, is greater transmission of invasive plants and animals. We recommend that subsection (b) read, " <i>Mitigate the potential impact of development and invasive species transmission on key natural resources.</i> "	Revised J.4.1.1 b).
297.	<i>Section J.4.3.1 - approved access points</i> Two access points have been removed from Section J.4.3.3 as we recommended in our February	Revised Section J.4.3.1.

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	28, 2022 letter. However, J.4.3.1 needs to be modified as well. We recommend that the first sentence read: <b>Fourteen</b> lake access points currently approved by the <b>Ministry of Natural Resources</b> and maintained by either the Ministry or the Municipality of Temagami are identified on Schedule C to this Plan.	
298.	Section K.4.4 - secondary dwelling units in rural areas As this section has now been modified to pertain to urban areas also, the title for this section is inappropriate and should logically read, "Secondary Dwelling Units". However, section K.4.3 has the same title. We recommend one of two alternatives: - <b>retitle K.4.3 "Secondary Dwelling Unit Definitions" and K.4.4 "Secondary Dwelling Units"</b> , or - <b>merge section K.4.4 with K.4.3.</b>	Revised titles.
299.	Sections K.4.4 and K.4.5 - shoreline lots There are several references in these sections to "shoreline lots", "non-shoreline lots", and "nonshoreline residential lots". Section K.5.1.2 refers to "shoreline property". Other policies in section K.4.5 and elsewhere in the Plan refer to "waterfront lots". We recommend that all descriptions of lots <b>be standardized to either "shoreline" or "waterfront"</b> , as MHBC considers most appropriate.	Wording was revised to state "shoreline residential lots".
300.	Section K.4.4.3 - secondary dwelling units This section as modified appears correctly intended to pertain only to non-shoreline lots, but the preamble could be clearer and the provisions retain one element appropriate to shoreline lots only. We recommend the section read: <b>On non-shoreline lots, standard secondary dwelling units, cabin secondary dwelling units and sleep cabins on non-shoreline lots shall only be permitted provided:</b> <i>(a) All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the standard secondary dwelling unit or cabin secondary dwelling unit and other standards including the Ontario Building Code and other relevant</i>	Removed reference to shoreline setback from subsection c).

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	<p><i>municipal and provincial regulations can be satisfied;</i>  <i>(b) It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the secondary dwelling unit;</i>  <i>(c) A standard secondary dwelling unit or cabin secondary dwelling unit shall not be permitted in the front yard or in the minimum distance from the shore as defined by the Zoning By-law; and,</i>  <i>(d) The standard secondary dwelling unit or cabin secondary dwelling unit shall comply to all other policies of this Plan.</i></p>	
301.	<p><i>Section K.4.5.2 - sleep cabins and secondary dwelling units</i>  We appreciate the inclusion of the definitions in section K.4.3. However, these were intended to replace what is now section K.4.5.2, not supplement it. Section K.4.5.2 is not entirely consistent and potentially conflicts with the section K.4.3 definitions. We recommend that <b>section K.4.5.2 be deleted.</b></p>	Removed Section K.4.5.2.
302.	<p><i>Section K.4.5.9 - pre-existing boathouses</i>  This section has been modified as we recommended in our February 28, 2022 letter, but some of the former wording remains.  We recommend it read,  <i>For the purpose of this section, a boathouse with sleeping accommodations that lawfully existed as of April 18, 2013 came into effect is deemed to be a sleep cabin.</i></p>	Wording was revised.
303.	<p><i>Section L.8.3 - Crown land consent policies</i>  Subsection L.8.3.1 (h) references section G.8.1 but there is no such section of the Plan.  In our April 18, 2022 letter, we advocated restoration to the Plan of reference to the Lot Creation and Development Study as per the OMB's 2004 decision on the original Official Plan and as expressed in sections 5.1 and 5.3.6 of the present Plan, while pointing out inappropriate references to such studies in other contexts. Instead, Draft 2 removed all references to any lot creation and development study. While as noted in our 2022 letter it would not be appropriate to undertake such a study at this time,</p>	<p>There has been no study completed since 2004 and there is no plan to undertake such a study. The maximum 5 lots per year provides a limitation on new lot creation that enable monitoring of the potential impacts of lot creation on water quality.</p> <p>No changes proposed. To present to Council.</p> <p><b>Please refer to Staff Report.</b></p>



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	<p>adding these policies would ensure the Municipality is better prepared if at any time the Province were to change policies such as to allow Crown island lot disposition on Lake Temagami.</p> <p>We continue to recommend that new sections be added, logically as L.8.3.2 and L.8.3.3.</p> <p><i>The Municipality recognizes that it is the policy of the Province not to dispose of any Crown lands on lakes with naturally reproducing lake trout populations, including Lake Temagami. Should the Province at any time decide to change this policy such that Crown island disposition would be permitted on Lake Temagami in some circumstances, prior to that change taking effect the Municipality, in consultation with the Ministry of Natural Resources, will undertake a Crown Island Lot Creation and Development Study for Lake Temagami, and incorporate the applicable results into the Official Plan. Any technical amendment to this Plan in accordance with Section E.13.1.4 shall only take place concurrent with or following completion of this process.</i></p> <p><i>The Crown Island Lot Creation and Development Study will establish the conditions and locational criteria for new lot creation, based on the following while remaining subject to Section D.2.3.4:</i></p> <ul style="list-style-type: none"> <li>- a sound technical foundation relying on specific and measurable ecological standards and values,</li> <li>- locally recognized principles of environmental, economic, and social sustainability, and</li> <li>- consistency with existing development character.</li> </ul>	
304.	<p><i>Appendix 1</i></p> <p>We appreciate the completion of this Appendix and the inclusion of the Tenets for Temagami in section 1.</p> <p>The introductory material to section 1, and all of sections 2, 3, and 4, are copied or adapted from sections A.1.6, A1.8, A1.7, and A1.9 respectively of the present Plan, which sections have not been carried over into the proposed Plan proper. We are not taking issue with that decision, but we are concerned that whereas the Tenets are appropriately referenced</p>	Tenets remain referenced in the new Official Plan.

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	<p>in the Plan proper, there is no reference to these other sections in the Plan proper and it is not clear what their function is.</p> <p>As well, with the removal of the Cross Lake access point (section J.4.3), the references to that access in the introductory material to section 1 are now inappropriate.</p>	

	Temagami Lakes Association (c/o Anthony Usher) September 13, 2024	
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305.	<p>As you know we made a lengthy proposal re shoreline setbacks (Feb 28/22 letter, sec. F.1.2). In the comment response table in your Aug 22/24 staff report, you responded,</p> <p><i>Request should be made to Council to increase the setback to 30 metres for new development as this is a significant departure from the current approach. Appreciate the considering that has been proposed for existing lots and existing non-conforming situations. Will raise this point in the staff report and staff will seek direction from Council on this point.</i></p> <p>However, I don't see anything in the staff report proper about this, nor was it mentioned at the public meeting (which I watched). Can you clarify please?</p>	No change proposed
306.	<p>We also argued for the restoration to the OP of reference to the Lot Creation and Development Study as the OMB originally intended it to be included in the Plan in 2004, while pointing out the inappropriate references to such studies in other contexts. See our proposed policies 2 and 3 in our Apr 18/22 letter.</p> <p>You responded by removing <i>all</i> references to any lot creation and development study.</p>	<p>There has been no study completed since 2004 and there is no plan to undertake such a study. The maximum 5 lots per year provides a limitation on new lot creation that enable monitoring of the potential impacts of lot creation on water quality.</p> <p>If the Province changes its policies, a conformity Official Plan Amendment may be required.</p>

	<b>Temagami Lakes Association (c/o Anthony Usher)</b> <b>September 13, 2024</b>	
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	<p>While as noted in our 2022 letter it would not be appropriate to undertake such a study at this time, we remain concerned that without our proposed policies 2 and 3, if at any time the Province were to change policies such as to allow Crown island lot disposition, the Municipality would be left empty-handed policy wise.</p> <p>Comments?</p>	
307.	<p>I had assumed that the parcel fabric on Sched. A was entirely freehold. However, the TLA folks with their on-the-ground knowledge have raised questions.</p> <p>Certainly, checking with LIO, the parcel fabric is the MPAC one. However, certain types of Crown properties with limited private tenure can appear on the assessment roll, e.g. leases and land use permits. I am not sure whether some types of unpatented mining claims can also appear on the assessment roll.</p> <p>Are some of the mainland parcels in the LT Neighbourhood not patented? If so is it appropriate to designate them Restricted Rural/Waterfront?</p> <p>My client also remains unclear why the mainland parcels were not separately designated in Draft 1, recognizing that has been remedied.</p>	<p>The schedule as it applies to properties on the mainland of Lake Temagami has been updated.</p> <p>Two properties with existing uses are designated as Tourist Commercial.</p> <p>Three properties that are patented are designated as Restricted Rural/Waterfront on the schedule.</p> <p>All other parcels have been returned to the Crown Land designation.</p>

	<b>Monika Tobler and Julian Davies</b> <b>September 28, 2024</b>	
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308.	<p>At the time of purchase it was understood that the property was zoned Tourist Commercial. Municipal tax bill received after purchase indicated that the zoning was incorrect and was zoned Residential. George and Linda were unaware that a zoning change had taken place.</p> <p>The history of Manitou Island 205 to my knowledge, was it was run as a Hotel/Bar/Restaurant for many</p>	<p>This property is proposed to be designated as Residential Waterfront and is located within the Remote Residential (R1) Lake Temagami Zone.</p> <p>The proposed designation in the Official Plan is consistent with the designation in the current Official Plan.</p>

	<p>Monika Tobler and Julian Davies September 28, 2024</p>	
<p>#</p>	<p>years. It then was purchased by the local Indigenous Community and utilized as a Lands and Titles Office. There was a fire and a portion of the main lodge was lost. The Lands and Titles office moved off the Island shortly after and locals George and Linda Mathias purchased the property from the band to revive the restaurant with their children. Plans changed and the island sat idle for many years.</p> <p>As you are aware there are no previous tax documents that are available from the town, and I am unable to acquire any from the previous owners.</p> <p>On Thursday August 22, 2024 I attended the open house for the Official Plan Review and spoke with Patrick Townes regarding this matter. He advised to document any history on the Island and send to the town by email prior to the Final Review of the Official Plan by the end of September.</p> <p>Please accept this email as my request to gain back the correct zoning to Tourist Commercial when the Official Plan is revised.</p> <p>I have included any documents I have in my files that indicate the Island was utilized for business purposes. Liquor Licence/Layouts/Septic Permits-MOE/Ministry of Municipal Affairs and Housing/Public Health Inspection Report/Postcard.</p>	<p>Evidence was provided that shows the property was used for a commercial use in the past (pre-dated the current Official Plan), however no information has been provided to suggest that the property has been used for tourist commercial uses over the course of the current Official Plan.</p> <p>It is recommended that a request be made to Council to pass a resolution to designate the properties Tourist Commercial. Staff are not prepared to make this modification without a resolution from Council.</p> <p><b>Please refer to Staff Report.</b></p>

Temagami Official Plan – Record of Correspondence with TFN/TAA/Metis  
November 2024

<b>Tab #</b>	<b>Date</b>	<b>Correspondence</b>	<b>Description</b>
1.	2021-02-17	Email correspondence at the beginning of the Official Plan Review process between P. Townes (MHBC) and V. Winsor (TFN)	Information provided by TFN staff regarding information and mapping layers to be included in the Official Plan schedules. The TFN/TAA Draft Consultation Protocol was provided for reference.
2.	2021-07-22	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Request to set-up call with TFN staff to discuss Draft Background Study associated with Official Plan Review and discuss next steps.
3.	2021-10-07	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Request to set-up call to discuss Draft Background Study and acknowledged that first draft of Official Plan is forthcoming for review. TFN acknowledged that formal comments would come after the first draft of the Official Plan is circulated for comments.
4.	2021-10-13	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Link to Draft Background Study was provided for review.
5.	2021-10-25	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Phone call to discuss update on Official Plan Review process.
6.	2022-06-08	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Phone call to discuss update on Official Plan Review process including presentation to Joint Council.
7.	2022-06-30	Email from P. Townes (MHBC) to Joint Council	Request to make presentation before the Joint Council to present draft Official Plan.
8.	2022-08-30	Email from P. Townes (MHBC) to Joint Council	Follow-up on request to make presentation before the Joint Council to present draft Official Plan.
9.	2023-11-06	Email correspondence from P. Townes (MHBC) to V. Winsor (TFN)	Follow-up on status of comments on the first draft of the Official Plan. Also followed up with an email to the Joint Council in order to present the draft Official Plan.
10.	2023-12-22	Email correspondence from P. Townes (MHBC) to N. Fortin (Joint Council)	Provided a link to the draft Official Plan for comments directly to Joint Council in advance of presentation to Joint Council.
11.	2024-01-09	Presentation to Joint Council	A copy of the presentation provided to Joint Council has been provided. It was requested that TFN/TAA provide comments on the draft Official Plan so that they can be reviewed and incorporated into the draft Official Plan.

Temagami Official Plan – Record of Correspondence with TFN/TAA/Metis  
November 2024

12.	2024-03-05	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Follow-ups on comments regarding the draft Official Plan from Staff/Joint Council.
13.	2024-03-13	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Additional follow-up for comments following Joint Council's commitment to provide comments on draft Official Plan.
14.	2024-04-11	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Additional follow-up for comments following Joint Council's commitment to provide comments on draft Official Plan. Confirmation from TFN that the comments on the draft Official Plan are scheduled to go to Joint Council on April 11, 2024.
15.	2024-05-03	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Additional follow-up for comments following Joint Council's commitment to provide comments on draft Official Plan.
16.	2024-05-03	Email correspondence between A. Anderson (MHBC) and Metis Nation	Provided a link to the draft Official Plan for comments directly to Metis Nation.
17.	2024-05-17	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Comments provided on draft Official Plan.
18.	2024-08-28	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	TFN requesting additional information on mapping layers included in the Official Plan. This discussion is ongoing.
19.	2024-09-27	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Additional comments provided on draft Official Plan. These comments are currently under review.
20.	2024-11-22	Email correspondence between M. McLean (MHBC) and V. Winsor (TFN)	MHBC reaching out to TFN regarding request for GIS data regarding the Future Development layer for the Official Plan Schedules.
21.	2024-12-19	Email correspondence between P. Townes (MHBC) and V. Winsor (TFN)	Email from TFN regarding voicemail from MHBC to ensure that there are no outstanding issues other than the previous comments (which are listed in email).



# **Municipality of Temagami**

## **Official Plan**

Council Adoption Date: January 23, 2025

Ministry Approval Date: To Be Determined

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# A PLAN FRAMEWORK

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## A.1 HOW TO USE THE PLAN

### A.1.1 Introduction

- A.1.1.1 This Plan has several interrelated components that must be read in order to determine those policies that have an impact on any individual parcel of land within the Municipality of Temagami. For clarity, the Municipality of Temagami Official Plan applies to all lands within the municipal boundary save and except for lands owned by the Federal government, and lands which are part of Indigenous communities. Crown Land and land owned by the Province have been designated as part of this Plan, however the Municipality recognizes that it does not have jurisdiction over these lands.
- A.1.1.2 The *Plan Framework*, found in Part A, provides the context and basis within which the general and detailed land use policies have been prepared. The Plan Framework is not part of the Official Plan but should be read in order to understand what the policies strive to achieve.
- A.1.1.3 Part B of the Plan consists of the *Purpose, Vision and Objectives* of the Plan that provide that provide direction to establish a policy framework to guide the physical, economic and social development of the Municipality and to protect the natural environment within the Municipality.
- A.1.1.4 Part C of the Plan, *Building Temagami* provides background on population and housing as well as housing and economic development policies.
- A.1.1.5 Part D of the Plan consists of the *General Land Use Concept* for the Municipality, including policies that apply to the three Neighbourhoods within the Plan.
- A.1.1.6 Part E of the Official Plan establishes the Land Use designations and outlines permitted uses and policies for each designation.
- A.1.1.7 Part F, *Caring for the Waterfront*, provides general policies that apply to waterfront development.
- A.1.1.8 Part G, *Preserving Temagami's Cultural Heritage* includes policies regarding the protection of cultural heritage features.
- A.1.1.9 Part H, *Preserving Temagami*, contains policies regarding the Environment and Resources within the Municipality. These policies are to provide protection of natural heritage features and functions including water quality, and other resources.

- A.1.1.10 Part I of the Plan consists of the *Natural Hazard* policies that direct development away from hazards and promote public health and safety.
- A.1.1.11 Part J of the Plan provides *Servicing* policies related to infrastructure, roads, lake access and other related service implications.
- A.1.1.12 Part K, *General Policies*, provide policy direction, guidance, measures and procedures to manage and direct physical change and the effects on the social, economic and natural environment of the Municipality.
- A.1.1.13 Part L references *Implementation* policies related to land division, and various mechanisms for implementing the Official Plan.
- A.1.1.14 Part M of the Plan consists of *Interpretation* policies. These policies provide direction to Council regarding administrative matters.
- A.1.1.15 The Schedules designate all land within the Municipality of Temagami in the appropriate Neighbourhood and land use designation. The Schedules that have been included are:
- Schedule A: Land Use
  - Schedule B1: Land Use: Temagami Settlement Area
  - Schedule B2: Land Use: Temagami North Settlement Area
  - Schedule C: Transportation
  - Schedule D: Values
- A.1.1.16 The following process should be used in determining land use designations and identifying the associated policies:
- a) Locate the parcel on the Schedules and determine the appropriate land use designation and other mapped features that may apply to the parcel and adjacent lands;
  - b) Review the Land Use Concept and Land Use designation sections of the Plan that correspond to the Neighbourhood and land use designation(s);
  - c) Review the other policies in Section F to Section L to determine other matters that apply to the parcel and adjacent lands; and,
  - d) Municipal staff may be consulted in determining the land use designation(s) and policies that apply.
- A.1.1.17 Due to the sensitivity of some environmental values and features, the entirety of the information is not shown on Schedule D of the Plan. The Municipality has internal information that is to be used for internal screening purposes and is to be updated if relevant information is updated over the life of this Plan.

## **A.2 CONTEXT**

### **A.2.1 Crown Land**

A.2.1.1 The majority of land (approximately 96%) in the Municipality of Temagami is Crown Land and Crown Land planning policy has greatly shaped the landscape.

### **A.2.2 Urban Neighbourhood**

A.2.2.1 The Temagami Settlement Area is the service centre for the area and is where the municipal administration centre is located. The Temagami North Settlement Area is a residential community servicing the Municipality. Along the Highway 11 corridor these two communities and the rural lands between comprise the Urban Neighbourhood of the Municipality.

### **A.2.3 Lake Temagami Neighbourhood**

A.2.3.1 Lake Temagami has character quite different from other lake communities. There are approximately 1,259 numbered islands in Lake Temagami and most development takes place on these islands. The “Island Only” development pattern was influenced by the Temagami Forest Reserve that was created in 1901, and for the most part precluded mainland development on Lake Temagami.

### **A.2.4 Rural Neighbourhood**

A.2.4.1 The form of development on the numerous other lakes in the Municipality is primarily mainland development, including low density residential development. The overall character of these lake communities and rural areas is essentially one that protects privacy and exists in harmony with the natural environment. This community character is, to a large extent, the reason why people choose to visit or reside (permanently or seasonally) in Temagami.

### **A.2.5 Political History**

A.2.5.1 On January 1, 1998, the Municipality of Temagami was created as a “Town”, by order of the Temagami/West Nipissing Restructuring Commission.

### **A.2.6 Teme-Augama Anishnabai and Temagami First Nation**

A.2.6.1 The Municipality of Temagami is within the Traditional Lands of the Teme-Augama Anishnabai and Temagami First Nation. The Municipality of Temagami would like to work with the Temagami First Nation and Teme-Augama Anishnabai to develop complementary land use policies to the mutual benefit of all.

The Teme-Augama Anishnabai, Temagami First Nation and the Municipality entered into a Memo of Understanding with the following vision: The Temagami First Nation, the Teme-Augama Anishnabai and the Municipality of Temagami recognizes that future political, economic, social and cultural growth, development and prosperity are dependent upon a positive interdependent relationship with respect to one another's government, laws and citizens and our vision is to achieve this goal by working together.

The Teme-Augama Anishnabai, Temagami First Nation and the Municipality recognize that the Memo of Understanding requires updating.

Mapping and historic information provided by Teme-Augama Anishnabai and Temagami First Nation has been included in this Plan as Appendix 6 and Appendix 7.

## **A.3 BASIS**

### **A.3.1 Background Review**

A.3.1.1 This Plan is based on information collected and summarized in the Background Report. The Background Report relies on existing reports and maps obtained from a number of sources including the Teme-Augama Anishnabai, Temagami First Nation, Provincial Government, Temagami Lake Association, local interest groups, private landowners and industry.

A.3.1.2 Notwithstanding the valuable input received during the Official Plan Review and the resulting Official Plan policies, the Municipality of Temagami acknowledges that the Crown Land Use Policy Atlas is the governing land use planning document applicable to Crown Land within the Municipality of Temagami except in the geographic Township of Sisk. The geographic Township of Sisk was not part of the Temagami Land Use Plan. The Tenets for Temagami (Lake Temagami) are found in Appendix 1 to the Official Plan.

### **A.3.2 Sustainability**

A.3.2.1 The policies of this Official Plan represent an attempt to create a model of sustainable development that will ensure the Municipality's future stability by properly integrating ecological sustainability, economic objectives and social concerns.

# **B PURPOSE, VISION AND OBJECTIVES**

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## **B.1 PURPOSE**

### **B.1.1 Purpose**

B.1.1.1 The purpose of the Official Plan is to establish a policy framework to guide land use and physical development affecting the economic, social, and natural environments within the Municipality to the year 2045.

B.1.1.2 Through this Official Plan, it is the intent of the Municipality to:

- a) Establish and foster a vision of the future for Temagami that reflects the needs and values of both the current and future population; recognize the value of Lake Temagami and the unique semi-wilderness environment around Lake Temagami and other lakes and lands in the Municipality;
- b) Achieve an orderly pattern of development that makes efficient use of land and infrastructure;
- c) Protect and where possible enhance the quality of the natural environment;
- d) Encourage and support local economic development that is consistent with community values;
- e) Identify and support the community’s social values and priorities with respect to the need for health and welfare, housing, education, services, and a community identity;
- f) Establish balanced policies to evaluate development proposals; and,
- g) Consult with the Teme-Augama Anishnabai and Temagami First Nation in the development and planning process.

## **B.2 VISION**

The primary goal of this Official Plan is to secure a sustainable future for the community of permanent and seasonal residents. This will be achieved by giving equal weight to three long-term objectives: economic prosperity, social well-being and environmental stewardship.

Land use planning will embrace and enhance Temagami's unique characteristics, especially the pristine health and natural beauty of its lakes and surrounding lands. These physical features together with its rich heritage of diverse peoples define Temagami today, speak to its meaningful history, and guarantee its bright future.

## **B.3 GUIDING PRINCIPLES AND OBJECTIVES**

The following statements of intent and principles are intended to guide land use planning decisions in the Municipality of Temagami.

### **B.3.1 Natural Environment**

B.3.1.1 The Municipality shall recognize the natural environment as the foundation upon which the community rests and shall support the protection of the unique wilderness environment associated with Temagami.

Objectives:

- a) To ensure that new and existing developments respect the conservation of wilderness and semi-wilderness values and characteristics, as well as the community's natural and cultural heritage;
- b) To protect significant cultural and natural heritage resources;
- c) To respect Indigenous communities;
- d) To encourage sustainable coexistence amongst the natural environment, resource extraction, urban, rural and shoreline development;
- e) To maintain and where possible improve existing water quality and fisheries;
- f) To minimize negative impacts to air quality and climate change through site design;
- g) To promote green infrastructure, low impact development, energy efficiency and conservation where feasible;
- h) To recognize and plan for the impacts of a changing climate; and,
- i) To implement the Tenets for Temagami.

### **B.3.2 Community Interest and Engagement**

B.3.2.1 The Municipality shall promote collaboration and equitable public participation in the land use planning process in achieving the objectives of the Official Plan.

Objectives:

- a) To recognize the diverse interests of the community;
- b) To encourage and foster a relationship with Indigenous communities;
- c) To establish communication and engagement processes which will reduce barriers, foster co-operation and ensure co-ordination with all groups and individuals;



- d) To encourage the development of relationships with Provincial government ministries, and neighbouring municipalities on issues of common concern; and,
- e) To encourage the development of partnerships with the Ministry of Natural Resources, the Teme-Augama Anishnabai and Temagami First Nation regarding initiatives to develop, use, or manage Crown Land.

### **B.3.3 Economic Opportunity**

B.3.3.1 The Municipality shall support opportunities for a diversified, year-round local economy that provides increased employment opportunities for residents.

Objectives:

- a) To encourage the growth, diversification and vitality of the economy, particularly tourism and recreation sectors as components of the economic base and other emerging and innovative sectors that maintain the character of the Municipality;
- b) To encourage investment in the Municipality's tourism and recreation uses and supporting marketing efforts in order to attract visitors;
- c) To support a creative economy, which includes arts, culture, entertainment and knowledge-based industries in a variety of locations in the Municipality;
- d) To create a diverse, mixed economy based on forestry, mining, manufacturing, recreation, institutional services, services that support local residents and visitors and government services;
- e) To prepare an economic development strategy which addresses the current and future needs of the community;
- f) To ensure compatibility between land uses;
- g) To establish a four-season economy in all sectors; and,
- h) To support the designation of additional lands to ensure a sufficient supply of lands are available to support employment uses.

### **B.3.4 Growth and Development Form**

B.3.4.1 The Municipality shall encourage sustainable development and promote growth which meets the needs of current and future residents.

Objectives:

- a) To promote efficient, cost-effective development and land use patterns;
- b) To explore funding opportunities related to infrastructure projects to support economic development;

- c) To direct development to the existing Settlement Areas within the Urban Neighbourhood;
- d) To ensure that development operates within the limits of a local definition of sustainability and conserves wilderness and semi-wilderness values of the Municipality;
- e) To promote development that creates local benefit;
- f) To direct development away from areas where there is a risk to public health or safety or of property damage;
- g) To ensure sufficient designated lands and the provision of municipally serviced lands to meet projected needs;
- h) To support the expansion of Settlement Areas to ensure sufficient land is available for future residential, commercial and employment needs; and,
- i) To explore and secure funding for future infrastructure expenditures.

# C BUILDING TEMAGAMI

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These policies are intended to apply to more than one land use designation and must be read in conjunction with the other policies of this Plan.

## C.1 POPULATION AND HOUSING

### C.1.1 Introduction

C.1.1.1 Based on the 2021 Census, the permanent population of the Municipality was 862. There are 928 private dwellings and 432 of those dwellings are occupied permanently throughout the year. The Municipality consists of resource based recreational properties for a number of seasonal residents and tourists. Youth camps, Provincial Parks, tourist lodges, canoeists, and extended cottage use greatly increase the seasonal population.

C.1.1.2 Clear population and housing targets are difficult to establish in the Municipality of Temagami. The difficulty is the result of a small population base, an economy that is dependent on the more fluid components of the Provincial economy such as tourism and resource development, and the fact that some of the population growth may be related to the conversion of residences from seasonal to year-round.

C.1.1.3 The Municipality recognizes the importance of sustaining a stable population in order to maintain both the hard and soft services that the Municipality relies on, including local schools and businesses. The Municipality further recognizes that it needs to attract and maintain younger families, and that a diversified economy and family supportive social and recreational services are important to achieve that goal.

### C.1.2 Population

C.1.2.1 In recognition of the need to protect the characteristics that make the Municipality desirable while providing opportunities for an economically viable community, a modest increase in population is expected to occur to the year 2045.

C.1.2.2 Although difficult to quantify, it is anticipated that there may be some growth of permanent population in the rural areas and shoreline areas as a result of conversion of seasonal residences to permanent residences. However, it is the policy of the Municipality that housing intended to accommodate permanent population growth be confined to the Urban Neighbourhood and other road accessible locations.

C.1.2.3 In the Settlement Areas, a balance between population increase and housing availability will be achieved. However, consideration needs to be

given to housing for the aging population and affordable lots and dwelling units for residents.

- C.1.2.4 The Municipality recognizes the importance of providing developable lands to accommodate housing that will support new residents in the community and support population growth that is to be focused to the Urban Neighbourhood.

### **C.1.3 Housing**

- C.1.3.1 Given the size of the Municipality, it has the opportunity to offer a variety of living environments in the urban, rural and shoreline settings. It is important to maintain the potential for diversity in style, density and form of development while having regard for the existing development patterns.
- C.1.3.2 It is the goal of the Municipality to maintain at least a 5-year supply of residential lots or units and at least a 15-year supply of land designated and available for new residential development and residential intensification in the urban areas. There is a limited inventory of privately and municipally held vacant lots in the Urban Neighbourhood. Many of the vacant lots have constraints to development including topography, and availability of services. Appendix 2 and 3 illustrate the vacant lots in the Temagami Settlement Area and the Temagami North Settlement Area and Appendix 4 provides a summary of the vacant lots. These figures illustrate the limited supply of lands that are available.
- C.1.3.3 The Municipality may undertake an amendment to this Plan to enlarge the Temagami Settlement Area and the Temagami North Settlement Area to provide additional lands for residential and non-residential development in order to meet future needs. In order to provide sufficient lands to meet future demand, the Municipality may need to pursue additional Crown Lands from the Province. Settlement Area expansion shall not occur into the Lake Temagami Neighbourhood and shall be consistent with the policies of the Provincial Planning Statement.
- C.1.3.4 The Municipality has an affordable housing target of 10 percent. This target shall be based on the Provincial definition of affordable housing.
- C.1.3.5 It is the policy of the Municipality to permit a wide variety of housing by type, size and tenure in the urban areas of the Municipality. Housing in the urban area may include single detached, semi-detached, mobile home units in mobile home parks and other forms of low, medium and high density residential development.

## **C.2 ECONOMIC DEVELOPMENT**

### **C.2.1 Goal**

C.2.1.1 It is the goal of the Municipality to have a diversified, year-round local economy.

### **C.2.2 General Policies**

C.2.2.1 The policies of this section build on the principles of economic development outlined in the Growth Plan for Northern Ontario and the Provincial Planning Statement.

C.2.2.2 The Municipality recognizes the importance of a healthy local economy. The health of natural resources, lakes and natural heritage features is the foundation of the local economy. The utilization of natural resources, cottage development, seasonal residents, tourism development, access to technology and the public travelling along Highway 11 all contribute to the local economy.

C.2.2.3 Commercial uses will be encouraged to develop and expand to provide for the needs of the year round residents, seasonal residents and tourists. Every effort will be made to increase economic activity in the tourism sector and to encourage year-round tourism opportunities.

C.2.2.4 The existing commercial structure will be strengthened. The Temagami Settlement Area shall continue to be the central location of retail and service commercial uses for the general population and travelling public. The urban commercial core will be pedestrian friendly, and its visual identity will be strengthened.

C.2.2.5 All commercial uses are permitted in the Temagami Settlement Area. Home occupations, home industries and tourism services may be established in Temagami North, the Lake Temagami Neighbourhood and the Rural Neighbourhood, subject to the policies of this Plan. New industrial development is generally focused to strategic areas in the Temagami Settlement Area to limit impacts on the natural environment and to reduce land use incompatibility.

C.2.2.6 The Municipality shall foster a favourable climate for sustainable economic development and shall promote the Municipality as a desirable location for new business investment by:

- Expediting planning approvals that conform with the policies of this Plan;

- Continuing support for various economic development initiatives which could include the establishment of an Economic Development Corporation;
- Pursuing opportunities to partner with private sector investors to create year-round jobs in the Municipality and improve the experience for residents and tourists alike, when warranted, and financially feasible;
- Pursuing opportunities afforded by the government and corporate agencies, from time to time;
- Providing and maintaining adequate municipal infrastructure and public services to service and support community based economic development;
- Maintaining a supply of serviced, serviceable and unserviced land to meet commercial and industrial needs;
- Identifying areas for specific types of development that are key to the economic base of the community. These include lands for future development, tourist facilities, commercial growth and industrial development; and,
- Initiating and/or facilitating programs for commercial core and industrial area revitalization.

C.2.2.7 The Municipality will, where appropriate, facilitate the acquisition and development of Crown Land and resources where it may be utilized for economic development purposes in an environmentally sound manner.

C.2.2.8 Most of the natural resources found in the Municipality of Temagami are held and governed by the Ministry of Natural Resources on behalf of the Province of Ontario. The Municipality encourages the development of partnerships with the Ministry of Natural Resources regarding initiatives to develop, use or manage Crown Land Resources consistent with the Official Plan and with deference to both the Tenets of Temagami and the Skyline Reserve.

C.2.2.9 The Municipality shall encourage tourism related development and redevelopment that demonstrates sustainable economic, social and environmental practices in all areas of the Municipality, while ensuring that protection of the character of the shoreline areas are key considerations when reviewing applications to establish new tourist commercial uses or expanding tourist commercial uses.

C.2.2.10 The Municipality should look for opportunities for a diversified economic base and encourage investment in the Municipality's tourism and recreation industries supporting marketing efforts in order to continue attracting visitors to the Municipality.

# **D GENERAL LAND USE CONCEPT**

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## **D.1 URBAN NEIGHBOURHOOD**

### **D.1.1 Introduction**

D.1.1.1 The boundary of the Urban Neighbourhood, as shown on Schedule A encompasses the urban area of the Temagami Settlement Area, the Temagami North Settlement Area and rural lands around these two urban areas and along the Highway 11 corridor.

D.1.1.2 Schedules B1 and B2 show the Settlement Area Boundary of the Temagami Settlement Area and the Temagami North Settlement Area.

### **D.1.2 Principles and Goals**

D.1.2.1 This section sets out land use principles and goals for the Urban Neighbourhood that will help to create a climate that further advances opportunities for economic growth and social development.

### **D.1.3 Land Use**

D.1.3.1 It is the goal of the Municipality to have Settlement Areas that provide a variety of housing styles that are affordable, and to provide economic opportunities and lifestyle considerations that support a vibrant year round population and focus growth to Settlement Areas.

D.1.3.2 Facilities such as schools, libraries, municipal offices, public works yards and fire stations should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration and active transportation.

D.1.3.3 For the purpose of this Plan, Temagami Shores, Finlayson Provincial Park and Leisure Island Houseboats are deemed to be within the Settlement Area Boundary of the Temagami Settlement Area and are more specifically described as follows:

- Temagami Shores Inn and Resort – Strathcona RP NR1075, Parts 1 & 2 Parcel 21093NIP, together with Right of Way; and, Strathcona Township, Parcel 18497 NIP, RP 36R10311, Parts 1,2,3,5; RP 36R9321, Parts 1,2,3,4; RP 36R8983, Parts 1,2,, Parcels 28037, 28747, 27278 NIP;
- Finlayson Provincial Park - Strathcona Township - as defined by regulation under the Provincial Parks Act; and,
- Leisure Island Houseboats - Strathy Location ETW 340pt Parcel 15224.

## **D.2 LAKE TEMAGAMI NEIGHBOURHOOD**

### **D.2.1 Introduction**

D.2.1.1 The Lake Temagami Neighbourhood is shown on Schedule A and includes islands and mainland areas contained within the Skyline Reserve around Lake Temagami and Cross Lake, but excludes Bear Island.

D.2.1.2 Lake Temagami has, over the years, developed a distinct character that is easily recognizable to both the occasional visitor and the long-term resident. This character is based on the natural features, historical development patterns, controlled access and the availability of public recreational opportunities. The natural features include the clear water of Lake Temagami and the old growth vegetation in the Skyline Reserve and on the islands. The historical development pattern reflects virtually no mainland development but rather island development. Recreational opportunities, including canoeing, camping, fishing, and lake cruising extend beyond the Neighbourhood through a network of trails and portages. The wilderness values on the mainland and semi-wilderness values on the islands characterize the Lake Temagami Neighbourhood.

### **D.2.2 Principles and Goals**

D.2.2.1 The land use strategies for this Neighbourhood are based upon the Tenets for Temagami and the applicable provisions of the Crown Land Use Policy Atlas. These documents describe the key features and development principles that form the basis of the policies of this section. These principles call for the conservation of wilderness and semi-wilderness values through the preservation of the skyline and its vegetation, island only development, restricted mainland development and restricted access.

D.2.2.2 Goals for the Lake Temagami Neighbourhood, and the Lake itself are as follows:

- To implement the Tenets for Temagami;
- To protect the ecological functions of the Lake Temagami Neighbourhood;
- To ensure the protection of visual aesthetics;
- To protect fish and wildlife resources;
- To maintain high water quality;
- To ensure the character of existing development is reflected in new development;
- To encourage the development of Patented Land before creating new lots from Crown Land;
- To support continuing Crown Land management for the public good and to ensure there is local benefit;



- To ensure long term economic benefits to the area through appropriate development;
- To encourage growth consistent with the policies of this Plan;
- To establish limits to growth to ensure that resources that the economy depends on are managed for long term sustainability; and,
- To establish procedures to guide new development.

### **D.2.3 Land Use**

D.2.3.1 It is the fundamental principle of the Municipality that private residential development and commercial development in the Lake Temagami Neighbourhood shall only be permitted on the islands in Lake Temagami. This type of development is not permitted within the Skyline Reserve around the lake. It is also a fundamental principle that no further unauthorized access be permitted to Lake Temagami. The Municipality recognizes that there is a need for improvements at the access point and supports such improvements need to provide mainland opportunities for services that support the residents and business on Lake Temagami. The Municipality supports the development of an improved access point and limited opportunities for service providers to have mainland access to Lake Temagami. These considerations will be carefully planned and managed in accordance with the policies of this Plan.

D.2.3.2 It is also a goal of the Municipality to preserve the natural environment of Lake Temagami while permitting some development and, therefore some change. However, the anticipated extent of change is such that the wilderness and semi-wilderness values of the Neighbourhood are sustainably conserved. Further, because the visual character presented by Lake Temagami, its islands and shoreline are critical, the Municipality, in conjunction with the permanent and non-permanent residents on Lake Temagami, have developed and adopted development principles for the Lake Temagami shoreline. These principles, commonly referred to as the Tenets for Temagami, are embodied in the Skyline Reserve policies of this Plan.

D.2.3.3 While development is permitted on islands, it shall not be assumed that all islands in Lake Temagami are suitable for development. The suitability of an island or portion of an island for development will be assessed on a site by site basis.

D.2.3.4 On Lake Temagami, a maximum of five (5) lots (non-cumulative) shall be permitted per calendar year through lot creation applications.

D.2.3.5 New lot creation by Plan of Subdivision is not permitted in the Lake Temagami Neighbourhood.

## **D.2.4 Rural Residential**

D.2.4.1 Rural Residential lots are lots located on a municipal road. No Rural Residential lots exist within the Lake Temagami Neighbourhood and none shall be permitted in the future.

## **D.2.5 Prohibited Uses**

D.2.5.1 Mobile homes, mobile home parks, multiple residential structures, development on the mainland unless specifically permitted by this Plan and mineral aggregate extraction in the Skyline Reserve are not permitted in the Lake Temagami Neighbourhood.

D.2.5.2 There shall be no new development on islands in the following areas of Lake Temagami: Kokoko Bay, Pickerel Bay, Partridge Neck, and Couch Bay in order to preserve the pristine nature of these islands and their environs. There shall be no new development on Cross Lake and, no new public roads, or new permanent structures or hunt camps built on the mainland within two (2) kilometres of Cross Lake.

D.2.5.3 There shall be no new public roads within two (2) kilometres of Lake Temagami. There shall be no new permanent structures or hunt camps built on the mainland within two (2) kilometres of Lake Temagami.

## **D.2.6 Skyline Reserve**

D.2.6.1 This Plan recognizes the importance of wilderness and semi-wilderness values as well as the reality that mining and forestry operations will continue to occur over most of the lands within the Municipality.

D.2.6.2 The Skyline Reserve is an area within the Lake Temagami Neighbourhood intended to create a landscape ecology area bordering Lake Temagami. This landscape ecology area is meant to:

- Maintain the lake as a significant recreation and tourism resource;
- Protect significant areas of unique cultural and heritage landscapes; and,
- Protect the high value natural lake trout fishery.

D.2.6.3 In addition, the Skyline Reserve is to be maintained for its aesthetic beauty.

D.2.6.4 The Skyline Reserve is of varying depth back from the shoreline of Lake Temagami and Cross Lake. It consists of the entire mainland shorelines of Lake Temagami and Cross Lake within the Lake Temagami Neighbourhood, and is shown on Schedule D to this Plan. The external boundary of the Skyline Reserve on Schedule D, and the external boundary of the Lake Temagami Neighbourhood on Schedule A, are one and the same. The Skyline Reserve's external boundary is intended to remain as

originally delineated in the Municipality's 2004 Official Plan, except for the addition of Cross Lake in the present Plan. The Skyline Reserve's external boundary reflects Crown forest management dating back to 1935, as currently expressed in the Crown Land Use Policy Atlas.

D.2.6.5 A very small portion of mainland within the Skyline Reserve is patented. Most Patented Land is located on islands. The following policies are applicable to Patented Land within the Skyline Reserve and are intended to guide the Municipality's discussions with the Province regarding uses permitted in the Skyline Reserve.

D.2.6.6 Permitted Uses on the mainland within the Skyline Reserve shall be limited to:

- Existing tourist commercial uses;
- Forest renewal and maintenance;
- Hunting, trapping, and angling;
- Mineral exploration, subject to the Ontario Mining Regulations;
- Water-accessible camping;
- Snowmobile, hiking, and ski trails; and,
- Non-extractive resource use, (i.e. trapping, sugar bush, harvesting pine cones).

Uses permitted on Patented Lands on the mainland within the Skyline Reserve shall be limited to the permitted uses listed above and any other legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures except those deemed to be minor in accordance with provisions of the Site Plan Control By-law shall be subject to site plan approval. No new structures shall be permitted on lands designated Restricted Rural/Waterfront - Lake Temagami.

D.2.6.7 The Official Plan does not support the following on Crown Land:

- a) New land use permits, structures or hunt camps in the Skyline Reserve or within two (2) kilometres of the shoreline of Lake Temagami or Cross Lake.

D.2.6.8 Item a) above does not apply to lands in the Highway 11 corridor, Urban Neighbourhood, extractive uses and operations in accordance with the Crown Land Use Policy Atlas or development on Patented Lands on islands in Lake Temagami.

D.2.6.9 Land use permits are supported by this Official Plan which restrict unauthorized access, and may be issued to prevent access.

## **D.3 RURAL NEIGHBOURHOOD**

### **D.3.1 Introduction**

D.3.1.1 The Rural Neighbourhood consists of areas of the Municipality that are not located within the Urban Neighbourhood and not located within the Lake Temagami Neighbourhood. The Rural Neighbourhood is general comprised of lake-based recreational development, rural uses, limited rural residential development, tourist commercial and tourist accommodation uses and resource development such as forestry, mining and aggregate extraction.

### **D.3.2 Principles and Goals**

D.3.2.1 This section sets out a series of land use principles and goals for the Rural Neighbourhood that protects the environment, while providing opportunities for economic growth. The goals for the Rural Neighbourhood include:

- To protect the ecological functions of the lakes within the Rural Neighbourhood;
- To ensure the protection of visual aesthetics;
- To protect fish and wildlife resources;
- To maintain high water quality;
- To ensure the character of existing development is reflected in new development;
- To encourage the development of Patented Land before creating new lots from Crown Land;
- To support continuing Crown Land management for the public good and to ensure there is local benefit;
- To ensure long term economic benefits to the area through appropriate development;
- To encourage growth consistent with the policies of this Plan;
- To establish limits to growth to ensure that resources that the economy depends on are managed for long term sustainability; and,
- To establish procedures to guide new development.

### **D.3.3 Land Use**

D.3.3.1 It is the fundamental goal of the Municipality for the Rural Neighbourhood to protect natural heritage features while encouraging tourist commercial and tourist accommodation development, and limited residential development throughout the Neighbourhood.

**D.3.4 New Development**

D.3.4.1 Proposals for new lot creation on the Cassels, Net and Rabbit Lake systems will be required to demonstrate that lake capacity exists to support the proposed development.

D.3.4.2 There shall be no new development on Cross Lake; and, no new public roads, or new permanent structures or hunt camps built on the mainland within two (2) kilometres of Cross Lake.

**D.3.5 Prohibited Uses**

D.3.5.1 Mobile homes, mobile home parks and multi-unit attached residential structures are not permitted in the Rural Neighbourhood.

# **E LAND USE DESIGNATIONS**

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These policies are intended to apply to the various land use designations within the Neighbourhoods.

## **E.1 RESIDENTIAL**

### **E.1.1 Introduction**

E.1.1.1 The majority of new residential development in the Municipality will take place on municipal roads in the Temagami Settlement Area and Temagami North. Generally, new urban residential development will take place on land currently designated Residential.

E.1.1.2 The Future Development areas shall be the first areas considered for the expansion of the Residential Designation. Such expansion shall proceed by way of amendment to this Plan.

E.1.1.3 It is the intent of the Municipality that a broad range of housing types and tenure be permitted in the Residential Designation to meet the current and long-term needs of the Municipality.

E.1.1.4 The Residential Designation recognizes the existing and future residential areas in the Temagami Settlement Area and Temagami North Settlement Areas as shown on Schedules B1 and B2.

### **E.1.2 Permitted Uses**

E.1.2.1 Permitted uses in the Residential Designation include low density, medium density and high density residential uses, secondary dwelling units, bed and breakfast establishments and home occupations. Public uses and institutional uses such as churches, day care centres, libraries, schools, senior citizens housing and parks, public recreational facilities and Neighbourhood Commercial uses are also permitted.

### **E.1.3 Low Density Residential**

E.1.3.1 Low density residential uses include single detached, semi-detached, and duplex dwelling units.

### **E.1.4 Medium Density Residential**

E.1.4.1 Medium density residential uses include townhouses, low profile apartment buildings and similar multiple attached dwelling unit buildings.

E.1.4.2 When considering proposals for new medium density residential development, the Municipality shall have regard for the following criteria:

- a) The compatibility of the proposed development and the adjacent land uses;
- b) The screening, planting and/or fencing proposed to buffer the medium density residential development from adjacent low density residential uses;
- c) The suitability of the road network to accommodate the additional traffic;
- d) The ability of the site to accommodate the proposed residential units, associated parking and on site amenities;
- e) The method by which stormwater runoff from the site will be managed;
- f) The massing and orientation of the proposed buildings in comparison to nearby development; and,
- g) The treatment and preservation of existing vegetation.

**E.1.5 High Density Residential**

E.1.5.1 High density residential uses include apartment buildings, retirement homes, long-term care homes and nursing homes.

E.1.5.2 When considering proposals for new high density development, the Municipality shall have regard for the following criteria:

- a) The compatibility of the proposed development and the adjacent land uses;
- b) The screening, planting and/or fencing proposed to buffer the high density development from adjacent medium or low density residential land uses;
- c) The suitability of the road network to accommodate the additional traffic;
- d) The availability of municipal water capacity and sewage disposal capacity;
- e) The ability of the site to accommodate the proposed residential building, accessory buildings, resident and visitor parking and on site amenities;
- f) The method by which stormwater runoff from the site will be managed;
- g) The massing and orientation of the proposed buildings in comparison to nearby development; and,
- h) The treatment and preservation of existing vegetation.

## **E.1.6 Neighbourhood Commercial**

E.1.6.1 Neighbourhood Commercial uses to serve the daily shopping needs of residents are permitted in the Residential land use designation subject to:

- a) The gross floor area of the commercial use or a group of commercial uses shall not exceed 300 square metres;
- b) No more than one commercial structure or building shall be permitted on any site;
- c) Building height shall be limited to one storey unless residential apartments are located on the upper floor in which case the maximum building height shall be two storeys;
- d) Parking and required loading spaces shall be located at the rear of the structure;
- e) Full municipal services are available;
- f) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- g) All required parking shall be provided on the site, cash-in-lieu shall not be accepted by the Municipality;
- h) Driveway access shall be approved by the Municipality; and,
- i) The facility shall be subject to Site Plan Control.

## **E.2 URBAN COMMERCIAL**

### **E.2.1 Introduction**

E.2.1.1 Commercial development within the Temagami Settlement Area that services the residents, visitors and travelers along Highway 11, is a significant contributor to the economy of the Municipality. The commercial policies of this Plan are intended to maintain and strengthen the commercial sector.

E.2.1.2 The Municipality recognizes that permanent year-round jobs are an important component of a healthy and vibrant community. As market conditions permit, the range of commercial services and facilities provided in the Municipality should expand. In this regard, new commercial uses not contemplated by this Plan, but which will address an identified need, shall be permitted in the appropriate commercial land use designation without amendment to this Plan, subject to satisfying the applicable policies.

E.2.1.3 The Urban Commercial land use designation recognizes existing and future commercial areas in the Urban Neighbourhood.

### **E.2.2 Permitted Uses**

E.2.2.1 Permitted uses include retail and service commercial facilities, tourist commercial and highway commercial uses, professional offices,



entertainment facilities, neighbourhood commercial uses, restaurants, higher density residential uses such as apartment buildings, accessory apartments above commercial uses, and public uses.

### **E.2.3 General Policies**

E.2.3.1 The Urban Commercial land use designation shall provide the largest concentration and widest range of facilities and shall function as the primary service centre within the Municipality.

E.2.3.2 Urban Commercial uses shall be subject to Site Plan Control.

## **E.3 HIGHWAY COMMERCIAL**

### **E.3.1 Introduction**

E.3.1.1 The Highway Commercial land use designation applies to uses typically requiring highway access and exposure. Recognizes existing highway oriented commercial use including recreational commercial, accommodation commercial and tourist commercial facilities located in the Urban Neighbourhood.

### **E.3.2 Permitted Uses**

E.3.2.1 Permitted uses include highway oriented commercial uses including recreational commercial, accommodation commercial, retail commercial and tourist commercial facilities, restaurants, motor vehicle sales and service outlets, service stations, tourist outfitters, inspections stations for invasive species.

### **E.3.3 General Policies**

E.3.3.1 In considering the designation of new areas for Highway Commercial Uses, consideration shall be given to the existing supply of Highway Commercial Uses, proximity to the Temagami Settlement Area, proximity to residential uses, safe access and egress and potential environmental impacts.

E.3.3.2 In approving new Highway Commercial uses, the Municipality shall consult with the Ministry of Transportation regarding access points, sight lines, setbacks and other matters that fall within the jurisdiction of the Ministry of Transportation.

E.3.3.3 Highway Commercial uses shall be subject to Site Plan Control.

**E.4 RESIDENTIAL WATERFRONT – LAKE TEMAGAMI**

**E.4.1 Introduction**

E.4.1.1 The Residential Waterfront – Lake Temagami land use designation applies to Patented Land on the islands of Lake Temagami and Cross Lake, except those lands that are designated Tourist Commercial.

**E.4.2 Permitted Uses**

E.4.2.1 Permitted uses include existing and new low density residential uses on islands, including the following accessory uses: home occupations, home industries, cabin secondary dwelling units, sleep cabins and contractor’s yards.

**E.4.3 General Policies**

E.4.3.1 New residential development shall take the form of single unit development on islands.

E.4.3.2 New lots shall generally have a minimum lot area of 1 hectare and a minimum lot frontage of 90 metres. New lots less than 1 hectare in lot area will require a hydrogeological assessment.

E.4.3.3 The Zoning By-law shall establish a Shoreline Residential Zone for those Patented Lands on islands on Lake Temagami.

E.4.3.4 All development in the Residential Waterfront - Lake Temagami Designation shall be in accordance with the general policies found in Sections F to K of this Plan.

E.4.3.5 New residential development shall be subject site plan approval.

**E.5 RESIDENTIAL WATERFRONT**

**E.5.1 Introduction**

E.5.1.1 The Residential Waterfront land use designation applies to Patented Land on the shoreline of lakes in the Municipality that are not located in the Temagami Urban area, Temagami North or on Lake Temagami.

**E.5.2 Permitted Uses**

E.5.2.1 Permitted uses include existing and new low density residential uses on islands, including the following accessory uses: home occupations, home industries, cabin secondary dwelling units, sleep cabins and contractor’s yards.

### **E.5.3 General Policies**

- E.5.3.1 New residential development shall primarily take the form of single unit shoreline development.
- E.5.3.2 New lots shall generally have a minimum lot area of 1 hectare and a minimum lot frontage of 60 metres. New lots less than 1 hectare in lot area will require a hydrogeological assessment.
- E.5.3.3 The Zoning By-law shall establish a Shoreline Residential Zone for Patented Lands.
- E.5.3.4 All development in the Residential Waterfront Designation shall be in accordance with the general policies found in Sections F to K of this Plan.
- E.5.3.5 New residential development shall be subject to site plan approval.

## **E.6 TOURIST COMMERCIAL**

### **E.6.1 Introduction**

- E.6.1.1 The Tourist Commercial land use designation recognizes existing commercial recreational and tourist facilities that serve lake residents and visitors.

### **E.6.2 Permitted Uses**

- E.6.2.1 Permitted uses in the Tourist Commercial Designation include:
  - a) Motels (not permitted in Lake Temagami Neighbourhood and the Rural Neighbourhood);
  - b) Tourist lodges;
  - c) Tourist cabin rental establishments;
  - d) Youth and adult camps;
  - e) Tourist outfitters;
  - f) Marinas (not permitted in the Rural Neighbourhood);
  - g) Floatplane base;
  - h) Restaurants;
  - i) Outfitters base camps;
  - j) Outpost camps;
  - k) Existing houseboat operators; and,
  - l) Accessory residential dwelling unit.

### **E.6.3 Expansion of Existing Tourist Commercial Uses**

- E.6.3.1 In considering applications for expansion of existing Tourist Commercial uses the following shall be considered:

- a) The expanded use can be appropriately serviced;
- b) The scale of the expansion is appropriate for the site;
- c) Sufficient parking exists (this includes lake access parking where applicable);
- d) The expansion is compatible with surrounding land uses;
- e) The expansion does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- f) The expansion does not negatively impact water quality or the natural environment;
- g) Where applicable, shoreline vegetation is maintained or improved; and,
- h) Site Plan Control is applied.

#### **E.6.4 New Tourist Commercial Uses**

E.6.4.1 New Tourist Commercial Uses shall demonstrate:

- a) The use can be appropriately serviced;
- b) The scale of the use is appropriate for the lot frontage and lot area;
- c) Sufficient parking exists (this includes lake access parking where applicable);
- d) The use is compatible with surrounding land uses;
- e) The use does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- f) The use does not negatively impact water quality or the natural environment;
- g) Where applicable, shoreline vegetation is maintained or improved;
- h) A suitable dock location exists, where applicable;
- i) A study which includes an inventory of all existing natural heritage features both on the site and in the water adjacent to the site, if applicable;
- j) A study of all cultural heritage features on or in proximity to the site, if applicable; and,
- k) Site Plan Control is applied.

E.6.4.2 In the Lake Temagami Neighbourhood and the Rural Neighbourhoods, the following additional requirements must be met:

- a) Tourist Commercial establishments shall be located no closer together than one (1) kilometre, straight line distance from another tourist commercial establishment;
- b) Tourist Commercial establishments shall be located at least one (1) kilometre, straight line distance, from any municipal road or water access point; and,
- c) Tourist Commercial establishments shall be located at least 500 metres straight line distance from any residential property.

## **E.6.5 Conversions of Tourist Commercial Uses to Residential Uses**

E.6.5.1 The Official Plan does not support the conversion of a Tourist Commercial use to a residential use. Tourism has an important role to the local economy and the conversion of Tourist Commercial uses to residential use can negatively impact the tourism economy.

E.6.5.2 Where the conversion of a Tourist Commercial use is proposed, an amendment to the Official Plan shall be required. In support of the amendment, it must be demonstrated that there is a surplus supply of Tourist Commercial land in the Municipality and the subject Neighbourhood over the short and long term in order to justify the conversion.

E.6.5.3 Any conversion shall also demonstrate:

- a) The use can be appropriately serviced;
- b) Sufficient parking exists (this includes lake access parking where applicable);
- c) The use is compatible with surrounding land uses;
- d) The use does not negatively impact the semi-wilderness value of the Municipality, where applicable;
- e) The use does not negatively impact water quality or the natural environment;
- f) Where applicable, shoreline vegetation is maintained or improved;
- g) A suitable dock location exists, where applicable; and,
- h) Site Plan Control is applied.

E.6.5.4 Consideration of the conversion of part of a lot on which a Tourist Commercial use is located to residential use may be given if it can be demonstrated that the lands to be converted are surplus to the tourist commercial use and it can be demonstrated that the conversion does not negatively impact the integrity and viability of the existing Tourist Commercial operation and the ability of the remainder of the lot to continue to be used for Tourist Commercial uses.

## **E.6.6 Conversion of Youth Camps to another Tourist Commercial Use**

E.6.6.1 A Zoning By-law Amendment may be required, subject to the requirements of the Zoning By-law. A Site Plan Control Agreement will be required and the new use shall be subject to the policies of this plan that apply to new Tourist Commercial uses.

## **E.6.7 Special Policies**

E.6.7.1 Boatline Bay Marina is permitted as a Tourist Commercial use but the uses on the site are limited to a marina and accessory uses.

- E.6.7.2 The Tourist Commercial land use designation for Camp Wanapitei recognizes the youth camp and accessory uses located on the westerly portion of the site and the tourist lodge and accessory uses located on the easterly portion of the site. These uses shall be recognized in the Zoning By-law.
- E.6.7.3 Notwithstanding any other policies of this Plan, the Tourist Commercial uses on Island 1022 in Lake Temagami shall be limited to eight (8) housekeeping cabins.
- E.6.7.4 This Plan shall permit a Tourist Commercial use on lots which historically contained a Tourist Commercial use. Notwithstanding this, appropriate zoning must be provided and the policies of this Plan for new Tourist Commercial Use shall apply.

## **E.7 INDUSTRIAL**

### **E.7.1 Introduction**

- E.7.1.1 The Municipality supports various economic development initiatives. It is the intent of the Municipality that industrial uses be consolidated in specific areas. Land designated for Industrial use is shown on Schedule A. Ensuring there is a sufficient supply of Industrial designated land is important to support the local year round economy.
- E.7.1.2 The Industrial land uses designation recognizes existing and future industrial areas in the Municipality. It is the intention of the Municipality to maintain flexibility to accommodate non-hazardous (as defined by the *Environmental Protection Act*) and non-obnoxious (as defined by the *Public Health Act*) resource and non-resource related industries in designated industrial areas to minimize potential land use conflicts.

### **E.7.2 Permitted Uses**

- E.7.2.1 Permitted uses within the Industrial land use designation include a full range of non-hazardous and non-obnoxious resource and non-resource related industries including manufacturing, the processing of goods, warehousing and the servicing and storage of goods, materials and equipment.

### **E.7.3 General Policies**

- E.7.3.1 A proposal to establish an industry characterized as a 'wet industry' shall be accompanied by a servicing study that identifies the impact of the industry on the municipal water supply and sewage disposal systems.
- E.7.3.2 Within the Industrial designation the outside storage of goods and materials shall be limited to those areas that are not in the direct view of the public. The outside storage of goods and materials may be screened from public

view through the use of fences, berms and landscaping, or the outside storage may take place in a relatively isolated area, out of public view.

E.7.3.3 Industrial uses shall be serviced in accordance with the servicing policies of this Plan.

#### **E.7.4 New Industrial Development**

E.7.4.1 New industrial development outside areas designated Industrial shall require an amendment to the Official Plan and shall be subject to Site Plan Control. New industrial development in areas designated Industrial shall be subject to Site Plan Control.

E.7.4.2 In approving an industrial site plan, the Municipality shall have regard to the requirements of the *Planning Act* and shall give special consideration to the methods proposed to screen and buffer the industrial use from adjacent uses and roads.

E.7.4.3 Temporary industrial uses on Crown land permitted by a Forestry Management Plan or the *Mining Act* are not subject to the policies of this Plan.

#### **E.7.5 Special Industrial Designation**

E.7.5.1 The policies of this section apply to those lands identified as Special Industrial Designation on Schedule A to this Plan.

E.7.5.2 Notwithstanding the permitted uses in the Industrial land use designation, the uses permitted on these lands shall be restricted to 'dry' industrial uses, unless the applicant is able to demonstrate the ability to meet either the Health Unit or the Ministry of the Environment, Conservation and Parks' requirements for a sewage disposal system. 'Dry' industrial uses are those uses which do not have 'process' water flowing to septic tanks or into Link Lake. Accessory uses to the permitted industrial uses shall not include sensitive land uses such as residences, day care centres, educational or health facilities. Mineral exploration and mining, authorized under the *Mining Act* with applicable approved closure/rehabilitation plans, are also permitted uses.

E.7.5.3 Implementation of the above policy shall include a site specific zoning which places the lands in a holding category in accordance with Section 36 (1) of the *Planning Act*, restricting the permitted uses to those noted in the paragraph above and that further requires all buildings and structures to be setback a minimum of 15 metres from the Link Lake shoreline.

E.7.5.4 Prior to approving any development, an erosion and sedimentation control plan (construction mitigation plan) shall be required for each lot describing how erosion will be minimized and sediment will be retained on site

throughout all phases of construction in order to ensure downstream areas are not adversely affected during the construction phase.

- E.7.5.5 There are portions of the land identified on Schedule A as having high potential for archaeological and cultural heritage resources; however, due to the extensive disturbance on the site, impacts to these potential resources are minimal. If archaeological remains, burials or other significant cultural heritage resources are identified on the lands at any stage of the re-development process, contact is to be made with staff of the Ministry of Heritage, Sport, Tourism and Culture Industries.

## **E.8 RURAL**

### **E.8.1 Introduction**

- E.8.1.1 The Rural designation includes all Patented Lands in the Municipality that are not in the Temagami Settlement Area or Temagami North Settlement Area and are not located on the shoreline of a lake or within another Commercial or Industrial land use designation. The Rural designation accommodates a range of uses including agriculture, forestry, open space, rural residential, small-scale commercial and rural industrial operations, aggregate extraction, and mining. Over the lifetime of this Plan, the Rural area will experience limited development and is intended to maintain its rural character and preserve the natural environment.

### **E.8.2 Permitted Uses**

- E.8.2.1 Permitted uses include agriculture uses, forestry, open space, single detached residential dwellings, bed and breakfast operations, secondary dwelling units, small-scale commercial, industrial operations, tourist commercial uses, institutional uses, pits, mineral exploration and development, resource management activities, home occupations, home industries and contractor's yards.
- E.8.2.2 Agricultural uses shall be permitted in proximity to watercourses or waterbodies. The Zoning By-law shall include setback provisions from watercourses and waterbodies.
- E.8.2.3 Small-scale commercial and industrial uses may be permitted by Amendment to the Zoning By-law where the use has a low traffic generation, no nuisance effects on surrounding areas, a scale consistent with existing uses, and minimal environmental impact. Before considering such an Amendment, Council shall be satisfied that:
- a) The size of the proposed commercial or industrial use is appropriate for the area;



- b) The building housing the use is set back an appropriate distance from adjacent uses and from lot lines;
- c) The use is located at least 500 metres from lands within the Residential Waterfront Designation, the Temagami Settlement Area or the Temagami North Settlement Area;
- d) No outside storage shall be permitted;
- e) Any noise emanating from the use will not have an adverse impact on the enjoyment of adjacent properties; and,
- f) The use can be appropriately serviced with water, sanitary and stormwater.

E.8.2.4 The lands designated Rural shall be placed in specific zones in the Implementing Zoning By-law to reflect existing uses.

E.8.2.5 Forestry operations are encouraged to follow sound forest management practices and shall be set back from all shorelines an appropriate distance so that clearing and cutting operations do not impact the visual quality and character of the shoreline from the waterbody on Patented Lands. Clear cutting shall be prohibited within 300 metres of any lake and shall respect the policies of the Skyline Reserve.

E.8.2.6 The establishment of new sand and gravel aggregate operations or the expansion of existing operations shall be subject to the policies of this Plan and the *Aggregate Resources Act*, and shall require an Amendment to the Zoning By-law.

E.8.2.7 New Quarry Operations shall require an Official Plan Amendment and shall be placed in the Mineral Aggregate Designation.

E.8.2.8 Extractive uses shall also be subject to Site Plan Control where matters are not addressed in the *Aggregate Resources Act*, its regulations, or the provisions of a licence of *Aggregate Resources Act* site plan.

E.8.2.9 In reviewing Planning Act applications to permit new pits or quarries, or expansions to existing operations Council shall consider the following:

- a) The natural heritage features and ecological functions on the site and in the area;
- b) Nearby communities and residential uses;
- c) Agricultural resources and activities;
- d) The character of the area;
- e) The quality and quantity of groundwater and surface
- f) The cultural heritage resources in the area;
- g) Significant geologic formations on the site and in the area;
- h) Nearby wells used for drinking water purposes;
- i) Ground water recharge areas;
- j) The effect of the increased truck traffic;

- k) The suitability of the proposed haul routes;
- l) The effect of the noise, odour, dust and vibration generated by the proposed use and the use of the haul route on adjacent land uses; and,
- m) How the site can be progressively rehabilitated.

## **E.9 MINERAL AGGREGATE**

### **E.9.1 Introduction**

E.9.1.1 The Mineral Aggregate land use designation recognizes existing mineral aggregate extraction operations. Where possible, priority shall be given to utilizing aggregate resources outside the Urban Neighbourhood in order to minimize impacts on the greatest number of existing residents.

### **E.9.2 Permitted Uses**

E.9.2.1 Uses permitted in the Mineral Aggregate designation include pits, quarries, crushing, stockpiling, concrete batching plants and asphalt plants.

E.9.2.2 Aggregate extraction is not permitted in the Skyline Reserve.

### **E.9.3 General Policies**

E.9.3.1 The establishment of a new mineral aggregate operation in the Mineral Aggregate designation, shall be subject to an amendment to the Zoning By-law and shall satisfy the provisions of the *Aggregate Resources Act*. Where the aggregate resource is located on Patented Land, the proponent shall enter into an agreement with the Municipality. Such an agreement shall include:

- a) Provisions for the sequential rehabilitation of the site as extraction proceeds and for the ultimate rehabilitation of the site after the operation ceases, including a site plan;
- b) Specified times for blasting and crushing operations;
- c) Visual screening;
- d) Provision for the use and maintenance of access roads;
- e) The method of processing or treating waste water or other pollutants such as engine oil; and,
- f) The requirements for certain financial guarantees related to road maintenance and pit rehabilitation.

**E.10        PARKS AND OPEN SPACE**

**E.10.1      Introduction**

E.10.1.1     The Parks and Open Space land use designation recognizes existing municipal parks, certain community and passive open space areas in the Urban Neighbourhood.

**E.10.2      Permitted Uses**

E.10.2.1     Permitted uses include active and passive parks and open space areas. Community facilities such as community centres and arenas shall be subject to a Zoning By-law amendment and Site Plan Control.

**E.11        FUTURE DEVELOPMENT**

**E.11.1      Introduction**

E.11.1.1     The Future Development designation recognizes areas both inside and outside the Settlement Areas where the potential for development may exist, but where the lands may not be required to meet the 20 year land needs of the Municipality or where site development constraints remain unresolved.

**E.11.2      Permitted Uses**

E.11.2.1     Permitted uses shall be existing uses and detached dwellings.

**E.11.3      General Policies**

E.11.3.1     In approving an Official Plan amendment to re-designate Future Development land, the Municipality shall consider the following:

- a) The need for additional land, if it is to be used for residential purposes;
- b) The use for which the land is needed and compatibility with existing and future adjacent uses;
- c) The need for and availability of municipal water and sewer services;
- d) A Servicing Options Study;
- e) The adequacy of road access;
- f) The need and cost to extend other services;
- g) The potential impact of the development on natural resources; and,
- h) The potential impact on the ability of the remaining Future Development land to develop in an efficient manner.

- E.11.3.2 Redesignation of Future Development lands outside the Settlement Areas is considered to be an expansion of the Settlement Area boundary, and in addition to the above matters, the Municipality shall also consider:
- a) Whether the amendment is based on a review of population and growth projections; considers alternative directions for growth; and determines how best to accommodate this growth while protecting Provincial interests;
  - b) Whether the amendment utilizes opportunities to accommodate projected growth through intensification and redevelopment;
  - c) Whether the amendment is integrated with planning for infrastructure and public service facilities; and,
  - d) Whether the amendment considers cross-jurisdictional issues.
- E.11.3.3 The Municipality may allow the expansion of a Settlement Area boundary only where the following has been 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 distance separation formulae if applicable; and,
  - d) The new or expanded Settlement Area provides for the phased progression of urban development.
- E.11.3.4 Any existing development within the Future Development land use designation may be recognized in the implementing Zoning By-law.
- E.11.3.5 The Municipality may consider rezoning land within the Future Development land use designation to permit new development related to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses on a site-specific basis without the need for an amendment to this Plan and without carrying out the study referred to in this section. However, prior to approving a rezoning application, the Municipality shall be satisfied that:
- a) There is adequacy of road access;
  - b) There is adequate municipal water and sewer services available; and,
  - c) The development will not negatively impact the ability of the remaining Future Development land to develop in an efficient manner.

## **E.12 CROWN LAND**

### **E.12.1 Introduction**

E.12.1.1 The majority of land within the Municipality of Temagami is Crown Land. The Crown Land Use Policy Atlas, is the governing land use planning document applicable to Crown Land within the Municipality of Temagami. Nothing in the Official Plan shall be interpreted as infringing on the Provincial authority.

E.12.1.2 The Province follows a comprehensive planning process for all Crown Land planning matters. The process includes consultation with the public and with municipal government. It is anticipated that the Province will use the policies of the Official Plan as a guideline for discussions with the Municipality of Temagami regarding land use decisions on Crown Land within the Municipality.

E.12.1.3 The Crown Land designation recognizes those Crown Land areas where resource management activities and recreational uses may be integrated. To achieve this, resource extraction activities shall be carefully managed to ensure compatibility with the significant uses and values.

E.12.1.4 Immediately following any disposition of Crown Land, the Municipality will amend the Official Plan to change the designation of the land from Crown Land to the designation appropriate to its intended use.

E.12.1.5 The Municipality may support the disposition of Crown land to support economic development initiatives and housing initiatives in the Municipality.

### **E.12.2 Permitted Uses**

E.12.2.1 Uses permitted within the Crown Land designation are limited to low intensity recreational uses such as campsites, Provincial Parks and Conservation Areas. Permitted uses shall respect the Tenets for Temagami and the policies that apply to the Skyline Reserve.

E.12.2.2 Other permitted uses include commercial timber harvesting, and mining and they shall be carefully managed in order to ensure compatibility with other permitted uses.

### **E.12.3 General Policies**

E.12.3.1 Access to lakes within the Crown Land may be controlled. Access by existing municipal road or lake access point, motorboat, canoe, trail (snowmobile, ATV, cross-country ski, hiking, mountain bike, and horse) is permitted.

- E.12.3.2 The Municipality of Temagami Official Plan supports land use permits and additional Patented Lands that are in accordance with the goals and policies of this Plan. However, despite any other policy of this Plan, the Municipality does not support any Patent or other Crown Land disposition within the Skyline Reserve.
- E.12.3.3 No new public roads and no new permanent structures are to be located within two (2) kilometres of Cross Lake.
- E.12.3.4 The Municipality encourages the Province to have regard to the Municipality's Official Plan when issuing land use permits or disposing of Crown Land.

#### **E.12.4 Municipal Objectives**

- E.12.4.1 The following objectives are intended to guide Municipal discussions with the Ministry of Natural Resources throughout their planning process with regard to Crown Land, the creation of new access roads and lake access points, the issuance of land use permits and patents, and the approval of amendments to the Crown Land Use Policy Atlas to permit new development. In addition, the Ministry of Natural Resources support for these objectives will ensure that the Municipality can respond to the Ministry Natural Resources in a timely fashion on land use matters when called upon to do so. It is the hope of the Municipality that no decision or decisions, either individually or cumulatively, be made that would compromise the ability of the Municipality to achieve these long-term objectives:
- To recognize and protect land with sensitive natural features;
  - To protect the quality of lake water;
  - To recognize and protect land with high potential for recreation, forestry and mining;
  - To encourage the proper management of resources in order to minimize negative environmental impact;
  - To harmonize, to the extent possible, municipal objectives with the Temagami First Nation and the Teme-Augama Anishnabai objectives;
  - To conserve the wilderness or semi-wilderness character of the Municipality so that in the future everyone can enjoy the existing character of the Temagami area;
  - To ensure that new development conforms to the provisions of this Plan and the implementing Zoning By-law;
  - To ensure new development will contribute to the long-term health and safety of the residents and the financial and economic well-being of the municipality;
  - To establish a partnership between the Municipality and the Ministry Natural Resources to co-ordinate their respective

activities and policies to ensure effective and efficient administration of land; and,

- To encourage private parking agreements on Crown Land be made available to individuals who access their properties from Crown.

## **E.13 CROWN LAND - PROTECTED AREA**

### **E.13.1 Introduction**

E.13.1.1 The Crown Land - Protected Area land use designation consists of the Provincial Parks and Conservation Reserves within the Municipality. These include Crown Land with representative 'old growth' red and white pine sites, some watersheds containing the headwaters of rivers flowing through the wilderness park, significant wetlands, provincially significant ecological and geological features and significant recreation areas and applies to a portion of Temagami Island. These lands also include Provincial Parks and Conservation Reserves.

### **E.13.2 Permitted Uses**

E.13.2.1 Permitted uses within the Lake Temagami Neighbourhood are limited to those uses permitted in the Skyline Reserve. Outside of the Lake Temagami Neighbourhood, permitted uses include low intensity, non-consumptive recreation and tourism, such as small cabins, hunt camps and warm-up shelters for day use and campsites; along with activities to ensure the protection of significant ecological values/features.

### **E.13.3 General Policies**

E.13.3.1 Access to the Protected Area shall be by air, snow vehicle, or water except that temporary road access can be established across Protected Areas for the purpose of resource extraction. Travel within the Crown Land - Protected Area shall be limited to cross-country skiing, dog sleds and hiking.

E.13.3.2 Any existing tourist commercial facilities of a more substantive nature than would otherwise be permitted by the policies of this Plan may continue to operate. However, it is the intent of the Municipality of Temagami that these facilities will cease to operate in the long term and that the sites will be allowed to regenerate. Consistent with this policy, no major expansions to these facilities shall be permitted. Further, these facilities shall not be specifically recognized on the Official Plan schedules or in the Zoning By-law.

E.13.3.3 It is not the policy of the Province to grant new land use permits or patents in the Crown Land - Protected Area. The Municipality of Temagami supports this approach. As a result, the Zoning By-law shall zone the Protected Area

in a non-development zone, consistent with the policies of the Ministry of Natural Resources and of this Official Plan.

## **E.14 MOBILE HOME PARK**

### **E.14.1 Introduction/Permitted Uses**

E.14.1.1 The Mobile Home Park land use designation includes mobile home or modular home dwellings, parks and recreational facilities, a community centre that may include a day care centre, all for the use of the residents of the mobile home park.

### **E.14.2 General Policies**

E.14.2.1 New mobile home parks or expansions to existing mobile home parks shall proceed by way of an amendment to this Plan and shall be subject to site plan approval.

E.14.2.2 When considering proposals for Mobile Home Park development, the Municipality shall have regard for the following criteria:

- a) The physical characteristics of the site including landscaping, grading, soils and drainage;
- b) The screening, planting and/or fencing proposed to buffer the mobile home park use from adjacent uses; and,
- c) The ability of the site to accommodate the proposed mobile homes, parking, access and on site amenities.

E.14.2.3 New mobile home parks or expansions to existing mobile home parks shall only be approved by the Municipality if the following criteria are satisfied:

- a) The site is serviced or will be serviced as part of the development of the site by municipal water and sewer services or an approved communal system;
- b) Any communal system conforms to the servicing policies of this Plan;
- c) The site is located on a municipal road that is open and maintained on a year round basis;
- d) The site has two access points from a municipal road;
- e) The site is serviced by existing school bus routes; and,
- f) The maximum density shall be 17 units per hectare.

E.14.2.4 The Site Plan shall illustrate the size and shape of all mobile home lots, the location of all mobile homes and all other proposed buildings, parking areas, driveways, landscaped areas and other information to indicate how the proposal addresses the above criteria.



## **E.15 RESTRICTED RURAL/WATERFRONT – LAKE TEMAGAMI**

### **E.15.1 Introduction**

E.15.1.1 The Restricted Rural/Waterfront – Lake Temagami land use designation applies to all Patented Lands that are located in the mainland areas of the Lake Temagami Neighbourhood.

### **E.15.2 Permitted Uses and General Policies**

Permitted uses are limited to those listed under Section D.2.6 of this Plan due to the location of these lands being on the mainland of Lake Temagami and within portions of the Skyline Reserve.

# F CARING FOR THE WATERFRONT

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## F.1 WATERFRONT DEVELOPMENT

### F.1.1 Goal

F.1.1.1 It is a goal of the Municipality to protect the water quality and semi-wilderness value of the shoreline area by maintaining shoreline areas in a natural state while balancing carefully planned development.

### F.1.2 General Policies

F.1.2.1 The area between the shoreline and any buildings in their natural state and as a vegetative buffer, to protect the visual and environmental integrity of the lakes. The principle of development in the vegetative buffer shall be minimal disturbance on the ground, shrub and canopy layers. Vegetation removal may occur in accordance with FireSmart principles, within the context of protecting the visual and environmental integrity of the lakes.

F.1.2.2 Natural vegetation within the setback shall be disturbed as little as possible, consistent with passage, safety and provision of views and ventilation. Rehabilitation of vegetation shall take place when it has been disturbed due to construction.

F.1.2.3 In order to implement these policies and to protect the natural shoreline, the Municipality shall use the policies of this Plan, the provisions and standards in the Zoning By-law, Site Plan Control and prescribed conditions that result from *Planning Act* approvals. As a guide, the following policies shall apply to the natural shoreline:

F.1.2.4 Lot lines should follow existing features and terrain and shall be configured to minimize conflicts with abutting properties at the shoreline.

F.1.2.5 The natural waterfront landscape shall prevail with the buildings blending into the landscape:

- a) Native species shall be used for buffers or where vegetation is being restored;
- b) Rockfaces, steep slopes, vistas and panoramas should be conserved;
- c) Buildings shall not exceed the height of the tree canopy;
- d) Building mass and coverage shall be limited in relation to the lot size and frontage;
- e) Site alterations on lots shall be limited and the maximum amount of natural vegetation should be retained on a lot;

- f) The Municipality shall ensure that best management practices and interim measures are utilized during construction projects adjacent to the waterfront in order to reduce sedimentation and erosion;
- g) Roads, trails, temporary construction accesses should generally follow the contours of the land, fit into the landscape and wherever possible not run directly perpendicular to the waterbody; and,
- h) A setback from the flood elevation or the normal or controlled high-water mark shall be set out in the Zoning By-law, in order to:
  - Protect the upland, shoreline and near shore habitats;
  - Protect adjacent surface water quality from phosphorus loading;
  - Prevent erosion, siltation and nutrient migration;
  - Maintain shoreline character and appearance; and,
  - Minimize the visual impact of development.

- F.1.2.6 An access trail and a viewing/ventilation corridor are permitted within the natural vegetative buffer/setback, in accordance with the vegetative buffer section of the Plan.
- F.1.2.7 Within the front yard of a shoreline residential lot, a Shoreline Activity Area is permitted. The Shoreline Activity Area is a portion or cumulative portions of a shoreline frontage of a lot where accessory shoreline structures such as boathouses, docks, pumphouses, gazebos and decks are permitted, as well as access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form, the Shoreline Activity Area should be focused within a defined area and be limited in extent. The extent of the Shoreline Activity Area shall be a function of the shoreline frontage and the primary use of the lot and shall be set out in the Zoning By-law.
- F.1.2.8 The Municipality shall also encourage, through planning approvals and other mechanisms such as landowner education, the use of Best Management Practices for shoreline development, including but not limited to those described elsewhere in Section F.1.2.
- F.1.2.9 Where development will result in the harmful alteration, disruption, or destruction of fish habitat, prior authorization from the Federal Department of Fisheries and Oceans is required under the *Federal Fisheries Act*.
- F.1.2.10 Council shall ensure that cultural heritage resources, both on shore and in the water, are conserved and not adversely affected. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.
- F.1.2.11 The Municipality will consider adopting and implementing a re-inspection program for individual on-site sewage systems, on waterfront lots in the Lake Temagami and Rural Neighbourhoods.

## **F.2 SHORELINE VEGETATIVE BUFFER**

### **F.2.1 General Policies**

F.2.1.1 A shoreline vegetative buffer is an area of natural vegetation or enhanced vegetation that provides separation from a lake towards a dwelling. The vegetative buffer either extends from the shoreline to the front wall of the main building on the lot, or extends back from the shoreline a distance equal to the minimum front yard setback for the main building on the lot, whichever distance is greater. The vegetative buffer is comprised of all vegetation including, but not limited to grasses, shrubs, bushes and trees.

F.2.1.2 It is the intent of this Plan that all vegetation in the shoreline vegetative buffer be preserved and maintained in its natural state, with the exception of hazardous vegetation from a safety and fire safety perspective. The purpose of the shoreline vegetative buffer is to screen the view of buildings and structures on the lot from the water and to help mitigate potential impacts on water quality and fish habitat. This policy should not be interpreted as precluding development within the shoreline activity area in accordance with the policies of this Plan and the provisions of the Zoning By-law. Wherever possible, the access trail and the ventilation/viewing corridor should be one and the same. However, in no case should an access trail be wider than approximately two (2) metres and a ventilation/viewing corridor be wider than approximately six (6) metres and should not be cut at right angles to the shoreline. When the access trail and the ventilation/view are one and the same, the maximum width shall be approximately six (6) metres. These policies are intended to minimize the visual impact of buildings and structures, when viewed from the water.

## **F.3 SHORELINE STRUCTURES**

### **F.3.1 General Policies**

F.3.1.1 The size and location of shoreline structures, including docks, decks, gazebos, boatports and boathouses, both water based and land based, pumphouses, saunas, utility structures and storage units have the potential for significant visual impact and environmental impact. Wherever possible, utility structures shall be located back from the shore a distance greater than the minimum setback for the main dwelling on the lot. In order to minimize impacts when locating a new boathouse, consideration should first be given to siting of the boathouse/boatport such that it is screened from adjacent dwellings and passing boat traffic and to protect the sight lines of adjacent properties. This may be achieved by orienting the boathouse beyond the immediate view of adjacent dwellings, away from known boating routes or behind rock outcrops and/or trees.

F.3.1.2 While the exterior appearance of boathouses, including the paint scheme is beyond the legislative authority of the Municipality to control, owners are strongly encouraged to design boathouses as small as is practical and to apply earth tone exterior finishes, that are in keeping with the natural setting of the lake and the surrounding area.

# **G PRESERVING TEMAGAMI'S CULTURAL HERITAGE**

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## **G.1 CULTURAL HERITAGE RESOURCES**

### **G.1.1 General Policies**

G.1.1.1 The Municipality is located within the traditional territories of the Teme-Augama Anishnabai and Temagami First Nation.

The Municipality may undertake the preparation of an Archaeological Management Plan.

The Municipality may establish a Municipal Heritage Committee pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist on matters pursuant to sections IV and V of the Act and such other heritage matters as the council may specify by By-law.

The Municipality shall maintain a Register of Properties in accordance with the requirements and restrictions of Section 27 of the Ontario Heritage Act.

G.1.1.2 Cultural Heritage resources include built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. Such resources may include, but are not limited to, buildings, structures and/or areas identified as having cultural heritage value or interest, and archaeological sites and artifacts. The Municipality should create proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.

G.1.1.3 Over time, through research and study, new cultural heritage features may be identified, or existing cultural heritage features may be refined. Any such information, when reviewed and approved by the appropriate governmental authorities, may be used to inform Council when evaluating development applications. The identification, acquisition, restoration, repatriation and conservation of the historical, cultural, architectural and archaeological resources within the Municipality is encouraged. The Municipality views these resources as important factors in drawing tourists to the area. The Municipality will also encourage the repatriation of archaeological artifacts to the Teme-Augama Anishnabai and Temagami First Nation.

The Municipality will require the preparation of technical cultural heritage studies (e.g., conservation plan, heritage impact assessment) when

development proposals affect recognized (or known) or potential cultural heritage resources.

G.1.1.4 Development and site alteration shall not be permitted on lands containing archaeological resources or on areas of archaeological potential unless significant archaeological resources have been conserved.

G.1.1.5 The Municipality shall consult appropriate government agencies, including the Ministry of Heritage, Sport, Tourism and Culture Industries when an identified cemetery, marked or unmarked human burial is affected by land use development. The provisions of both the *Heritage Act* and the *Cemeteries Act* shall apply.

When development has the potential to impact a known or potential cemetery or burial site, Council shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply. If human remains are encountered, all activities must cease immediately, and the local police and coroner must be contacted. In situations where human remains are associated with archaeological resources, the Ministry of Heritage, Sport, Tourism and Culture Industries should also be notified.

G.1.1.6 The Municipality shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes. Areas of Archaeological Potential are identified on Schedule D to the Official Plan.

G.1.1.7 Archaeological resource areas are determined through the use of Provincial screening criteria, or potential mapping developed based on the known archaeological record or features within the Municipality and is usually developed with a licensed archaeologist. Such criteria include features such as proximity to water, current or ancient shorelines, sandy soils, rolling topography, the remains of any building, structure, place, activity, cultural feature or object such as unusual landforms, portage routes or other places of past human settlement, which due to the passage of time, are on or below the surface of land or water and are significant to history and understanding of a people or place. Significant Native and non-Native cemeteries or unmarked burial sites may also be considered as archaeological resources.

G.1.1.8 The following policies apply to areas of Archaeological Potential:

- a) Where a development proposal or site alteration encroaches on lands with significant archaeological resources or is within an area considered to have archaeological potential, the Municipality may require an applicant to undertake an Archaeological Assessment

- of the lands in accordance with requirements of the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the nature and extent of the resources on the site. The assessment shall be conducted by an archaeologist licensed under the *Ontario Heritage Act* as a condition of any development proposal. The assessment will be submitted to the Municipality and to the Ministry of Heritage, Sport, Tourism and Culture Industries;
- b) Notwithstanding the above policy, the need and/or scope of an Archaeological Assessment may be discussed with Temagami First Nation. Factors such as the amount of site disturbance, location of development, type of development and existing conditions may be considered when confirming if an Archaeological Assessment is required;
  - c) Where resources are found on site, the Municipality shall require further Archaeological Assessment. The study will be submitted to the Municipality and to the Ministry of Heritage, Sport, Tourism and Culture Industries for review and comment. Any features identified may be preserved in situ to ensure that the integrity of the resource is maintained. Excavation of any significant archaeological features by a licensed archaeologist may also be considered. If the site is determined to be significant the development may be prohibited;
  - d) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*, and,
  - e) Council shall consider the interests of local Indigenous communities and proponents are encouraged to consult with the Teme-Augama Anishnabai and Temagami First Nation prior to new development applications.



# **H PRESERVING TEMAGAMI**

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## **H.1 INTRODUCTION**

### **H.1.1 General Policies**

H.1.1.1 It is a general policy of the Municipality that the conservation of the overall natural landscape, tree cover, and vegetation shall, be encouraged and in some cases required in an effort to preserve the natural appearance, character, and aesthetics of the area and to provide a natural buffer, particularly in the area along the shoreline. Preservation and where possible enhancement of the natural landscape, tree cover and vegetation shall be incorporated within any development or redevelopment proposal through applicable implementation mechanisms, where applicable.

H.1.1.2 Where natural vegetation has been artificially altered in a manner which is not environmentally sound or in keeping with the wilderness and semi-wilderness goals of this Plan, regeneration of vegetation cover or buffers using native species will be encouraged and, in some cases, required.

## **H.2 NATURAL HERITAGE FEATURES AND AREAS**

### **H.2.1 General Policies**

H.2.1.1 The natural heritage system is composed of natural heritage features and areas, which are linked by natural corridors. Natural heritage features, areas and corridors are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.

H.2.1.2 The diversity and connectivity of natural features and the long-term ecological function and biodiversity of the Municipality's natural heritage systems shall be maintained, restored, or improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features.

H.2.1.3 Natural heritage features and areas come from the Provincial Planning Statement include the following elements:

- Fish habitat;
- Habitat of endangered species and threatened species;
- Provincially Significant Wetland;
- Significant Wildlife Habitat; and,
- Areas of Natural and Scientific Interest.

- H.2.1.4 Due to the sensitivity of some of the features listed above, all features may not be identified on Schedule D of the Plan. Although this information is not available to the public, prior to and during the review of development proposals, the internal data is utilized by Municipal staff for screening purposes.
- H.2.1.5 Important habitat and natural values are constantly changing. As these habitats and values change, the Schedules of this Plan will be updated. As these changes are usually minor in nature, formal amendments will not be required.
- H.2.1.6 Prior to development and/or site alteration, the Municipality may require a site-specific impact assessment to confirm the location or presence of natural heritage features.

## **H.2.2 Fish Habitat**

- H.2.2.1 The Municipality supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that it is the mandate of the Department of Fisheries and Oceans to protect and preserve fish habitat on Crown Land and Patented Land under the *Fisheries Act*. Under this *Act*, fish habitat is defined as water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.
- H.2.2.2 Development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements.
- H.2.2.3 Where development and site alteration is proposed within 120 metres of fish habitat, the development shall be designed to ensure that there are no negative impacts on the natural features or their ecological functions. The Municipality may require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan.
- H.2.2.4 Development and site alteration shall not be permitted within Fish Spawning Areas unless an Environmental Impact Statement demonstrates that there will be no negative impact on the fish habitat or its ecological function.
- H.2.2.5 Lake Temagami is a premiere cold-water lake, which was formerly recognized as a specially designated waterbody within the Province. In most areas on the lake, in-water work is not permitted from September 1 to June 20, in order to avoid disruption to spawning behavior of species such as Walleye and Lake Trout.

### **H.2.3 Endangered and Threatened Species**

- H.2.3.1 The presence of Species at Risk (extirpated, endangered, threatened or special concern species) shall be identified through the use of the Natural Heritage Information Centre Provincial database, and through consultation with Ministry of Environment, Conservation and Parks' staff, and/or other agencies or levels of government and
- H.2.3.2 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with Provincial and federal requirements.

### **H.2.4 Unevaluated Wetlands**

- H.2.4.1 Wetlands are essential components of ecosystems that contribute to the high quality of the environment. Wetlands control and store surface water to assist in flood control, function as sediment traps to improve water quality, provide habitat for a variety of plant and animal species, and function as recharge areas for groundwater resources.
- H.2.4.2 For a wetland that is unevaluated but may have characteristics or contain components that are typical of a significant wetland, the Municipality may require a wetland evaluation to determine the significance of the wetland prior to processing any planning approvals. The Ministry Natural Resources is the approval authority for decisions regarding the significance of wetlands.
- H.2.4.3 Development and/or site alteration shall not be permitted within an unevaluated wetland or within 120 metres of an unevaluated wetland unless an Environmental Impact Statement demonstrates that there will be no negative impact on the Significant Wetland or its ecological function.

### **H.2.5 Significant Wetlands**

- H.2.5.1 The Ministry of Natural Resources evaluates the biological, social, hydrological and special features of wetlands to determine their relative significance in Ontario and identifies certain areas as Significant Wetland.
- H.2.5.2 Significant Wetlands are identified on Schedule D of this Plan.
- H.2.5.3 Development and/or site alteration shall not be permitted within an identified Significant Wetland unless an Environmental Impact Statement demonstrates that there will be no negative impact on the Significant Wetland or its ecological function.
- H.2.5.4 Where development and/or site alteration is proposed within 120 metres of the boundary of a Significant Wetland, the proponent shall provide the Municipality with an Environmental Impact Statement, prepared by a

qualified professional and in accordance with the Environmental Impact Statements Section of this Plan, which demonstrates that there will be no negative impacts on the wetland or its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 metres the Significant Wetland may also require an Environmental Impact Statement.

H.2.5.5 Any change or interference within or adjacent to a Significant Wetland may require a permit from the Ministry of Natural Resources.

H.2.5.6 Changes to the boundaries of a Significant Wetland shall not require an amendment to the Official Plan. Approval may be required from the Ministry of Natural Resources for any refinements to the boundary of a Significant Wetland.

## **H.2.6 Significant Wildlife Habitat**

H.2.6.1 Wildlife habitat are areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. Significant wildlife features are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area.

H.2.6.2 Development and site alteration shall not be permitted within areas identified as significant wildlife habitat unless an Environmental Impact Statement demonstrates that there will be no negative impact on the natural features or their ecological function.

H.2.6.3 Where development and site alteration is proposed within 120 metres of significant wildlife habitat, the Municipality shall require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan. It must be demonstrated that there will be no negative impacts on the natural features or their ecological functions.

## **H.2.7 Areas of Natural and Scientific Interest**

H.2.7.1 Development and/or site alteration in or adjacent to a significant area of natural and scientific interest shall not be permitted unless it has been demonstrated by an Environmental Impact Statement that there will be no negative impacts on the natural features or their ecological functions.

H.2.7.2 All lands within 120 metres of a significant areas of natural scientific interest (life science) and 50 metres of a significant area of natural scientific interest (earth science) be considered adjacent lands.

## **H.2.8 Raptor Nesting Sites**

- H.2.8.1 No development and site alteration activities should occur within 300 metres of a nesting site during the sensitive breeding season (April 1 to August 15).
- H.2.8.2 No development and site alteration are permitted within 150 metres of a nesting site at any time throughout the year.
- H.2.8.3 Development and site alteration within 151 metres to 300 metres shall not be permitted until an Environmental Impact Statement is completed that demonstrates no negative impact.
- H.2.8.4 Development and site alteration within 120 metres shall not be permitted until an Environmental Impact Statement is completed that demonstrates no negative impact on the natural features or their ecological functions.

## **H.2.9 Moose Calving Sites, Moose Aquatic Feedings Areas; and Moose Wintering Areas**

- H.2.9.1 The significant wildlife habitat policies shall apply to Moose Calving Sites, Moose Aquatic Feedings Areas; and Moose Wintering Areas.

## **H.3 SURFACE AND GROUNDWATER QUALITY**

### **H.3.1 General Policies**

- H.3.1.1 Policies that require the preservation of water quality are included in the Provincial Planning Statement. For any proposed development within 300 metres of a lake, the policies regarding lake trout lakes may apply.
- H.3.1.2 Development shall not be permitted where the potential exists for contamination of aquifers and groundwater supplies. For individual development applications, potential impacts on groundwater shall be addressed in accordance with policies applying to privately serviced development. Council may require a hydrogeology study to determine potential impacts of the development on the groundwater resources.
- H.3.1.3 Where development would result in sedimentation, stormwater contaminants, or a significant increase in storm water run-off, the Municipality may require the proponent to complete a drainage/storm water management plan/report to demonstrate that off-site surface water quality and quantity will not be adversely impacted by the development.
- H.3.1.4 A drainage/stormwater management report/plan shall be prepared by the proponent with the assistance of a qualified engineer licensed in the Province of Ontario, and reviewed and approved by the Ministry of Transportation for those developments, located adjacent to, or in the vicinity

of, a Provincial highway whose drainage would impact the highway and/or downstream properties.

## **H.4 LAKESHORE CAPACITY ASSESSMENT**

### **H.4.1 General Policies**

H.4.1.1 Lakeshore capacity assessment is a planning tool that is used to predict how much development can take place along the shorelines of inland lakes without impairing water quality (i.e., by affecting levels of phosphorus and dissolved oxygen). This planning tool is used for lake trout lakes.

H.4.1.2 The Province and the Lakeshore Capacity Assessment Handbook establishes parameters that determine when a lake trout lake may be determined to be at capacity for shoreline.

H.4.1.3 A Lakeshore Capacity Assessment may be required to be completed prior to the consideration of planning approvals allowing for development utilizing a private sewage disposal system within 300 metres of a lake trout lake where the lake is known to be at capacity or where the lake may be near capacity. The Assessment must demonstrate that such development will not result in a decline in the water quality or quality of the lake and that lake capacity is available. Where the creation of lots on private sewage systems within 300 metres of the shoreline or any waterbody is proposed, the Municipality will consult with the Ministry of the Environment, Conservation and Parks to determine if a Lakeshore Capacity Assessment is required.

H.4.1.4 Where Ministry of the Environment, Conservation and Parks has determined that a Lakeshore Capacity Assessment is necessary, the creation of lots or units within 300 metres of a lake shall be considered only where the results of a Lakeshore Capacity Assessment, completed in accordance with Ministry of the Environment, Conservation and Parks requirements, has identified that there is sufficient development capacity remaining to support the proposed development, or under one of the following circumstances:

- To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;
- Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or,
- Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake.

The following additional site-specific criteria can be applied where new development is proposed on at-capacity lakes and where certain municipal planning tools and agreements are in place such as a Development Permit Site Plan Control under the Planning Act:

- Where a site-specific soils investigation prepared by a qualified professional has been completed showing the following site conditions in accordance with the Lakeshore Capacity Handbook.

H.4.1.5 The Municipality, where considered necessary, will promote the use of best management practices to minimize the impacts of development on water quality. Best management practices may include, and are not limited to, measures such as: large lot sizes and increased lot frontage requirements; enhanced setbacks for buildings, structures, and septic systems; protection of lakeshore vegetated buffers; avoidance of steeply graded lots; restrictions on the amount of impervious surfaces such as parking areas and patios; the use of lot-level Stormwater management practices such as infiltration from roof leaders to reduce runoff; limitations on the use of fertilizers; and the use of erosion control measures during site development and construction.

## **H.5 LAKE TROUT LAKES**

### **H.5.1 General Policies**

H.5.1.1 Lake trout lakes are rare. The Municipality's lake trout lakes include Cassels, Net and Temagami. The lake trout is the only major, indigenous sport fish species in Ontario that is adapted to oligotrophic lakes (i.e. lakes with low nutrient levels, high dissolved oxygen levels and typically deep areas with very cold water). The lake trout's slow growth, late maturity, low reproductive potential and slow replacement rate make it a unique species in the Province. As a top predator, the lake trout is an important part of the Province's natural heritage and an excellent indicator of the health of these fragile aquatic ecosystems.

H.5.1.2 Lake trout and lake trout lakes are particularly vulnerable to the impacts of human activities including harvesting, increased phosphorus inputs from cottage septic systems and other sources of nutrient enrichment, acidification, species introductions, and habitat destruction. Development on lake trout lakes may result in habitat degradation, diminished lake trout populations and a lower quality fishing experience.

H.5.1.3 The Province has implemented a number of policies and guidelines to manage this sensitive resource and maintains a list of lakes that are designated for lake trout management. Lake trout lakes are designated as either naturally reproducing (Natural) or Put-Grow-Take stocked (PGT). Some policies apply to both Natural and PGT lake trout lakes equally (e.g.

dissolved oxygen criterion for lakeshore development capacity). Some policies differ in their application depending on whether a lake trout lake is designated Natural or PGT (e.g. Crown Land Disposition Policy).

H.5.1.4 Given the importance and ecological sensitivity of lake trout lakes, the Ministry of Natural Resources and the Ministry of Environment, Conservation and Parks have historically worked and continued to protect lake trout lakes from adverse impacts of lakeshore development.

- a) Development shall be permitted that will not negatively impact upon fish habitat in compliance with municipal, Provincial and Federal requirement, including the Fisheries Management Plan;
- b) Development and site alteration proposed in or within 120 metres of a lake trout lake shall provide details of how the development will impact lake water quality (defined by ice-free phosphorus concentrations) and optimal lake trout habitat as defined by Ministry of Natural Resources policy; and,
- c) Pre-consultation with the Municipality and with the Ministry of Natural Resources shall be required prior to the submittal of any development application.

## **H.6 MINERAL RESOURCES**

### **H.6.1 General Policies**

H.6.1.1 This Plan recognizes the importance of mineral resources for their resource and economic value within the Municipality of Temagami. Mining, including mining rights such as staked mining claims, mining leases and mining patents used or intended to be used for mining purposes, is permitted within the Municipality of Temagami subject to the provisions of the *Mining Act*, *Public Lands Act*, and pursuant to Ontario Regulations which impose requirements for environmental studies and public consultation. The establishment of new mines will require an amendment to the Official Plan and an amendment to the Zoning By-law. However, the *Planning Act* applies to fee simple Mining Patents of surface rights, including a planning approval to sever or subdivide surface rights. It is intended that new mining operations will exclude lands that are already developed. The Municipality has an agreement with the Province to limit Mine development within the Skyline Reserve.

H.6.1.2 It is a policy of this Plan that mineral resources, including past producing mining operations, existing mineral mining operations and areas of high mineral potential will be protected from 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.



H.6.1.3 Development, which would preclude or hinder the establishment of new operations or access to the resources, will only be permitted if:

- a) Resource use would not be feasible;
- 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.

H.6.1.4 Rehabilitation to accommodate subsequent land uses will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible.

## **H.6.2 Mineral Aggregate Resources**

H.6.2.1 Mineral Aggregate Potential areas are identified on Schedule D by the Mineral Aggregate Potential Overlay.

H.6.2.2 It is a policy of the Municipality to protect lands within the Mineral Aggregate Potential Overlay on Schedule D for their long-term use, with the exception of the Skyline Reserve on Lake Temagami where extraction shall not be permitted.

H.6.2.3 In known deposits and areas within the Mineral Aggregate Potential Area Overlay, development and activities which would preclude or hinder the establishment of new operations, expansion of existing operations or access to the resources shall only be permitted if:

- a) Resource use would not be feasible;
- b) The proposed land use or development serves a greater long-term public interest; and,
- c) Issues of public health, public safety and environmental impact are addressed.

## **H.7 FOREST MANAGEMENT**

### **H.7.1 General Policies**

H.7.1.1 It is the policy of the Municipality to recognize the importance of forests as a renewable and sustainable resource within the Municipality of Temagami and to encourage and support both commercial timber operators licensed by the Ministry of Natural Resources as well as to permit associated forest related activities and other compatible land uses.

H.7.1.2 The Municipality shall also encourage complementary activities such as wildlife habitat improvement or ecosystem improvement and the active or passive use of forested areas for Crown Land recreational activities and facilities.

H.7.1.3 Forest Management Plans are evolving documents and are anticipated to be updated from time to time to address changes in forest management.

# I NATURAL HAZARDS

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## I.1.1 Goal

To protect public health and safety by ensuring buildings, structures and use are located in a manner that will not result in property damage or compromise public health and safety as a result of natural hazards.

## I.1.2 General Policies

I.1.2.1 Within Temagami certain natural hazards exist including defined flood elevations for some waterbodies such as:

- Lake Temagami (294.20 metres above sea level);
- Rabbit Lake (292.34 metres above sea level);
- Net Lake (298.0 metres above sea level);
- Snake Lake (292.5 metres above sea level);
- Cassels Lake (292.5 metres above sea level);
- Lady Evelyn Lake (289.09 metres above sea level); and,
- High water marks for other waterbodies.

I.1.2.2 Development, excluding boathouses, docks and structures associated with flood control shall not be permitted below defined flood elevations or below the high water mark. The Ministry of the Environment, Conservation and Parks and Ontario Power Generation shall be consulted for technical advice when proposing development that may be impacted by flooding or fluctuating water levels.

I.1.2.3 Steep slopes often present desirable development sites due to the views and panoramas offered. However, if development on steep slopes can be hazardous. The Zoning By-law will establish special development setbacks from steep slopes. Where development is proposed in proximity to a steep slope, studies may be required to ensure the potential hazard impacts have been appropriately evaluated and mitigated.

I.1.2.4 Within Temagami certain mine hazards exist in the form of abandoned mine sites and rehabilitated mine sites, as shown on Schedule B to this Plan. Development on, abutting or adjacent to lands affected by mine hazards or former mineral resource operations shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed. A proponent of development within 1 km. of an abandoned mine is encouraged to contact the Ministry of Natural Resources to obtain technical information related to the site and for advice on establishing setback distances for the proposed development.

# **J                   SERVICING TEMAGAMI**

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## **J.1               INFRASTRUCTURE AND PUBLIC SERVICES**

### **J.1.1           General Policies**

J.1.1.1       The municipal infrastructure consists of roads, water treatment facilities, water lines, sewer lines, wastewater treatment facilities, stormwater management and solid waste management systems. In addition, there are many other services and utility providers operating in the Municipality. There will be a continuing need to assess the adequacy of municipal infrastructure and public service facilities or to maintain or rehabilitate existing facilities, as necessary.

J.1.1.2       The Municipality will plan for future infrastructure based on the projected housing and employment needs and will, where possible, establish infrastructure in advance to encourage and direct housing and economic development opportunities.

J.1.1.3       With respect to the TransCanada Pipelines Limited gas pipeline corridor, the following shall apply:

- a) TransCanada Pipelines Limited operates high pressure natural gas pipelines within its rights-of-way which cross through the Municipality of Temagami as identified on Schedule C to this Plan.
- b) TransCanada Pipelines Limited is regulated by the Canada Energy Regulator, which has a number of requirements regulating development in proximity to the pipelines, including approval for activities within 30 metres of the pipeline centreline.
- c) New development can result in increasing the population density in the area, and may result in TransCanada Pipelines Limited being required to replace its pipeline to comply with CSA Code Z662. Therefore, the Municipality shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.
- d) Where development is proposed in proximity to the TransCanada Pipelines Limited compressor station, a noise and vibration study, to be carried out by the proponent, may be required for development proposals within 750 metres of the compressor station. The study will determine if provincial guidelines can be achieved, and if necessary recommend appropriate mitigation measures.
- e) A setback of 7 metres shall be maintained from the limits of the right-of-way for all permanent buildings and structures. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.

- f) A minimum setback of 7 metres shall be maintained from the limits of the right-of-way for any parking area or loading area, including parking, loading, stacking and bicycle parking spaces, and any associated aisle or driveway.
- g) In areas for urban development, the Municipality will encourage the use of TransCanada Pipelines Limited's right-of-way for passive parkland or open space subject to TransCanada's easement rights.

- J.1.1.4 The Municipality may restrict residential and other types of development in close proximity to municipal sewage treatment facilities through minimum setback standards in the implementing Zoning By-law. The proponent of development proposed within the minimum setback from a municipal sewage treatment facility shall prepare a report in accordance with Provincial legislation, policies and regulations to demonstrate that the proposed development will not be adversely affected by the facility. Approval of new development, including new lot creation, will require confirmation of available reserve capacity in accordance with applicable Ministry of Environment, Conservation and Parks guidelines.
- J.1.1.5 New residential development shall not be permitted within 500 metres of a landfill site or within a specified distance of a sewage treatment facility as determined through the Ministry of the Environment, Conservation and Parks regulations.
- J.1.1.6 All development within the Municipality shall have an approved water supply and sewage disposal system, where required. Only dry industrial uses will be permitted on private services, and water will be used only for domestic purposes. Unless otherwise approved by the Ministry of Environment, Conservation and Parks, all industrial uses that use water as part of their industrial operations shall be connected to a municipal sewer and water system.
- J.1.1.7 The Municipality shall require the proponent of development or redevelopment with greater than five (5) lots to prepare a Servicing Options Study to initially determine the nature of servicing that is feasible before considering further studies to determine the viability of private services, if appropriate. A Water Supply Assessment Report and a Water Quality Impact Risk Assessment Report, in accordance with the Ministry of Environment, Conservation and Parks guidelines may also be required.
- J.1.1.8 Where a Servicing Options Study concludes that multiple lot development may proceed by individual drilled wells and septic systems, lot sizes shall be a minimum average of one (1.0) hectare with no lot being smaller than eight tenths (0.8) hectares, and supported by a hydrogeological study.
- J.1.1.9 The minimum lot size for new single lot creation proposed on a private septic system and individual drilled well will be encouraged to have a

minimum lot size of one (1.0) hectare unless a smaller lot size can otherwise be supported by a hydrogeological study.

J.1.1.10 New lots proposed to be serviced by an individual surface water supply and private septic system may have a lesser minimum lot size, unless otherwise specified by the policies of this Plan.

J.1.1.11 In the Urban Neighbourhood, approval of new development, including new lot creation, will require confirmation of a sufficient reserve sewage and water system capacity within municipal sewage and water services or private communal sewage and water services in accordance with applicable Ministry of Environment, Conservation and Parks guidelines. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Approval of new development on individual onsite sewage and water services will require confirmation of sufficient reserve sewage system capacity from the holder of an Environmental Compliance Approval (ECA) for an approved septage disposal facility.

## **J.1.2 Stormwater**

J.1.2.1 The Municipality, in conjunction with the appropriate public agencies may require a proponent of development to submit studies of stormwater runoff and its impact on the water quality and quantity of the receiving waterbody, both during and after construction. The proponent may be required to indicate how nutrient inputs into surrounding water bodies and municipal storm sewers will be controlled and reduced after construction. Construction-mitigation plans may be required to outline how the impacts during construction will be mitigated by securing/stabilizing/rehabilitating a site that has been disturbed.

J.1.2.2 The Municipality shall require the proponent of development that requires a stormwater management system to:

- a) Use stormwater management measures to manage the storage and control the flow of water to receiving waterbodies;
- b) Use stormwater management measures that prevent siltation and erosion and do not negatively impact the water quality of receiving waterbodies; and,
- c) Consider, where appropriate, enhancing the vegetation along the stormwater management system and the receiving waterbody.

## **J.1.3 Communication Facilities**

J.1.3.1 The Municipality of Temagami recognizes that the installation of communication facilities is required to supply, improve, and maintain the quality of service.

J.1.3.2 A proponent seeking to establish a communications tower shall work with the Municipality, seek input from the community. Communication facilities are encouraged to co-locate and to use best practices to reduce visual impact.

#### **J.1.4 Urban Neighbourhood Servicing**

J.1.4.1 Full municipal sewage and water services; followed by communal and private services is the hierarchy of the preferred forms of servicing in the Temagami Settlement Area and the Temagami North Settlement Area. In this area, development will be permitted to connect to the central sewage and water systems only if sufficient reserve water and sewage capacity will be available to accommodate the development. All lots within the serviced areas, must connect to municipal services when they are available.

J.1.4.2 Within the Settlement Areas and Urban Neighbourhood, where servicing is not available, development may proceed on the basis of partial servicing where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development or within Settlement Areas, to allow development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

J.1.4.3 Development proposals in excess of five (5) residential lots shall be accompanied by a Servicing Options Study to determine the most appropriate long term servicing scheme for the development.

J.1.4.4 Provided there is a supporting Servicing Options Study prepared according to Ministry of Environment, Conservation and Parks guidelines, communal water and/or sewage systems that service more than five freehold residential lots may be considered for development in areas where the municipal sewage system cannot reasonably be provided due to cost, and where site conditions are suitable for the long term operation of the systems. Such systems shall only be permitted with the approval of the Health Unit and/or the Ministry of Environment, Conservation and Parks.

J.1.4.5 The proponent of a private communal sewage system shall enter into a Responsibility Agreement with the Municipality before development occurs. The agreement shall also specify the amount of up-front funds required for any remedial measures that may be necessary in the event of default.

J.1.4.6 When vacant lots that have been allocated sewer and/or water capacity remain vacant, the Municipality may re-allocate water and/or sewer capacity, as required to permit other development.

J.1.4.7 Where municipal sewer and water capacity has been re-allocated from vacant lots, Council shall place these vacant lots in a Holding Zone until such time that sewer and water capacity becomes available.

J.1.4.8 Council shall not draft approve any new lot or unit development by way of Consent, Plan of Subdivision or Condominium in the Municipality without first confirming there is sufficient existing sewer and water capacity available to provide the development with full municipal services. If there is capacity in only one of the two municipal systems, draft approval shall not be granted on the basis of partial services, except where necessary to address failed services, or because of physical constraints.

## **J.1.5 Rural Neighbourhood Servicing**

J.1.5.1 In areas outside of the Urban Neighbourhood, development is expected to proceed on the basis of individual on-site water supply and sewage disposal systems.

## **J.2 PUBLIC WORKS**

### **J.2.1 General Policies**

J.2.1.1 The construction of public works shall be used to implement the policies of this Plan.

J.2.1.2 No public works shall be carried out and no By-law shall be passed under the provisions of the *Planning Act* that are not in conformity with this Plan or that will permit development that is not in conformity with this Plan.

## **J.3 TRANSPORTATION**

### **J.3.1 General Policies**

J.3.1.1 The road system within the Municipality is composed of a hierarchy of Provincial highways, municipal public roads that are maintained year round, municipal public roads that are maintained seasonally and private roads (Crown access/unassumed roads). In addition, there are numerous Lake Access Points, Recreational Trails, and Canoe Routes (including portages and campsites). Each type of road, lake access point, trail and canoe route varies in its function, the type and volume of traffic it handles and the speed of traffic it can accommodate. As a result, designs and standards also vary. The transportation network provides a basis for the local economy by allowing the safe and efficient movement of people and goods from one place to another. In addition, it provides access to individual properties and allows for sightseeing.

J.3.1.2 Major goods movement facilities and corridors, such as Provincial highways and railways, shall be protected for the long term. New development proposed in the vicinity of existing or planned corridors should be compatible with, and supportive of, the long-term purposes of the corridor



and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- J.3.1.3 The transportation network and hierarchy is generally illustrated on Schedule C to this Plan. The Municipality will continue to encourage and develop a safe and efficient road network, which has regard for natural and cultural heritage resources, environmentally sensitive area and the character of the Neighbourhood and the Municipality.

### **J.3.2 Provincial Highways**

- J.3.2.1 Highway 11 provides the main road link, and Highway 64 provides a secondary road link, within and through the Municipality. These highways provide access to many of the tourist commercial establishments. Highway 11 forms the commercial backbone in the Village of Temagami.

- J.3.2.2 For any development abutting a Provincial highway or development that is located within the permit control area of a Provincial highway, a Ministry of Transportation permit will be required prior to any construction or grading being undertaken.

### **J.3.3 Municipal Roads**

- J.3.3.1 All municipal roads shall be constructed to an appropriate standard and the Municipality will develop appropriate road standards policies. There shall be a continuing program of municipal improvement to existing municipal roads. Priorities for the improvement of existing municipal roads should be based on a Roads Needs Study that shall be conducted from time to time. The Municipality may consider alternate standards in particular circumstances where the function of the road will not be negatively affected and where public health and safety will be safeguarded.

- J.3.3.2 Municipal roads are divided into two categories, year round maintained and seasonally maintained.

- J.3.3.3 Every effort should be made to preserve the character and scenic amenity of a roadway, while ensuring that the function and safety of that roadway will be maintained.

- J.3.3.4 Where new roads are proposed, such roads will be located and designed to co-ordinate with existing roads and provide for connections to abutting parcels which have development potential. In this regard, roads should be linked, wherever possible and appropriate, and blocks of land should be provided, where necessary, to facilitate future access to abutting properties.

- J.3.3.5 The establishment of new public seasonally maintained roads will be discouraged.

J.3.3.6 Where property abuts a municipal or Provincial road, the Municipality and/or the Ministry of Transportation may require the dedication of land for road widening purposes. Such dedications may be requested at the time consideration is being given to *Planning Act* applications.

J.3.3.7 As authorized by the *Planning Act*, the dedication of a widening of a municipal road allowance, to a standard width of 20 metres may be required along all or part of the abutting lot line. This required road allowance width may be increased as necessary to 26 metres, in order to address matters such as additional turning lanes, curve alignments, sidewalks, utilities, road cuts and embankment slopes. Dedication of an additional area may also be required along all or part of the abutting lot line for:

- a) Dedication of sight triangles and turning lanes primarily at intersections of public roads to meet municipal standards; and,
- b) Dedication of areas necessary to construct grade improvements, separation or road alignments, where the proposed development would result in the need for such improvements due to traffic volumes or to eliminate hazards.

J.3.3.8 Road widening of municipal road allowances will generally be dedicated in equal widths from the centre line on each side of the road allowance. Exceptions to this may be considered where:

- a) Topographic constraints exist;
- b) An alternate decision would be consistent with the prevailing pattern of dedication;
- c) Heritage features and natural or environmentally sensitive areas would be preserved;
- d) A landowner owns both sides of the road allowance; and,
- e) Local municipal services are a constraint.

J.3.3.9 Development and maintenance of municipally owned roads will be at the discretion of the Municipality. There will be no commitment or requirement for the Municipality to maintain or open unimproved road allowances. Conversely, nothing in this section will limit the Municipality's ability to open, improve or maintain any road, as identified in a Road Needs Study.

### **J.3.4 Private Roads**

J.3.4.1 The Temagami area has many existing or abandoned forest access roads primarily associated with past and current logging and mining operation which, when combined with portages and other recreational trails are an important feature in the area. This existing network of unassumed roads, primarily on Crown Land provides access to residential properties.

- J.3.4.2 All roads within the Municipality of Temagami not owned and maintained by the Ministry of Transportation (or its designate), or owned and maintained by the Municipality, are categorized in this Plan as Private Roads.
- J.3.4.3 The Municipality may establish a Road Assumption By-law to provide requirement for the assumption of a private road by the Municipality.
- J.3.4.4 The Municipality shall be cautious not to assume liability for such roads and it should be recognized that the level of public services will continue to be limited where there is only water access or private road access. Such limitation should be recognized in Zoning By-laws or municipal agreements, such as Site Plan Control agreements.
- J.3.4.5 Where a public road allowance is used for a private road, the benefiting landowner(s) shall enter into an agreement with the Municipality to address such matters as financial contribution, liability insurance, road standards, stormwater management and construction mitigation measures and rehabilitation.
- J.3.4.6 The Ministry of Natural Resources is encouraged to consult with the Municipality when contemplating granting permission for new private roads and Crown access points within the Municipality. In addition, when access is proposed over Crown Land, the proponent shall be required to obtain a written assurance from the Ministry of Natural Resources that the Ministry has no objection to the continuing use of Crown Land for access by the proponent.

### **J.3.5 Development on Private Roads**

- J.3.5.1 The Municipality may permit rural residential development on the basis of private road access in the following circumstances:
- a) Where two abutting patented lots located on a private road existed in the past and could have been independently conveyed but have merged on title due to the provisions of a will, a bequest, gift or similar situation, those same lots may be recreated by consent. New development on those lots is subject to the policies of this Plan, the provisions of the Zoning By-law and, as appropriate, an approved water supply and sewage disposal system;
  - b) Where an existing patented lot with private road access in the Rural Neighbourhood can be severed so that both the new lot or lots, to a maximum of three (3) new lots and the retained lot meet the applicable zoning standards;
  - c) Where the private road is part of the land owned by a condominium corporation, a fractional ownership development or other similar type of ownership tenure development; and,

- d) A new lot or a cluster of up to four (4) lots created in the Rural Neighbourhood that are not accessible from an approved Lake Access Point.

J.3.5.2 Plan of Subdivisions based on private road access are not permitted.

J.3.5.3 For lots created on the basis of private road access, the Municipality shall require the entering of a limited services agreement to recognize that lots on private roads will receive limited services in comparison to a lot on a municipally maintained road.

### **J.3.6 Recreation Trails**

J.3.6.1 Existing trails in the Municipality include hiking trails (day hike and overnight hike), cross-country ski trails (backcountry and track-set), ATV trails, mountain biking, dog sledding trails, and groomed Ontario Federation of Snowmobile Clubs (OFSC) snowmobile trails. Other trail opportunities exist which are not groomed or maintained and include snowshoeing on lakes and portages or snowmobiling and ATViing on other trails and forest access roads. It should be noted that many of these trails are part of the Temagami Anishnabai and Temagami First Nation heritage.

J.3.6.2 Trail-related recreation may provide additional tourism opportunities since only snowmobile trails and short distance hiking and ski trails have developed significantly in the Municipality.

J.3.6.3 The Municipality supports trail-related recreation provided that the uses respect the sensitive character of the Temagami area. Co-operation between trail users is encouraged by the Municipality to ensure maximum use and benefit from the trail system.

J.3.6.4 New snowmobile trail access points to lakes should be kept to a maximum width of 3 metres and shall enter lakes at an oblique angle to minimize visual impact. Tree cutting at access points and along trails shall be limited to that required for trail maintenance.

### **J.3.7 Camp Sites**

J.3.7.1 It is the Municipality's intent that no new campsites be located closer than 500 metres to a lake access point or within 500 metres of an existing residential dwelling or vacant patented lot, or existing campsite.

### **J.3.8 Railways**

J.3.8.1 Existing and planned intercommunity passenger and freight transportation services facilitate vital connections to and from surrounding areas. The Municipality will plan for current railway infrastructure by protecting its long-term operation and economic role. Land uses immediately adjacent to

railways will be planned to facilitate local economic development by supporting current freight activity and potential future passenger rail service.

## **J.4 LAKE ACCESS**

### **J.4.1 Introduction**

J.4.1.1 Lake access points provide the link between the road network and the lake transportation network. The Municipality of Temagami shall endeavour to control lake access points in accordance with the policies set out in this Plan in order to:

- a) Protect the sensitive character of the lake communities within the Municipality of Temagami; and,
- b) Mitigate the potential impact of development and invasive species transmission on key natural resources.

### **J.4.2 General Policies**

J.4.2.1 It is the policy of the Municipality that any lake access point that provides the sole access to development on a lake shall remain open and available to the users of the lake. These access points, along with access roads are vital to lake communities and the lake economy as they provide access for residential uses, the Teme-Augama Anishnabai and Temagami First Nation, tourist commercial uses and other users of the lake system.

J.4.2.2 For clarity, the term lake access point does not include a pedestrian access point provided within a lakeshore Plan of Subdivision for the use of residents of lots that do not have direct access to the water.

J.4.2.3 With the exception of the Town Waterfront Access Point, all existing approved access points, as shown on Schedule C to this Plan, are on Crown Land. Wherever desirable and affordable, the Municipality will work with the Ministry of Natural Resources to obtain appropriate tenure to approved lake access points. The Municipality will pursue management agreements with the Province for lake access points where neither a patent nor a land use permit can be secured.

J.4.2.4 This Plan supports the implementation of public education initiatives and infrastructure that protects the quality of lake water as well as the protection of natural environments and species from impacts associated with invasive species.

### **J.4.3 Approved Lake Access Points**

J.4.3.1 Fourteen lake access points currently approved by the Ministry of Natural Resources and maintained by either the Ministry or the Municipality of Temagami are identified on Schedule C to this Plan. Additional lake access points are located throughout the Municipality however, they shall not be considered as approved for the purposes of this Plan.

J.4.3.2 Certain uses and facilities are permitted at the approved access points. The uses or facilities permitted at each approved access point are dependent on the site characteristics of the individual access point. The uses or facilities permitted include:

- Camping (CP);
- Municipal maintenance (M);
- Commercial lodge pick up and retail deliveries (C);
- A large parking lot with multiple trailer ramps (AP1);
- A small parking lot with one trailer ramp (AP2);
- A small parking lot with no trailer ramp (AP3);
- Transit of industrial/building supplies (I);
- Sanitary facilities (S);
- Dockage (D)
- Security; and,
- Garbage collection facilities (G).

J.4.3.3 The approved access points, as shown on Schedule C to this Plan, and the uses or facilities permitted at each are as follows:

- Finlayson Provincial Park - AP1, CP, S, D;
- Strathcona Road - AP1, C, I, M, D;
- Lake Temagami Access Road - AP1, C, I, M, S, D, G;
- Town Waterfront - AP1, C, M, D, G;
- Baie Jeanne - AP2 (10 spaces), CP, S;
- Rabbit Lake - Southwest Bay, Houghton Landing - M, AP2, C and Lowell Lake Road, Camp 16 - AP2, CP;
- Snake Island Lake - Temagami Boat Livery – AP2, C, M;
- Cassels Lake - Northshore – AP2;
- Red Cedar Lake - Loon Bay, MTO maintained - AP1, C;
- Marion Lake - Marion Lake (150m south of gas station) - AP2;
- Jumping Caribou Lake - Raynor's Road - AP3;
- Marten River - Marten River Provincial Park - AP1;
- Herridge Lake - Herridge Lake Access Point- AP2, D; and,
- Wilson Lake - Wilson Lake Access Point, north side of camp- AP3, D.

- J.4.3.4 Boat launching facilities should be designed to be functional and be as unobtrusive as possible.
- J.4.3.5 Parking areas must be screened with a vegetative buffer from the main body of the lake. Illegal access points are to be closed.
- J.4.3.6 New snowmobile trails accessing Lake Temagami/Cross Lake are to be no wider than three (3) metres and zoned exclusively for winter snowmobile use. No new private structures should be permitted.

#### **J.4.4 New Lake Access Points**

- J.4.4.1 Should consideration be given to the establishment of new public motorized lake access points, the following should be given full consideration:
- a) The need for the additional access point;
  - b) The ability of the site to be developed without any significant visual impact that cannot be mitigated;
  - c) The potential for environmental impacts;
  - d) The uses or facilities to be permitted;
  - e) The availability of existing municipal road accesses to the proposed access point; and,
  - f) If Ministry of Natural Resources grants approval for a new lake access point, the following policies shall apply:
    - The Municipality shall consider obtaining a patent for the site and operating the facility;
    - Municipal approval of a detailed site plan;
    - No new public motorized road and/or access point should be permitted within two (2) kilometres of the shore of Lake Temagami and Cross Lake; and,
    - Existing gates are to be maintained and new ones installed to prevent new public access roads to Lake Temagami and Cross Lake.

#### **J.4.5 Lake Temagami Access Point**

- J.4.5.1 The Lake Temagami Access point is a gateway to Lake Temagami. Residents, seasonal residents, tourists, campers, business owners, government and the Teme-Augama Anishnabai and Temagami First Nation all use the access point to the Lake. The Lake Access point requires expansion and improvement to safely service the users.
- J.4.5.2 The Municipality supports collaboration in the undertaking of improvements to the Lake Temagami access point.

## **J.5 WASTE MANAGEMENT**

### **J.5.1 General Policies**

J.5.1.1 Waste management facilities including active and defunct sites are identified on Schedule D to this Plan. Land in proximity to land formerly used for waste disposal purposes may be used in accordance with the applicable land use designation and the land use policies of this Plan.

Where development is proposed within 500 metres of an open or closed waste disposal site, a D-4 Study shall be required in accordance with Ministry of Environment, Conservation and Parks legislation and guidelines.

## **J.6 POTENTIALLY CONTAMINATED SITES**

### **J.6.1 General Policies**

J.6.1.1 Potentially Contaminated Sites including brownfield sites are land, buildings and/or structures where it is reason to suspect that substances, either individually or collectively, are present that may pose a danger to public health, safety and/or the environment.

J.6.1.2 If the site of a proposed use is known or suspected to be contaminated due to its previous use, the Municipality will not approve the development until the proponent has demonstrated that the site has been assessed and if necessary, remediated in accordance with the requirements of Ministry of Environment, Conservation and Parks. The proponent shall have a Record of Site Condition prepared by a qualified professional.

## **J.7 TEMPORARY WAYSIDE PITS AND ASPHALT PLANTS**

### **J.7.1 General Policies**

J.7.1.1 Although the Municipality does not have jurisdiction over temporary wayside pits and asphalt plants, such pits and plants opened for the purpose of public road construction or maintenance are generally permitted. However, these uses are not permitted in the Protected Area land use designation, in the Skyline Reserve or in recognized environmentally sensitive areas.



# **K GENERAL POLICIES**

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## **K.1 AGRICULTURE**

### **K.1.1 Agricultural Uses**

No prime agricultural areas have been identified within the Municipality. However, some agricultural and agriculture-related uses including the production of maple syrup and keeping of trail riding horses and similar uses occur. Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices are permitted in the Municipality outside the Urban Neighbourhood and Lake Temagami Neighbourhood. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the Minimum Distance Separation formulae, as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

### **K.1.2 Minimum Distance Separation**

K.1.2.1 The Provincial Minimum Distance Separation Formulae and Implementation Guidelines, as amended from time to time, shall be used to determine appropriate minimum separation distances between new land uses, and existing agricultural uses and to determine appropriate separation distances between new or expanded livestock facilities and existing non-farm uses. The Minimum Distance Separation Formulae and Implementation Guidelines shall be applied throughout the Municipality.

K.1.2.2 Implementation of the Provincial Minimum Distance Separation Formulae shall not apply to development within a Settlement Area, consents involving existing dwellings and development on closed cemeteries.

K.1.2.3 Minimum Distance Separation Formulae requirements shall be included within the Municipality's Zoning By-law.

## **K.2 LAND USE COMPATIBILITY**

### **K.2.1 General Policies**

K.2.1.1 Sensitive land uses such as residential uses, day care centres, educational facilities and health facilities shall be appropriately buffered and/or separated from major facilities in order to prevent adverse effects from odour, dust, traffic, pests, litter visual impact, noise, and other contaminants. Major facilities include highway and rail corridors, sewage disposal facilities, waste disposal sites, aggregate and mining activities and other industrial uses. Consideration shall be given to the Ministry of Environment, Conservation and Parks D-Series guidelines.

### **K.3 ALTERNATE ENERGY GENERATION SYSTEMS**

#### **K.3.1 General Policies**

K.3.1.1 Private green energy infrastructure, including wind and solar energy generation systems are encouraged by the Municipality, particularly for those residential lots and non-residential facilities that are not on the 'power grid'. In selecting the type and colour of the generation system and the installation location, care should be taken to minimize possible visual impacts on nearby properties. The Zoning By-law shall include provisions related to the siting of private green energy infrastructure in order to ensure the wilderness and semi-wilderness values of the Municipality are preserved. Stand-alone commercial green energy infrastructure projects shall not be permitted in proximity to Lake Temagami and shall not be visible from Lake Temagami.

### **K.4 ADDITIONAL DWELLING UNITS**

#### **K.4.1 Standard Secondary Dwelling Units in the Urban Neighbourhood**

K.4.1.1 This policy applies to the Additional Dwelling Unit policies in the *Planning Act*, for lots serviced with municipal water and sanitary within the Settlement Areas.

K.4.1.2 Within the Urban Neighbourhood, on lots serviced by municipal water and sanitary within the Settlement Areas, standard secondary dwelling units may be permitted in single detached or semi-detached dwellings or townhouses, or in a building or structure ancillary to a single detached or semi-detached dwelling or townhouse provided that:

- a) A maximum of two (2) standard secondary dwelling units are permitted in association with each principal dwelling on the same lot;
- b) Only one (1) standard secondary dwelling unit is permitted to be located within an accessory building;
- c) All requirements of the Zoning By-law, including the provision of adequate parking, of the Building Code and other relevant municipal and Provincial regulations can be satisfied; and,
- d) It has been determined that municipal services and community facilities are adequate to meet the anticipated demand for secondary dwelling units.

#### **K.4.2 Garden Suites**

K.4.2.1 On lots not in the Settlement Area and not on a waterbody a garden suite may be permitted on the same lot as an existing single detached dwelling

unit. Each application will be reviewed for eligibility and other considerations on a case by case basis, including:

- a) Located on a sufficiently large lot to ensure appropriate siting and buffering of the 'garden suite';
- b) Located where appropriate servicing can be provided;
- c) Anticipated that the occupant(s) will generally be elderly relatives of the owners/occupants of the main dwelling; and,
- d) Permitted on a temporary basis through a site specific, temporary use by-law.

### **K.4.3 Definitions of Secondary Dwelling Units**

K.4.3.1 A standard secondary dwelling unit is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas created by an interior renovation or exterior addition to the primary dwelling unit or accommodated within part of an accessory building. Such residential unit is an accessory use to the main dwelling.

K.4.3.2 A cabin secondary dwelling unit is a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas that is the entirety of an accessory building. Such residential unit is an accessory use to the main dwelling.

K.4.3.3 A sleep cabin is an accessory building for sleeping accommodation that is not a residential premises and is an accessory use to the main dwelling, in which a private kitchen or bathroom facilities may be permitted. A sleep cabin is not a secondary dwelling unit.

### **K.4.4 Secondary Dwelling Units**

K.4.4.1 Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Standard secondary dwelling units are permitted in the Urban Neighbourhood and the rural area on non-shoreline residential lots, subject to the policies of this Plan. The Zoning By-law shall contain provisions to regulate the establishment of standard secondary dwelling units and cabin secondary dwelling units. Other than lots referenced in Section K.4.1 of this Plan, where applicable, only one (1) form of secondary dwelling unit shall be permitted.

K.4.4.2 Standard secondary dwelling units may be permitted in single detached dwellings or in a building or structure accessory to a single detached dwelling within the Urban Neighbourhood and the rural area on non-shoreline residential lots. Standard secondary dwelling units may only be

located within an accessory building on lots serviced with municipal water and sanitary within the Settlement Areas.

- K.4.4.3 Standard secondary dwelling units, cabin secondary dwelling units and sleep cabins on non-shoreline residential lots shall only be permitted provided:
- a) All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the standard secondary dwelling unit or cabin secondary dwelling unit and other standards including the Ontario Building Code and other relevant municipal and Provincial regulations can be satisfied;
  - b) It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the secondary dwelling unit;
  - c) A standard secondary dwelling unit or cabin secondary dwelling unit shall not be permitted in the front yard as defined by the Zoning By-law; and,
  - d) The standard secondary dwelling unit or cabin secondary dwelling unit shall comply to all other policies of this Plan.

#### **K.4.5 Sleep Cabins and Cabin Secondary Dwelling Units**

- K.4.5.1 Cabin secondary dwelling units and sleep cabins are permitted on shoreline residential lots subject to the policies of this Plan.
- K.4.5.2 Sleep cabins and cabin secondary dwelling units are permitted on shoreline residential lots within the rural areas of all Neighbourhoods, subject to the following policies and the provisions of the Zoning By-law.
- K.4.5.3 The size and number of sleep cabins and cabin secondary dwelling units on a lot affects the intensity of use on the property. In order to reduce visual impact, sleep cabins and cabin secondary dwelling units should be located no closer to the lake than the main residential dwelling or the minimum front yard setback (minimum distance from shore for shoreline residential lots) specified in the Zoning By-law whichever is the lesser.
- K.4.5.4 Sleep cabins are not permitted in the Urban Neighbourhood except in association with rural residential development.
- K.4.5.5 The maximum number of sleep cabins and cabin secondary dwelling units permitted on a residential lot in the Lake Temagami Neighbourhood is set out in the Zoning By-law.
- K.4.5.6 The total number of sleep cabins and cabin secondary dwelling units shall not detract from the main residential use of the property and shall not

exceed a total of two per lot, only one of which may be a cabin secondary dwelling unit.

K.4.5.7 Cabin secondary dwelling units may be permitted subject to an approved connection to an independent, on-site sewage disposal system. A cabin secondary dwelling unit shall be located on the lot so that the cabin secondary dwelling unit and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a cabin secondary dwelling unit shall be such that the severed and retained lots would conform to the provisions and standards for the Zoning By-law.

K.4.5.8 For the purpose of this section, a boathouse with sleeping accommodations that lawfully existed as of April 18, 2013, is deemed to be a sleep cabin.

## **K.5 HOME OCCUPATIONS**

### **K.5.1 General Policies**

K.5.1.1 Home occupations are permitted on lots within all Neighbourhoods. Home occupations shall only be carried out in part of a residential dwelling and/or part of or all of a building accessory to a dwelling, and shall be incidental to the residential use. The home occupation shall not change the residential character of the dwelling or the character of the dwelling or the lot.

K.5.1.2 Where a home occupation exists on a shoreline property, the sale of goods or the provision of a service shall only be permitted if adequate docking facilities can be provided and an unacceptable level of increased boat traffic does not result, and these activities do not become a nuisance because of noise, fumes, dust, odour, traffic or otherwise interfere with the enjoyment of the residential amenities of the Neighbourhood.

K.5.1.3 Home occupations shall be permitted in accordance with the Zoning By-law, however as a guide, occupations such as small engine repair and minor boat repairs are not considered to be home occupations.

## **K.6 HOME INDUSTRIES**

### **K.6.1 General Policies**

K.6.1.1 Home industries may be permitted in all or part of a building accessory to a dwelling, and/or in part of a single detached dwelling unit on a Residential lot in the Municipality.

K.6.1.2 Home industries shall proceed by way of a rezoning. As part of the rezoning process, Council shall consider the adequacy of the building for the use proposed, the potential impact of the home industry on adjacent residential

areas, the size of the operation, the visual impact from the shore, and the potential for the home industry, including any outside storage to become a nuisance because of noise, fumes, dust, odour, traffic or to otherwise interfere with the enjoyment of the residential amenities of the Neighbourhood, water quality, the environment and other matters as may be set out in the Zoning By-law.

K.6.1.3 There shall be no outside storage associated with the home industry, unless the storage area is limited in size to support the on-site use, and is completely screened and not visible from off site.

K.6.1.4 The Zoning By-law may prescribe minimum shoreline setbacks and vegetative buffer widths for home industry outside storage on water access lots. Relief from any such provisions shall only be considered if it has been demonstrated that due to lot configuration or physical or environmental constraints, it is not possible to comply with the provisions.

K.6.1.5 A Home Industry shall at all times be clearly incidental to the primary residential use of the property and shall be subject to Site Plan Control.

## **K.7 CONTRACTOR'S YARD**

### **K.7.1 General Policies**

K.7.1.1 Contractor's yards may be permitted on a rural residential lot in all Neighbourhoods as an accessory use, subject to an amendment to the Zoning By-law and site plan approval in accordance with the following policies.

K.7.1.2 The contractor's yard shall be used for the outside storage of tools, equipment and in-transit building materials, except noxious or hazardous goods or materials and shall be screened by a solid vegetative buffer from the viewing public.

K.7.1.3 The contractor's yard shall:

- In the case of a lot fronting on a public road, be located in the rear yard;
- In the case of a lot fronting on both a public road and a lake, be located in the yard abutting the road;
- In the case of a water access lot, the contractor's yard may be located in any yard, but shall be screened from view from the shoreline; and,
- At all times be clearly incidental to the primary residential use of the property.

- K.7.1.4 The Zoning By-law may prescribe minimum shoreline setbacks and vegetative buffer widths for contractor's yards on water access lots. Relief from any such provisions shall only be considered if it has been demonstrated that due to lot configuration or physical or environmental constraints, it is not possible to comply with the provisions.

## **K.8 BED AND BREAKFAST ESTABLISHMENTS**

### **K.8.1 General Policies**

- K.8.1.1 A bed and breakfast establishment, licensed by the Municipality, is permitted within a single detached dwelling in the Urban Neighbourhood provided that the physical character of the dwelling is not substantially altered. The single detached dwelling must clearly be the principal use of the land, the owner must live in the dwelling and the bed and breakfast must clearly be an accessory use to the dwelling. Bed and Breakfast accommodation shall not be provided in a sleep cabin or boathouse. The local health unit shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing Zoning By-law shall define a Bed and Breakfast use and the appropriate zone provisions.

## **K.9 WILDLAND FIRE AND FIRESMART**

### **K.9.1 General Policies**

- K.9.1.1 In accordance with the Wildland Fire Risk Assessment and Mitigation Manual provided by the Province, development shall be directed away from areas having hazardous forest types and development applications in areas of high to extreme risk for wildland fire must be supported by a risk assessment that identifies mitigation measures to lower the risk. Refer to Appendix 5 for mapping of the high to extreme risk areas.
- K.9.1.2 The FireSmart Program in Ontario is designed to reduce the risk of wildland fire damage to communities, where development meets forests and other natural areas. The Program aids to enhance public safety, protect property, and promote wildland fire resilient landscapes through education, planning, and community/individual participation.
- K.9.1.3 Land owners are encouraged to review the FireSmart Program in an effort to minimize exposure to potential wildland fires in the Municipality. It is recognized that mitigation measures may be implemented in order to protect against potential wildland fire hazards associated with both new development and alterations associated with existing development. The Municipality shall utilize Site Plan Control to implement recommended

mitigation measures, generally supported by a risk assessment in order to lower the risk to buildings and structures from potential wildland fire risks.

- K.9.1.4 Where there is conflict between the FireSmart principles and the semi-wilderness policies of the Official Plan, efforts should be made through the planning process to ensure risk to public health and safety is mitigated while encouraging the protection of semi-wilderness values.

## **K.10 URBAN DESIGN**

### **K.10.1 General Policies**

- K.10.1.1 The Municipality is committed to strengthening the visual identity of the Municipality, particularly in the downtown core while maintaining the potential for diversity in style, density and form of development. All types of commercial development are encouraged to exhibit a high standard of physical design. The Municipality encourages both proposals for new development and redevelopment in commercial areas to consider the following urban design principles:

- Strengthen the visual identity of the downtown core;
- Consistent building setbacks along Highway 11;
- Appropriate signage for pedestrian and vehicular movement;
- Promote pedestrian friendly designs;
- Provide parking in rear of buildings where possible;
- Uniformity in architectural style;
- Barrier-free design standards;
- The use of native trees for shade / landscaping purposes;
- The use of local building materials such as rock and wood; and,
- Uniformity of landscape architecture elements and site furnishings (i.e., trash receptacles, benches, lighting, signage).



# L IMPLEMENTATION

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## L.1 IMPLEMENTATION

### L.1.1 General Policies

L.1.1.1 This Plan shall be implemented utilizing the powers conferred on the Municipality by the *Planning Act*, the *Municipal Act* and such other statutes as may be applicable. Implementation tools may include but not be limited to the following:

- Zoning By-laws, in conformity with the provisions of this Plan and the *Planning Act*;
- Legislation pursuant to the Municipal and Building Code Acts;
- Subdivision control and Part Lot Control;
- Capital works programs and the construction of public works;
- Site Plan Control;
- Development Permits;
- Building Permits issued only in conformity with the Official Plan, the Zoning By-law and the *Building Code Act*;
- Holding By-laws;
- Temporary Use and Interim Control Bylaws;
- Other enabling legislation including but not limited to the *Environmental Assessment Act*, *Environmental Protection Act*, the *Ontario Water Resources Act*;
- Studies leading to the development of policies, diction, and implementation strategies; and,
- Agreements with the Province for the use and management of Crown Lands.

## L.2 PLANNING ADMINISTRATION

### L.2.1 General Policies

L.2.1.1 In accordance with the *Planning Act*, Council may delegate authority given by the Minister under the *Planning Act* to a Committee of Council or an appointed officer.

L.2.1.2 Council may also delegate authority for granting Minor Variances and/or Consent Granting Authority to a Committee of Adjustment.

L.2.1.3 Council may appoint a Planning Advisory Committee to make recommendations to Council on planning matters

## **L.3 REVIEW AND MONITORING OF THE PLAN**

### **L.3.1 General Policies**

L.3.1.1 The Municipality shall review the Official Plan at regular intervals in accordance with the requirements of the *Planning Act*. When necessary, the Plan shall be revised to reflect the changing needs of the residents of Temagami and to ensure consistency with the Provincial Planning Statement and other Provincial Plans, in accordance with the provisions of the *Planning Act*.

## **L.4 AMENDMENTS TO THE PLAN**

### **L.4.1 General Policies**

L.4.1.1 The Municipality may undertake amendments to the Plan on its own initiative. The Municipality may also consider, at the request of other levels of government, private individuals, companies or organizations, other amendments to this Plan. An amendment to this Plan is required to permit the establishment of uses other than those provided for and to change Settlement Area boundaries in accordance with the policies of this Plan. In considering an amendment to this Plan, the Municipality shall consider the following:

- a) Provincial Planning Statement and other Provincial Plans, legislation and regulations;
- b) The completion of supporting studies, information, and materials that may be required as part of a development application, in accordance with the policies for complete applications in this Plan;
- c) The desirability and appropriateness of changing the Official Plan to accommodate the proposed use in light of the General Development Policies of this Plan;
- d) The objectives and policies of this Plan;
- e) The need for the proposed use including justification for the amount of land proposed for a change in designation based on existing undeveloped lands available for development;
- f) Whether the lands are within or adjacent or in close proximity to fish habitat significant wetlands, significant woodlands, significant valley lands, areas of natural and scientific interest (ANSIs), significant wildlife habitat, significant habitat of endangered and threatened species, other locally significant natural heritage features and areas, and the subsequent results of an Environmental Impact Statement which is required for development and site alteration within or adjacent to these features;
- g) The effect on the economy and financial position of the Municipality;

- h) The compatibility of the proposed use with existing uses or potential uses in adjoining areas and the effect of such use on the surrounding area including the natural environment;
- i) The location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services as required including whether or not logical extensions to services could be provided; and,
- j) The physical suitability of the land for the proposed use.

L.4.1.2 In support of the application, the applicant shall consult with the Municipality and provide the prescribed information and any other information or material that the Municipality considers it may need, as set out in this Plan.

## **L.5 EXISTING USES**

### **L.5.1 General Policies**

L.5.1.1 It is the intent of this Plan that existing uses that do not conform to the provisions of this Plan shall, in the long term, be brought into conformity with this Plan. However, this Plan is not necessarily intended to prevent the continuation, expansion, or enlargement of uses that do not conform to the designations and provisions of this Plan. At its discretion, the Municipality may zone or grant Minor Variances to permit the continuation, expansion or enlargement of legally existing non-conforming uses, or as an exception to permit minor variations of existing uses to similar types of uses, provided that such expansions, enlargement or similar uses:

- a) Have no adverse effect on the present surrounding uses;
- b) Will not detrimentally affect the implementation of this Plan; and,
- c) Will not create or further aggravate a traffic hazard.

### **L.5.2 Non-Conforming Uses and Buildings**

L.5.2.1 Any use of land, buildings and structures that legally existed at the date of adoption of this Plan that do not conform to the land use designation within which it is located, may be recognized in the Zoning By-law as a legal non-conforming use. The enlargement of the lot area of the non-conforming use shall not be permitted. The buildings or structures within which such non-conforming use is located, may be expanded, provided that the expansion would not have a negative impact on the environment or abutting properties and the expansion is in accordance with all provisions of the Zoning By-law.

### **L.5.3 Non-Complying Lots and Buildings**

L.5.3.1 Lots that legally existed at the date of adoption of this Plan that do not comply with the minimum lot frontage and/or lot area requirements of this

Plan or buildings and structures that legally existed at the date of adoption of this Plan that do not comply with one or more zone provisions or standards may be recognized in the Zoning By-law.

L.5.3.2 A use that conforms to the policies of the Official Plan and the provisions of the Zoning By-law may be permitted to develop on a vacant non-complying lot provided that:

- a) The lot is suitable and of sufficient size to accommodate the use proposed and the necessary water and sewage disposal systems;
- b) The lot is in general character with the surrounding lots;
- c) The environmental and development constraints policies of the Plan can be addressed; and,
- d) Any other policies of this Plan respecting the development of an existing lot are satisfied.

L.5.3.3 The expansion of a non-complying building or structure may be permitted provided that the non-compliance is not exacerbated by the expansion and/or a new non-compliance is not created.

L.5.3.4 The Municipality may require the preparation of a site evaluation report to ensure that these matters can be properly addressed and that the lot, building and structure are suitable for the development proposed.

L.5.3.5 The adherence to coverage provisions, careful siting of development and maintenance or restoration of vegetation on existing undersized lots, particularly in the waterfront and rural areas, will be required and implemented through the Zoning By-law and Site Plan Control to ensure that the intent of the Official Plan is maintained.

## **L.6 NOTIFICATION AND CONSULTATION**

### **L.6.1 Public Notice**

L.6.1.1 The Municipality shall provide notification of any *Planning Act* application, in accordance with the requirements of the *Planning Act*. Public notice shall take into consideration the geographic and temporal considerations of all ratepayers in the Municipality.

### **L.6.2 Public Consultation**

L.6.2.1 By using a variety of techniques, the Municipality shall encourage and provide the opportunity for public participation, when the Municipality is considering changes to this Plan, in accordance with the provisions of this Plan and the requirements of the *Planning Act*. Equitable participation in the land use planning process will be promoted.

L.6.2.2 The Municipality shall establish the public consultation program it feels will best be able to deal with the matters before it, recognizing that there are many non-permanent residents in the Municipality. Innovative methods to overcome barriers faced by seasonal residents will be developed to improve the municipal public consultation processes as well to facilitate the active participation of residents in the decision making process.

### **L.6.3 Public Education**

L.6.3.1 Council may undertake a program of planning education for all the residents of the Municipality whenever opportunities may arise and shall be satisfied that an adequate level of public understanding of the Plan exists at the time of formal approval and with any future amendments to the Plan, as they arise.

### **L.6.4 Indigenous Communities**

L.6.4.1 The Municipality shall notify the Band Council of the Indigenous Community of a complete application for Official Plan or Zoning By-law Amendment, Minor Variance, or land division (Subdivision, Condominium or Consent) which is proposed within the Municipality. The Municipality may notify the Indigenous Community of an application that has been received for pre-application consultation.

L.6.4.2 Upon the request of the Indigenous Community, the Municipality will provide the Indigenous Community with copies of any supporting studies or documentation submitted in support of an application. Requests for supporting studies or documentation are more likely for applications such as a large-scale plan of subdivision or a change of use. The Municipality may require proponents to provide additional copies of supporting studies or documentation for the purpose of circulation to the Indigenous Community.

## **L.7 COMMUNITY IMPROVEMENT**

### **L.7.1 General Policies**

L.7.1.1 The Municipality, may by By-law, designate land in the Municipality as a 'Community Improvement Project Area' and will prepare a plan for that project area. The following matters should be considered in the preparation of a community improvement project plan:

- a) The basis for the selection of the project area;
- b) The boundary of the area;
- c) The land use designations and intent of the Official Plan;
- d) The nature of existing land uses, the physical condition of the buildings and structures;

- e) The existing level of services and the nature of improvements proposed to municipal infrastructure, such as roads, water supply, sanitary and stormwater sewers, public utilities, and other community and recreational facilities;
- f) The identification of properties proposed for acquisition and/or rehabilitation;
- g) The phasing of improvements to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses; and,
- h) The estimated costs, means of financing, and the potential for stimulating private sector investment and an improved municipal tax base.

## **L.8 LAND DIVISION**

### **L.8.1 Introduction**

L.8.1.1 The preferred means of lot creation shall be by Plan of Subdivision. Where a limited number of lots are proposed, new lots may be created by Consent or by other mechanisms available under the *Planning Act*. New Plans of Subdivision shall not be permitted in the Lake Temagami Neighbourhood or on lakes in other Neighbourhoods.

### **L.8.2 Consents to Sever Patented Land**

L.8.2.1 The Municipality of Temagami has consent granting authority to sever Patented Land. Applications to create new parcels on Crown Land shall proceed in accordance with the Province's planning process however, the Municipality encourages the Province to consider the policies of each Neighbourhood and this Section during its deliberations.

L.8.2.2 Consents to sever land for the purpose of creating a new building lot shall only be granted where:

- a) The intended use of the severed and retained parcels conform with the intent and policies of this Plan;
- b) Generally the number of new lots created does not exceed three (3);
- c) A registered Plan of Subdivision is not required;
- d) The size and dimensions of the severed and retained parcels comply to the provisions of the Zoning By-law;
- e) The application represents an orderly and efficient use of land and the severance would not hinder development of the retained lands;
- f) The size and dimensions of the severed parcel and the retained parcel, are adequate to accommodate the proposed use or uses;
- g) Demonstrated ability that the dock locations are suitable by study and/or approval by the appropriate authority;

- h) The lot shall be subject to Site Plan Control which shall include:
  - o Visual screening, setbacks, protection of vegetation, and landscaping;
  - o Utilization of existing vegetation and topography to minimize visual impacts;
  - o Lots with sparse or no vegetative buffer where the siting of buildings or structures have the potential for significant visual impact;
  - o Buildings and structures located in the shoreline activity area;
  - o Rehabilitation of vegetation disturbed due to construction and
  - o Mitigation techniques to minimize impacts on surrounding development and uses.
- i) Adequate access to the severed and retained parcel can be provided;
- j) If located within 500 metres of a known sanitary landfill site, a D4 Study has been completed in accordance with Provincial requirements;
- k) Suitable lake access and adequate vehicle parking is available;
- l) Where central sewage and water facilities are not available, it has been established that the soil and drainage conditions on the severed and retained parcels are suitable or can be made suitable to permit the proper siting of buildings and the installation of an approved water supply and Class IV or VI sewage disposal systems;
- m) Where a water well is proposed, the well shall be established and quality and quantity standards proven prior to final consent is granted;
- n) The applicant, when required, has provided a study or studies acceptable to the Municipality that include an inventory of all existing natural and cultural heritage features both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- o) The financial impacts on the Municipality have been considered;
- p) The intended use is a permitted use in accordance with this Plan;
- q) The applicant, when required, shall provide a study or studies acceptable to the Municipality that may include any of the required studies identified in the required studies section of this Plan;
- r) Demonstration that the proposed lots have regard to Section 51(24) of the *Planning Act*;
- s) Access to Provincial Highway or Maintained Municipal Road or Water access is provided. Or, the new lot is located on a private

road and is within two (2) kilometres of a highway or maintained municipal road or is an infill lot between existing lots of record. All development on a private road shall demonstrate legal access and shall enter into a limited service agreement;

- t) Where access to the lot is by water, adequate long term parking and docking facilities and a receiver for garbage shall be secured to the satisfaction of the Municipality;
- u) For waterfront lots, demonstration of a suitable dock locations; and,
- v) The lot shall be subject to Site Plan Control.

### **L.8.3 Crown Land Consent Policies**

L.8.3.1 In addition to the above policies, the following policies also apply to tenure created by the Crown for residential uses:

- a) In order to preserve the privacy of neighbouring properties and to mitigate auditory and visual intrusion, a Crown Land buffer area shall be maintained between existing and new lots, as set out in the Zoning By-law. Notwithstanding the intent of the buffer policy, individual undeveloped Crown islands may be considered for single ownership development provided the other policies of this Plan and the provisions of the Zoning By-law can be met;
- b) The lot created by the Crown shall be located at least a minimum distance from any public access point accessible by motor vehicle, as set out in the Zoning By-law;
- c) The lot shall be located at least 500 metres from an existing tourist lodge;
- d) The lot shall be subject to a Zoning By-law Amendment;
- e) The lot shall be located at least 500 metres from other land uses/activities such as approved campsites, trails, portages, beaches and 120 metres from spawning areas, and cultural heritage sites;
- f) The lot shall be at least 200 metres straight line distance from a residential lot;
- g) The lot shall be located to avoid sites on narrow boat channels and/or major canoe routes; and,
- h) The lot shall be subject to the policies of G.8.1 of this Plan.

### **L.8.4 Urban Neighbourhood**

L.8.4.1 In addition to the provisions of Section L.8.2, Consents to sever land for the purpose of creating a new building lot in the Urban Neighbourhood shall also be subject to the following:

- a) The severed and retained parcels front on and have access to a municipal road that is maintained on a year round basis;



- b) Access to the severed or retained parcels shall not create, or increase, an existing traffic hazard due to limited site lines; and,
- c) Where the severed or retained parcel obtains its access from a Provincial highway, approval of the access point shall be obtained from the Ministry of Transportation.

## **L.8.5 Plan of Subdivision**

L.8.5.1 A plan of subdivision is required when generally more than three residential lots are being created or when a new municipal road will be created, or when the extension of an existing municipal road will occur, or when and extension to municipal water and/or sewer services is necessary to support the development. In considering a draft Plan of Subdivision, regard shall be had, among other matters, to the health, safety and welfare of the present and future inhabitants of the Municipality. In considering an application for approval of a draft plan of subdivision, the Municipality shall have regard to, and the applicant shall provide information to address to the satisfaction of the Municipality the matters outlined in Section 51(24) of the *Planning Act* and the following:

- a) All existing natural and cultural heritage features and functions within and adjacent to the subject lands both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- b) The area of land that is to be conveyed or dedicated for public purposes; and,
- c) The financial impact on the Municipality.

L.8.5.2 Prior to filing a formal subdivision application, the applicant should undertake a pre-consultation meeting with municipal staff and commenting agencies to ensure that all required supporting studies and documentation are identified and prepared by the applicant.

L.8.5.3 The Municipality may require that the applicant provide any other information or material that the Municipality considers it may need to adequately consider the application.

L.8.5.4 The Municipality shall attach to the approval of a Plan of Subdivision such conditions it deems appropriate.

## **L.8.6 Plan of Condominium**

L.8.6.1 In considering a Plan of Condominium, regard shall be had, among other matters, the requirements of Section 51(24) of the *Planning Act* and the following:

- a) The *Condominium Act*, other Provincial legislation, policies, regulations and guidelines;
- b) Provision of adequate sewage and water service, amenities and public facilities;
- c) Impact on the transportation system and adjacent land uses;
- d) The condominium, condominium units and common elements are suitable for their intended use and implement the requirements of the implementing Zoning By-law;
- e) The feasibility of the proposal with regard to the other provisions of this Plan, Provincial legislation, policies, regulations and guidelines and supporting studies for the use proposed.
- f) All existing natural and cultural heritage features and functions within and adjacent to the subject lands both on the site and in the water adjacent to the site, including the shoreline characteristics such as type of littoral community and physical characteristics, the anticipated impact of the development and any measures proposed to mitigate the anticipated impacts of the development on the features;
- g) The area of land that is to be conveyed or dedicated for public purposes; and,
- h) The financial impact on the Municipality.

L.8.6.2 Prior to filing a formal condominium application, the applicant should undertake a pre-consultation meeting with municipal staff and commenting agencies to ensure that all required supporting studies and documentation are identified and prepared by the applicant.

L.8.6.3 The Municipality may require that the applicant provide any other information or material that the Municipality considers it may need to adequately consider the application. The Municipality shall attach to the approval of a Plan of Condominium such conditions it deems appropriate.

## **L.9 ZONING BY-LAW**

### **L.9.1 General Policies**

L.9.1.1 This Plan shall be implemented, in part, through the enactment of a Zoning By-law in accordance with Section 34 of the *Planning Act*.

L.9.1.2 Council may, in accordance with the provisions of Section 34 (16) of the *Planning Act* impose conditions in any by-law passed that regulates the use of land or the erection, location or use of buildings or structures, once regulations come into effect to support Zoning with conditions.

L.9.1.3 The size of a dwelling, combined with its location, will have a direct effect on the visual impact of the development. As such, the Zoning By-law may provide standards to limit dwelling size. Dwelling size may be regulated

through a combination of restrictions on the total footprint, floor area, width and height, combined with building setback and landscaping standards.

## **L.10 HOLDING ZONES**

### **L.10.1 General Policies**

L.10.1.1 In accordance with the provisions of the *Planning Act*, the Municipality may utilize a holding symbol '(H)'.

L.10.1.2 The holding symbol may be used anywhere in the Municipality in situations where the specific future use of the land is known or determined to be appropriate, but the development of the land is premature until a specific requirement is met. Demonstration of adequate services or Site Plan Control are common reasons that a holding symbol is used.

## **L.11 INTERIM CONTROL BY-LAWS**

### **L.11.1 General Policies**

L.11.1.1 The Municipality may pass Interim Control By-laws pursuant to the provisions of the *Planning Act* where the Municipality has directed that a review or study be undertaken of land use planning policies in the Municipality or a defined area of the Municipality.

## **L.12 TEMPORARY USE BY-LAWS**

### **L.12.1 General Policies**

L.12.1.1 The Municipality may pass By-laws pursuant to the provisions of the *Planning Act* in order to authorize the temporary use of any land, buildings or structure.

L.12.1.2 A By-law authorizing a temporary use shall define the area to which it applies and set out the period of time for which the authorization shall be in effect but shall not exceed three years from the day of passing of the By-law. The Municipality may through a By-law, grant further periods of not more than three years each during which the temporary use is authorized. Once the by-law or extending by-law(s) has lapsed, the use shall cease and otherwise will be in contravention of the Zoning By-law.

L.12.1.3 Prior to the approval of a Temporary Zoning By-law, the Municipality shall be satisfied that the following is met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in

reverting to the original use upon the termination of the temporary use provisions;

- b) The proposed use shall not be incompatible with adjacent land uses and the character of the surrounding area;
- c) The proposed use shall not require the extension or expansion of existing municipal services;
- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the Municipal roads; and,
- e) Parking facilities required by the proposed use shall be provided entirely on-site.

L.12.1.4 Notwithstanding the policies contained in this Plan, the Municipality may authorize the temporary use of land which may not comply with the land use designation as established by the Official Plan, provided that such temporary use is determined to not have any detrimental effect upon the existing land uses in the area.

## **L.13 CLIMATE CHANGE ACTION PLAN**

### **L.13.1 General Policies**

L.13.1.1 The Municipality may develop a Climate Action Plan and/or Climate Change Adaptation Plan to implement climate change initiatives in the Municipality.

## **L.14 SITE PLAN CONTROL**

### **L.14.1 General Policies**

L.14.1.1 The Municipality shall enact a Site Plan Control By-law that recognizes all areas as being subject to Site Plan Control. The Site Plan Control By-law may establish uses or circumstances that do not require the execution of a Site Plan Control Agreement.

L.14.1.2 Prior to submitting an application for site plan approval, the applicant shall pre-consult with the Municipality.

L.14.1.3 Under Section 41 (7) of the *Planning Act*, and as a condition of granting Site Plan approval, Council may require the owner of a parcel of land to provide certain information, maintain certain works or facilities and enter into certain agreements with the Municipality. Some of the considerations that the municipality will have due regard for during the site approval process are:

- a) The preservation of the natural viewscape and landscape;
- b) The design of structures to ensure they are harmonious with the terrain and neighbourhood;
- c) That traffic areas and parking areas are safe and convenient; and,

- d) That surface water drainage will not negatively impact neighbouring properties.

L.14.1.4 The entire area covered by this Plan is hereby designated as a proposed Site Plan Control Area.

L.14.1.5 The Municipality may, through By-law, designate the whole or any part of the Municipality as a Site Plan Control Area.

L.14.1.6 In addition to detailing the location of buildings and structures, entrance locations, parking and loading spaces, the Site Plan Agreement shall address:

- a) The location of existing natural trees, shrubs and ground cover vegetation to be removed and retained;
- b) The re-vegetation plan to take place during the post-construction and the timing of such re-vegetation; and,
- c) The location of view/ventilation/access corridors from the shoreline to the buildings and structures on the site.

## **L.15 SHARING ECONOMY**

### **L.15.1 General Policies**

L.15.1.1 The Municipality may use the tools available under the *Planning Act* and *Municipal Act* to regulate areas of the sharing economy.

## **L.16 FINANCIAL IMPACT DEVELOPMENT**

### **L.16.1 General Policies**

L.16.1.1 It is the policy of the Municipality that new development shall bear the full cost of its share of growth related capital costs.

L.16.1.2 It is the policy of the Municipality not to undertake any actions that would place the Municipality at financial risk.

L.16.1.3 It is the policy of the Municipality to ensure that municipal costs attributable to new development are recovered through development charge levies or any other method of financing, in accordance with the *Development Charges Act*, the *Municipal Act* and/or any other applicable statutes.

L.16.1.4 It is the policy of the Municipality, in reviewing any development proposal to consider the following matters to determine its financial impact on the municipality:

- a) The effect of the proposal on the municipal general tax levy;
- b) the potential revenue-generating ability of the proposal; and,

- c) Any other financial considerations that the Municipality may deem necessary.

## **L.17 CASH-IN-LIEU OF PARKLAND**

### **L.17.1 General Policies**

L.17.1.1 Cash-in-lieu of parkland is authorized by the *Planning Act* for park or public recreational uses. Cash-in-lieu may be required for residential severances or residential subdivisions at the rate of 5% or for commercial or industrial severances at the rate of 2%.

L.17.1.2 For the purpose of calculating cash-in-lieu under Section 42 of the *Planning Act*, the value of the land shall be determined:

- a) The day an application for approval of development in a Site Plan Control area was made in respect of the development or redevelopment;
- b) If clause a) does not apply, the day an application for a Zoning By-law Amendment was made in respect of the development or redevelopment; or
- c) If neither clause a) nor clause b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.

Construction of a building on the land to be developed or redeveloped shall not commence unless the cash-in-lieu payment has been made or arrangements for payment have been made to the satisfaction of Council.

L.17.1.3 For the purpose of calculating cash-in-lieu under Sections 51 and 53 of the *Planning Act*, the value of the land shall be determined as of the day before the day of approval of the draft Plan of Subdivision or the day before the granting of the provisional Consent is given.

## **L.18 MAINTENANCE AND OCCUPANCY BY-LAWS**

### **L.18.1 General Policies**

L.18.1.1 It is the policy of the Municipality to pass By-laws establishing minimum standards of maintenance and occupancy to conserve, sustain and protect the existing and future development in the Municipality.

## **L.19 TREE REMOVAL & BLASTING**

### **L.19.1 General Policies**

- L.19.1.1 The Municipality may, from time to time, utilize the provisions of the *Municipal Act* to regulate or prohibit the destruction or injuring of trees or the removal of rock.

## **L.20 PUBLIC WORKS**

### **L.20.1 General Policies**

- L.20.1.1 The construction of public works shall be used to implement the policies of this Plan.
- L.20.1.2 No public works shall be carried out and no By-law shall be passed under the provisions of the *Planning Act* that are not in conformity with this Plan.

## **L.21 SITE ALTERATION BY-LAW**

### **L.21.1 General Policies**

- L.21.1.1 The Municipality may pass a Site Alteration By-law when substantial alterations to the natural landscape are proposed or development is proposed in or adjacent to natural heritage features and areas.

## **L.22 SEWER AND WATER ALLOCATION**

### **L.22.1 General Policies**

- L.22.1.1 When vacant lots that have been allocated sewer and/or water capacity remain vacant, the Municipality may re-allocate water and/or sewer capacity, as required to permit other development.
- L.22.1.2 Where municipal sewer and water capacity has been re-allocated from vacant lots, Council shall place these vacant lots in a Holding Zone until such time that sewer and water capacity becomes available.
- L.22.1.3 Council shall not draft approve any new lot or unit development by way of consent, plan of subdivision or condominium in the Municipality without first confirming there is sufficient existing sewer and water capacity available to provide the development with full municipal services. If there is capacity in only one of the two municipal systems, draft approval shall not be granted on the basis of partial services, except where necessary to address failed services, or because of physical constraints.

## **L.23 PRECONSULTATION**

### **L.23.1 Pre-Application Consultation**

- L.23.1.1 If a person or public body files *Planning Act* application, the person or public body should and is encouraged to consult with the Municipality, prior to submitting a formal application, to among other things determine the information required in support of the application.
- L.23.1.2 The Municipality may enact a Pre-consultation By-law that prescribes a pre-consultation process for the Municipality.

## **L.24 COMPLETE APPLICATION**

### **L.24.1 General Policies**

- L.24.1.1 Certain supporting studies, information and materials shall be required as part of a development application, as identified throughout this Plan. The need, extent, and timing of such supporting studies, information and materials shall be determined by the Municipality on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.
- L.24.1.2 Applicants seeking development approval shall participate in a pre-application consultation meeting to determine the information, supporting studies, and application materials that will be required as part of a complete application.
- L.24.1.3 The following information and supporting studies may be identified during pre-application consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance in accordance with accepted professional standards and/or guidelines, as applicable:
- Deed and/or Offer of Purchase;
  - Topographic Plan of Survey;
  - Site Plan (Conceptual);
  - Floor Plan and/or Elevations;
  - Record of Site Condition (RSC);
  - Municipal Financial Impact Statement;
  - Draft Plan of Subdivision;
  - Condominium Description; and/or,
  - Other information relevant to the development and lands impacted by the proposed development;
  - Owner's authorization, where agents are making applications;
  - Planning Rationale Report;
  - Retail Market Impact Study;
  - Urban Design Study;
  - Archaeological Study;



- Hydrogeological Study;
- Groundwater Impact Study;
- Environmental Impact Statement;
- Phase I Environmental Site Assessment (ESA);
- Approved Class Environmental Assessment;
- Noise and/or Vibration Study;
- Transportation Impact Study;
- On-Street Parking Study;
- Geotechnical Study;
- Functional Servicing Report;
- Stormwater Management Plan;
- Comprehensive Development Master Plan;
- Heritage Impact Study;
- Tree Survey and Protection Report including a Tree Retention Plan;
- Lot grading and Drainage Report;
- Lighting Study;
- Lakeshore Capacity Assessment as per the Provincial Lakeshore Capacity Assessment Handbook;
- Aggregate Impact Assessment; and,
- Other supporting studies or information relevant to the development and lands impacted by the proposed development.

L.24.1.4 Supporting studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications shall be advised in writing by the Municipality of the required supporting study contents during the pre-consultation process.

L.24.1.5 At the discretion of the Municipality, supporting studies may be peer reviewed at the cost of the development proponent.

L.24.1.6 The following additional materials may be identified during pre-consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance:

- Completed application form;
- Current application fee; and,
- Draft proposed amendment, including schedules and text.

L.24.1.7 Under the provisions of the *Planning Act*, when the pre-consultation process for a proposed development approval application identifies the need for information, supporting studies, and materials, the application shall not be considered complete for processing purposes until the required information,

supporting studies, and materials is prepared and submitted to the satisfaction of the Municipality.

- L.24.1.8 Notification of a complete application shall be given in writing to the applicant and all other parties by the Municipality in accordance with the *Planning Act*.
- L.24.1.9 The Municipality shall ensure that information, supporting studies, and materials provided by an applicant as part of a complete application shall be made available to the public for review.
- L.24.1.10 While the need for additional studies may emerge through the circulation of the application, it is intended that at the conclusion of the pre-consultation meeting, the potential applicant will know what studies and material needs to be filed with the application to have a complete application.

# **M INTERPRETATION**

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## **M.1.1 GENERAL**

M.1.1.1 Unless otherwise specified in this Plan, major deviations from the provisions of the text and Schedules A, B1, B2, C and D of this Plan shall require an amendment to this Plan. The Appendices are for information and do not form part of the Plan.

M.1.1.2 In order to provide for flexibility in the interpretation of the numerical figures and quantities in the text, it is intended that such figures and quantities be considered to be approximate. However, where a maximum number of lots is specified, these are not flexible and are not subject to interpretation.

M.1.1.3 The examples of permitted uses are included in this Plan to illustrate the range of activities permitted in each designation. Specific uses shall be defined in the implementing Zoning By-law but shall not alter the intent of this Plan.

M.1.1.4 In the case of a perceived discrepancy between policies, the more restrictive policy shall apply.

## **M.1.2 Editorial Changes**

M.1.2.1 Council may make editorial changes to the Plan without notice and without amendment to this Plan to correct grammatical or reference errors, Ministry/agency change in name or function, punctuation, or to alter formatting, numbering, sequence or arrangement provisions, provided there is no change to any meaning, intent or interpretation of the Plan, including the Schedules.

## **M.1.3 Schedules**

M.1.3.1 Schedules A, B1, B2, C and D demonstrate the extent of the land use designations. Where the boundaries of the land use designations abut a road, railway, transmission line, lake or watercourse, or any other physical feature, it is intended that these boundaries coincide with these features. In the backcountry area where boundaries of land use designations are not defined by identifiable physical features, boundaries shall be established by scaling from the Schedules. However, in doing so caution should be exercised. It is not the intent of this Plan that a distance scaled on a Schedule should be interpreted as a precise distance. There is some degree of flexibility in interpreting the location of a feature, if the only way of determining its location is through a measurement on a Schedule.

M.1.3.2 The boundaries between features shown on Schedules A, B1, B2, C and D are approximate except where they coincide with roads, railway lines, rivers,

transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan.

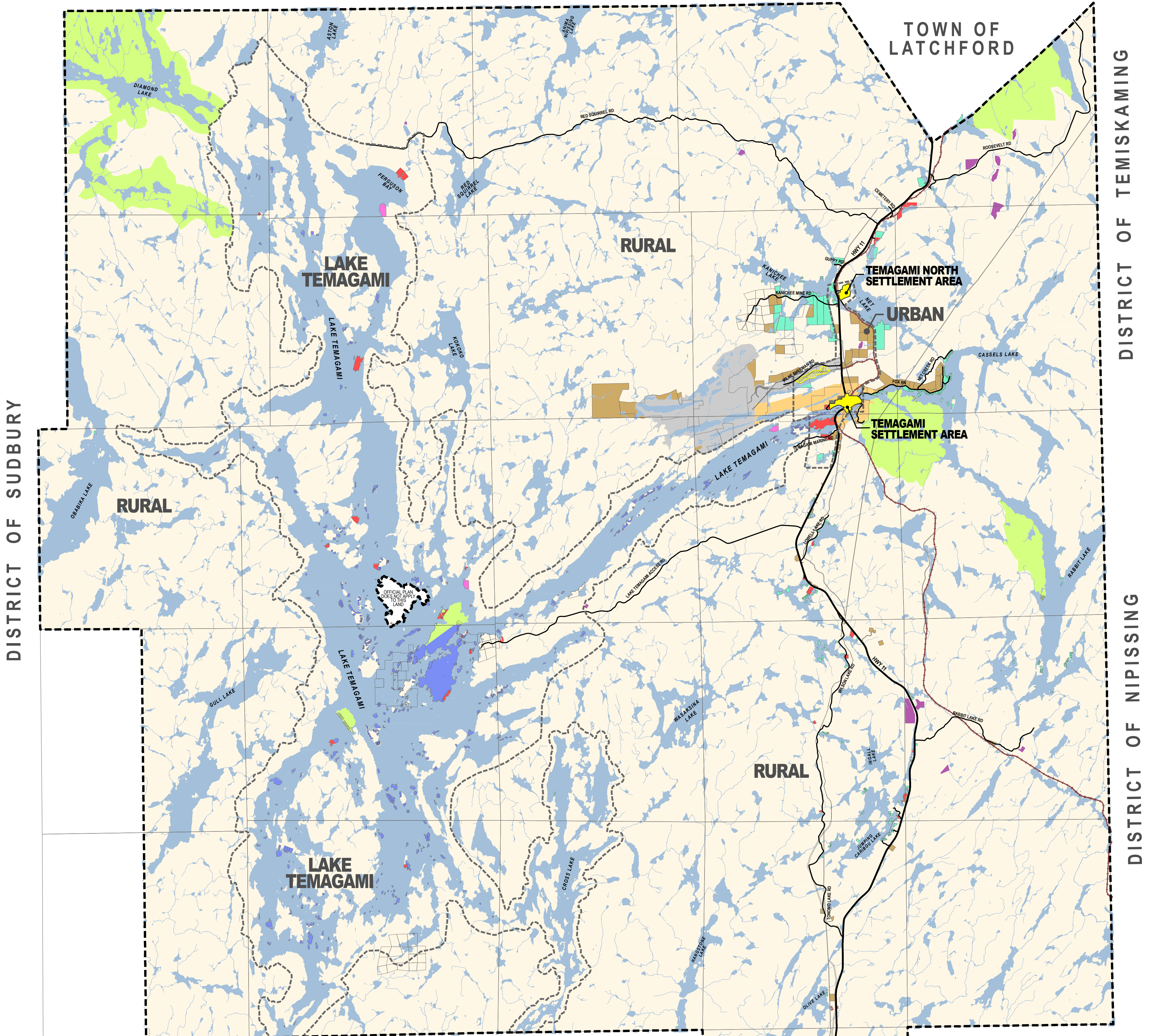
- M.1.3.3 Changes as a result of new information shall be made to Schedules A, B1, B2, C and D without amendment to this Plan.
- M.1.3.4 All lands whose surface rights remain in Crown ownership are designated as Crown Land, or if within a Provincial Park or Conservation Area, Crown Land – Protected Area, despite any designation to the contrary on Schedule A.

# MUNICIPALITY OF Temagami

## SCHEDULE 'A' LAND USE



DISTRICT OF TEMISKAMING



DISTRICT OF SUDBURY

TOWN OF LATCHFORD

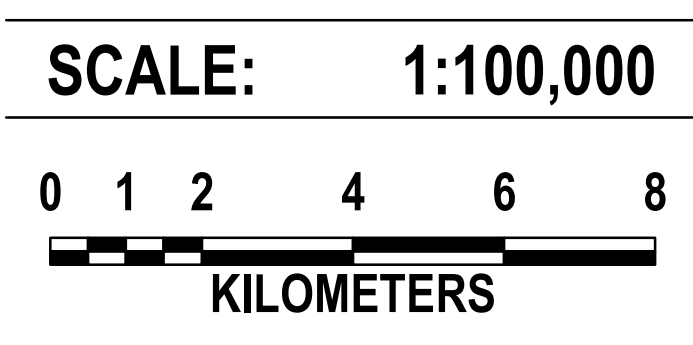
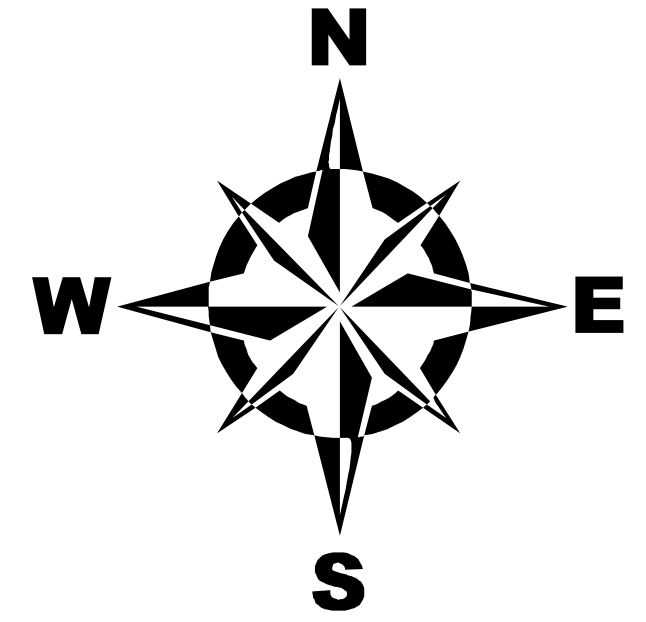
DISTRICT OF TEMISKAMING

DISTRICT OF NIPISSING

DISTRICT OF NIPISSING

### LEGEND

- |                                   |   |
|-----------------------------------|---|
| MUNICIPALITY OF TEMAGAMI BOUNDARY | RURAL                                       |
| GEOGRAPHIC TOWNSHIP / PARCEL      | RESIDENTIAL WATERFRONT                      |
| NEIGHBOURHOOD BOUNDARY            | RESIDENTIAL WATERFRONT - LAKE TEMAGAMI      |
| RAILWAY                           | RESTRICTED RURAL/WATERFRONT - LAKE TEMAGAMI |
| HIGHWAY                           | TOURIST COMMERCIAL                          |
| LOCAL ROAD                        | INDUSTRIAL                                  |
| WATERCOURSE                       | MINERAL AGGREGATE                           |
| WATERBODY                         | FUTURE DEVELOPMENT AREA                     |
| SPECIAL INDUSTRIAL DESIGNATION    | CROWN LAND                                  |
| SETTLEMENT AREA                   | CROWN LAND - PROTECTED AREA                 |



MAP PROJECTION: NAD 1983 UTM ZONE 17N

THE MUNICIPALITY OF TEMAGAMI DOES NOT WARRANT THE ACCURACY, COMPLETENESS, CONTENT, OR CURRENCY OF THE INFORMATION PROVIDED.

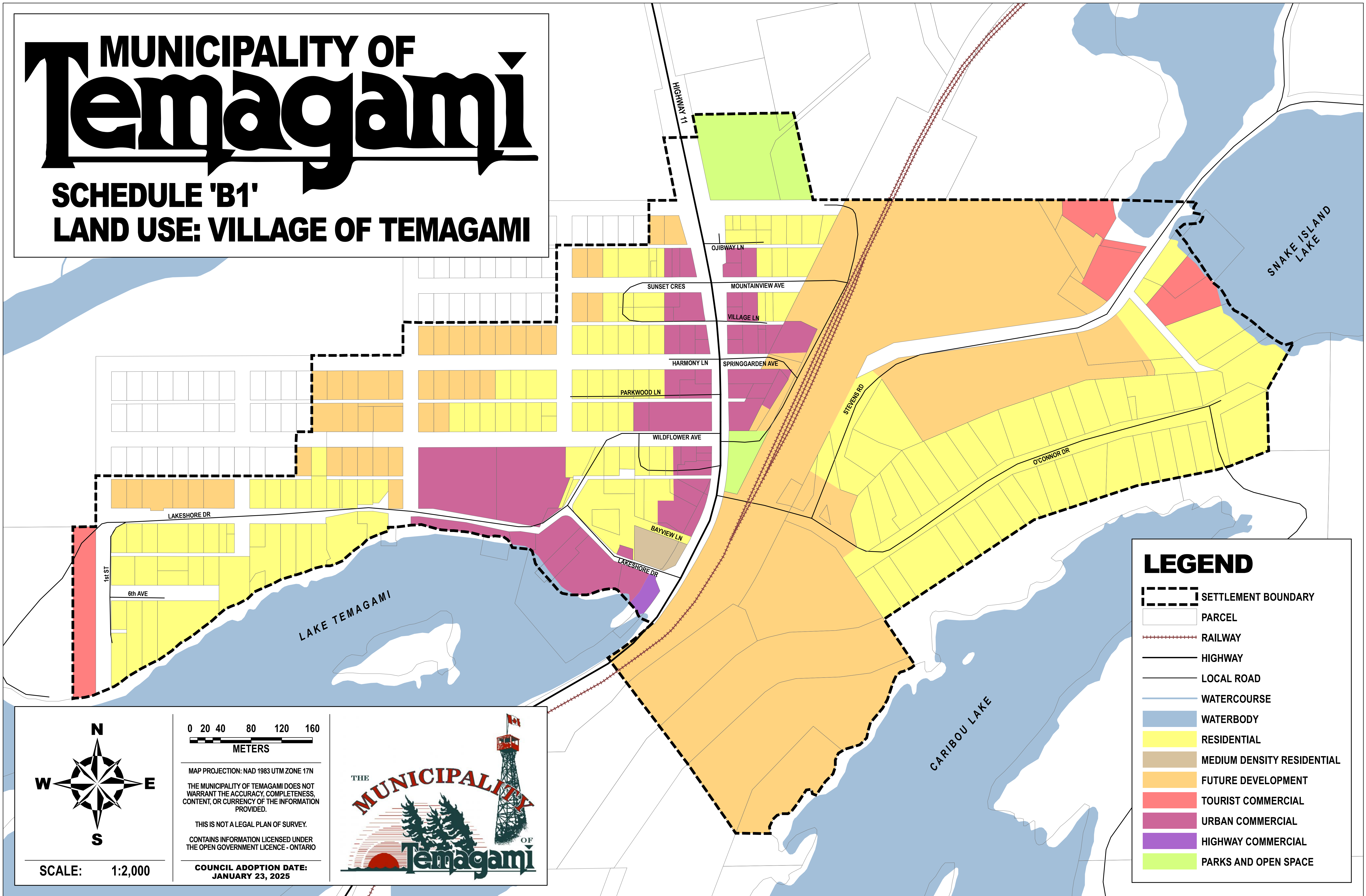
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COUNCIL ADOPTION DATE:  
JANUARY 23, 2025

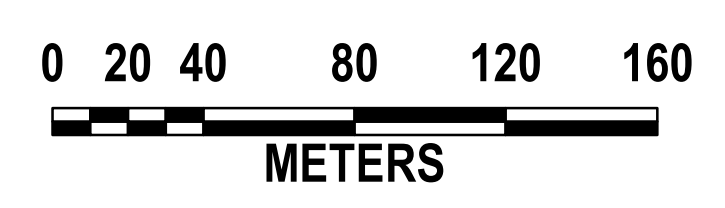
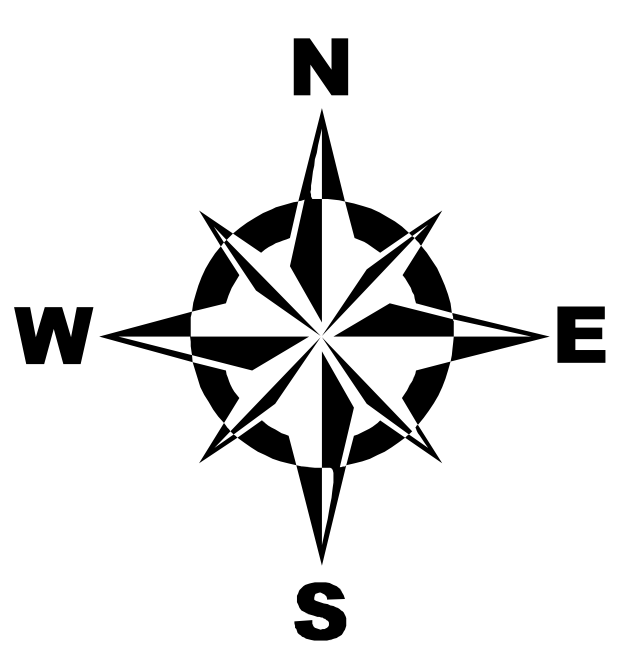
# MUNICIPALITY OF Temagami

## SCHEDULE 'B1' LAND USE: VILLAGE OF TEMAGAMI



### LEGEND

- SETTLEMENT BOUNDARY
- PARCEL
- RAILWAY
- HIGHWAY
- LOCAL ROAD
- WATERCOURSE
- WATERBODY
- RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- FUTURE DEVELOPMENT
- TOURIST COMMERCIAL
- URBAN COMMERCIAL
- HIGHWAY COMMERCIAL
- PARKS AND OPEN SPACE



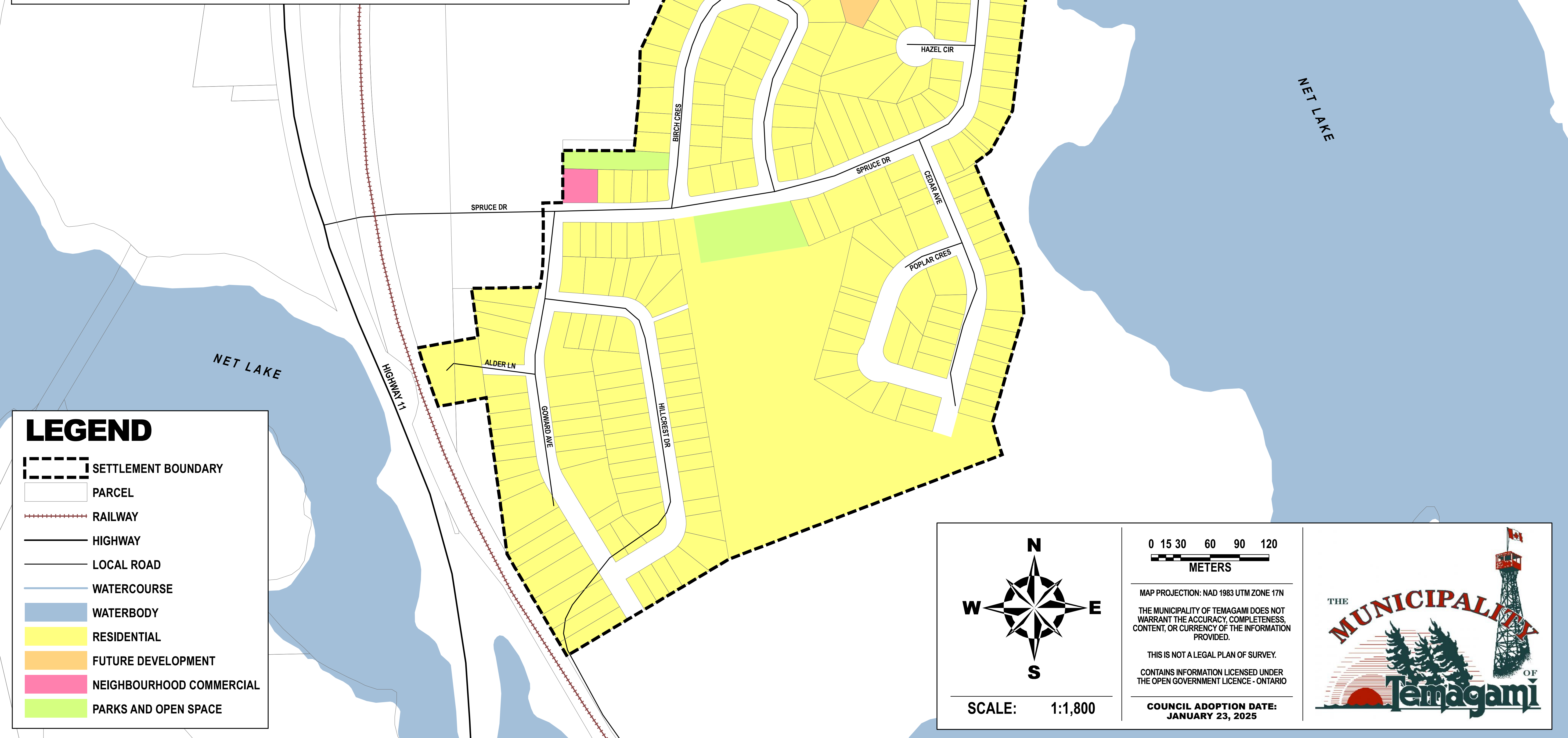
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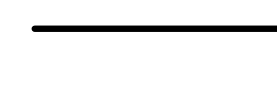
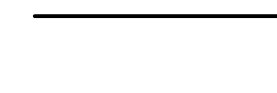





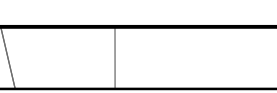
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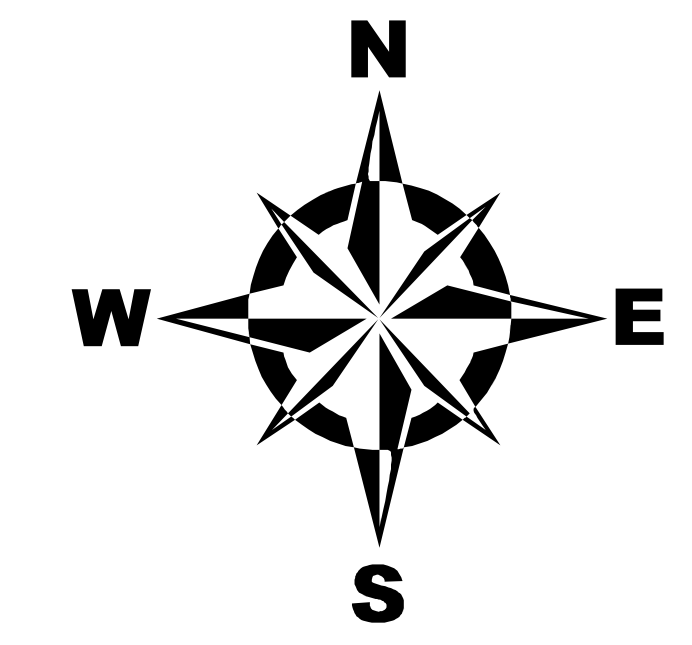
# MUNICIPALITY OF Temagami

## SCHEDULE 'B2' LAND USE: TEMAGAMI NORTH

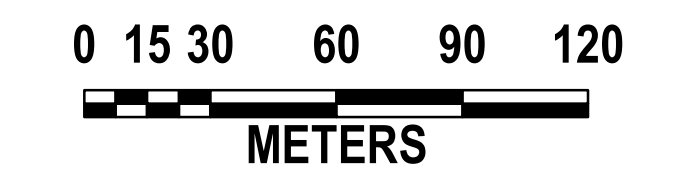


### LEGEND

-  SETTLEMENT BOUNDARY
-  PARCEL
-  RAILWAY
-  HIGHWAY
-  LOCAL ROAD
-  WATERCOURSE
-  WATERBODY
-  RESIDENTIAL
-  FUTURE DEVELOPMENT
-  NEIGHBOURHOOD COMMERCIAL
-  PARKS AND OPEN SPACE



SCALE: 1:1,800



MAP PROJECTION: NAD 1983 UTM ZONE 17N  
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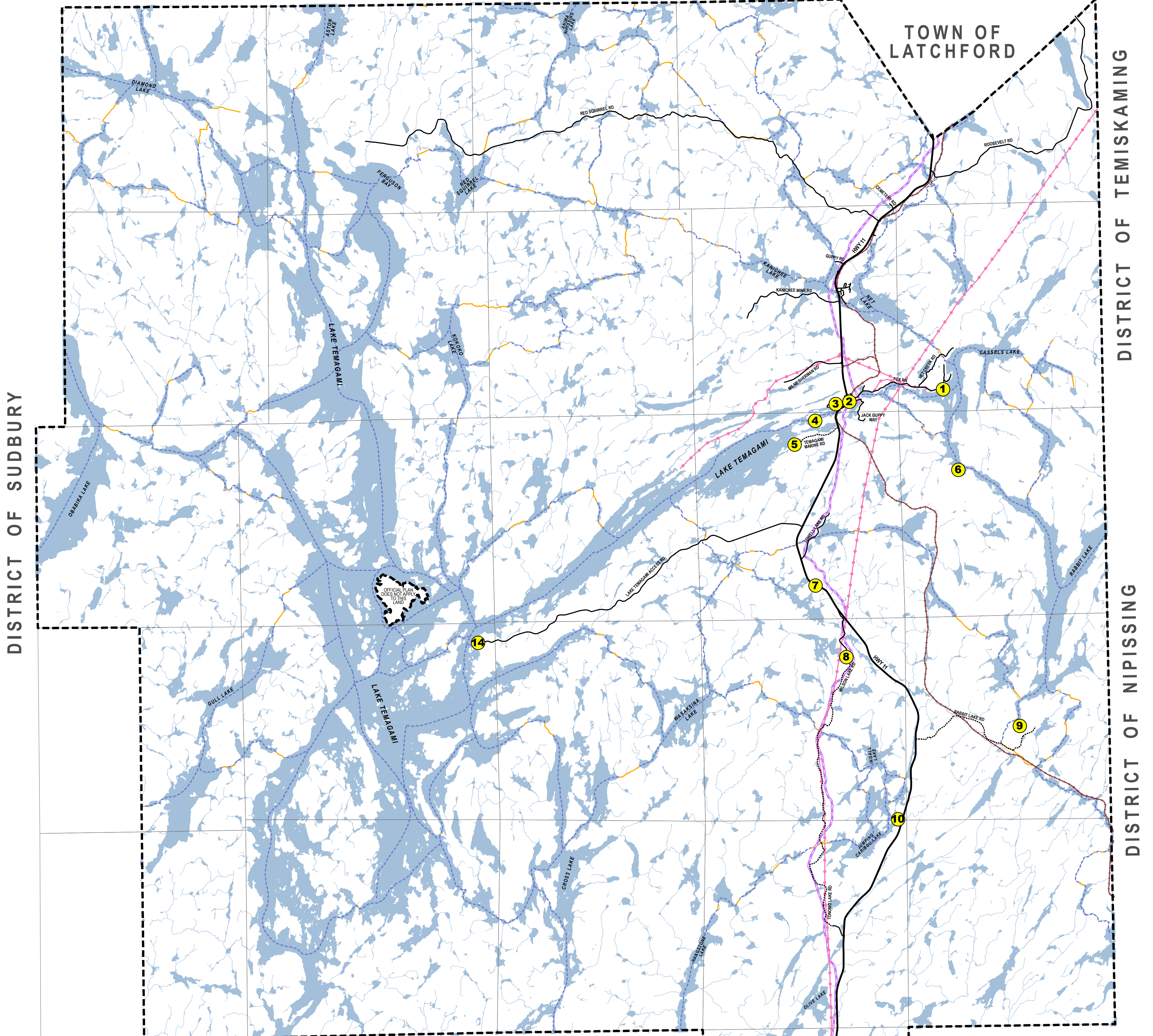


# MUNICIPALITY OF Temagami

## SCHEDULE 'C' TRANSPORTATION



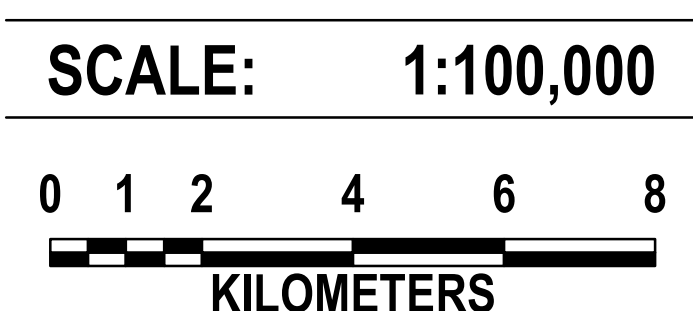
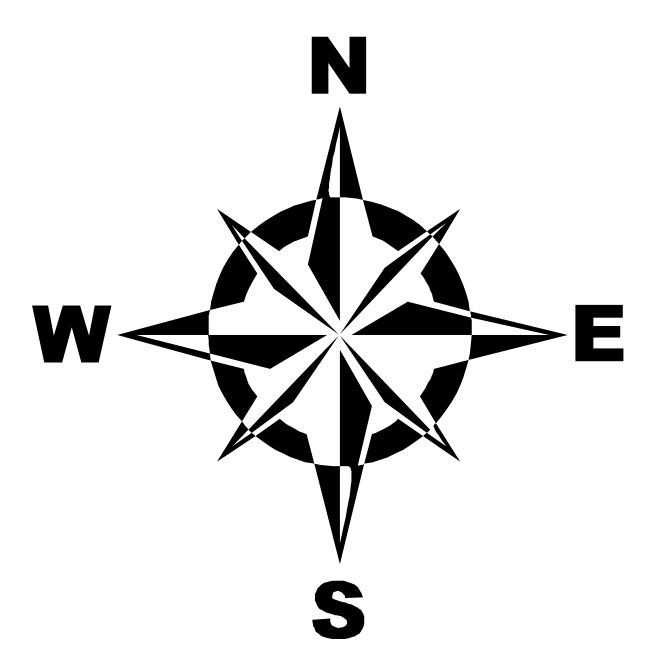
DISTRICT OF TEMISKAMING



### LEGEND

- MUNICIPALITY OF TEMAGAMI BOUNDARY
- GEOGRAPHIC TOWNSHIP
- RECOGNIZED ACCESS POINT
- RAILWAY
- HIGHWAY (YEAR-ROUND MAINTAINED)
- LOCAL ROAD (YEAR-ROUND MAINTAINED)
- LOCAL ROAD (SEASONALLY MAINTAINED)
- CANOE ROUTE
- PORTAGE ROUTE
- HYDRO LINE
- NATURAL GAS PIPELINE
- WATERCOURSE
- WATERBODY

NO.	RECOGNIZED ACCESS POINT
1	CASSELS LAKE, NORTH SHORE
2	SNAKE ISLAND LAKE
3	TOWN WATERFRONT
4	FINLAYSON POINT PROVINCIAL PARK
5	TEMAGAMI MARINE ROAD
6	LOWELL LAKE ROAD, CAMP 16
7	HERRIDGE LAKE
8	WILSON LAKE
9	SOUTHWEST BAY, HOUGHTON
10	RAYNOR'S ROAD
11	MARIAN LAKE
12	MARTEN RIVER PROVINCIAL PARK
13	RED CEDAR LAKE, LOON BAY
14	LAKE TEMAGAMI ACCESS ROAD



MAP PROJECTION: NAD 1983 UTM ZONE 17N

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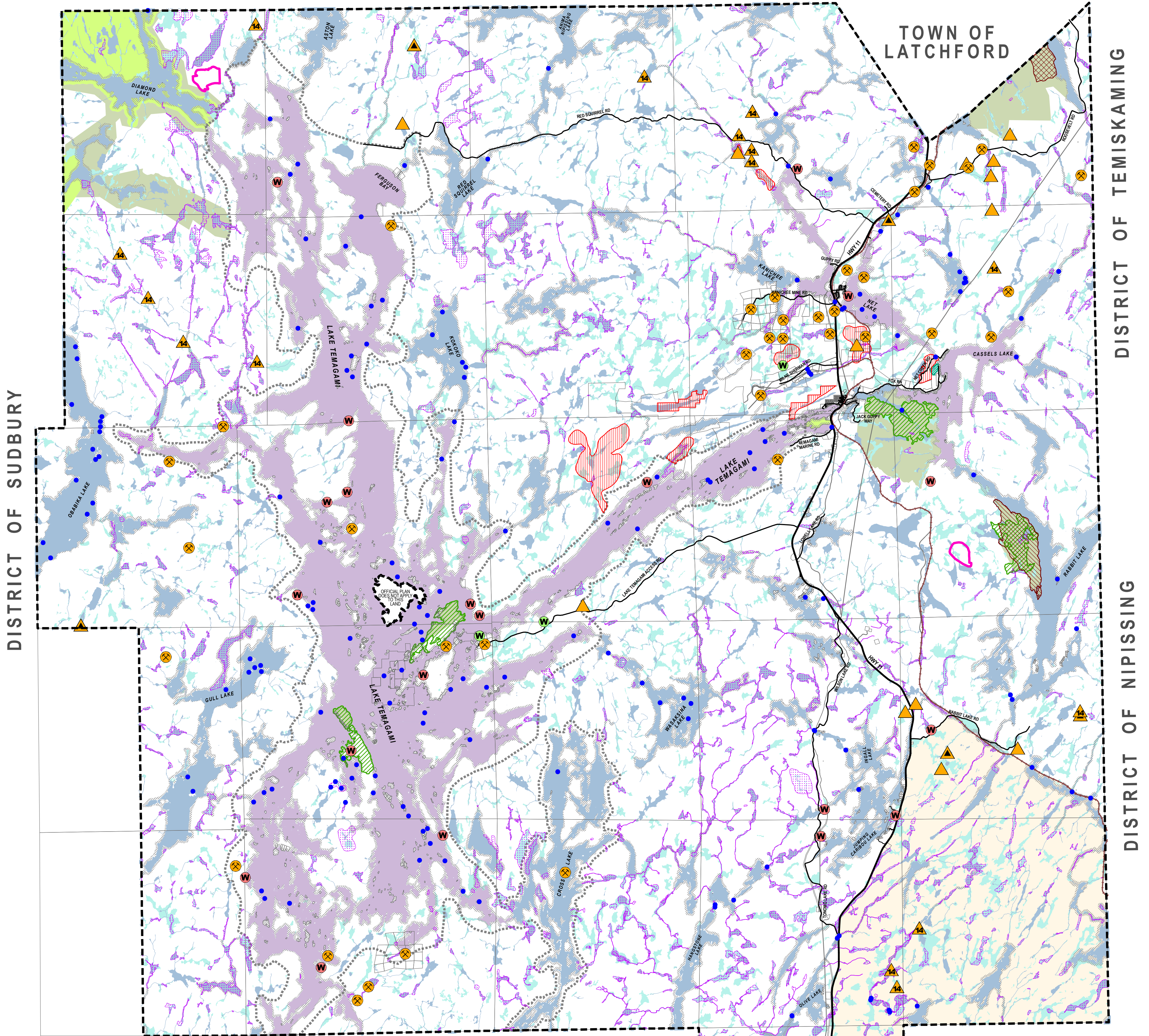
**COUNCIL ADOPTION DATE:**  
**JANUARY 23, 2025**



# MUNICIPALITY OF Temagami

## SCHEDULE 'D' VALUES

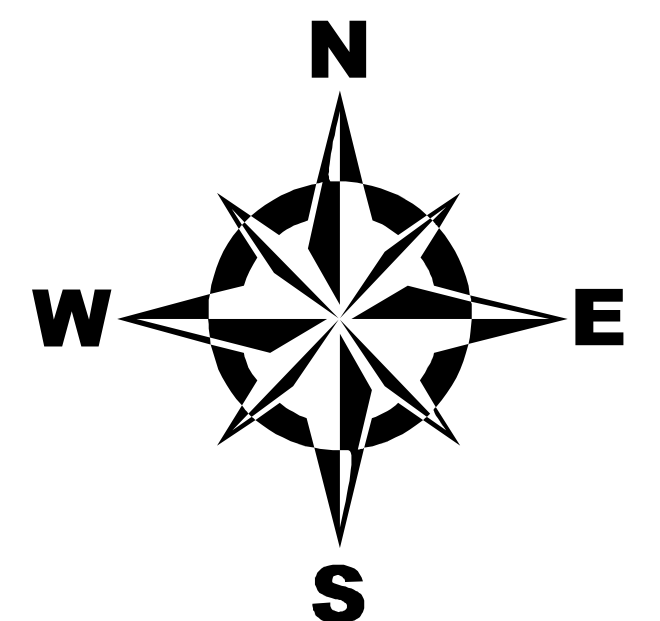
DISTRICT OF TEMISKAMING



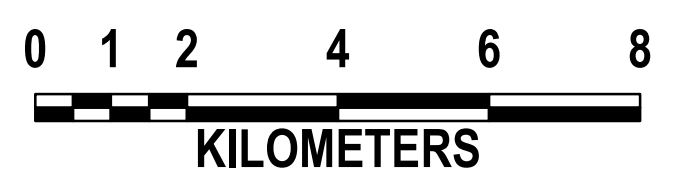
### LEGEND

- MUNICIPALITY OF TEMAGAMI BOUNDARY
- GEOGRAPHIC TOWNSHIP / PARCEL
- HIGHWAY
- LOCAL ROAD
- RAILWAY
- WATERCOURSE
- WATERBODY
- LAKE TROUT LAKE
- UNEVALUATED WETLAND
- PROVINCIAL PARK
- CONSERVATION RESERVE
- CROWN GAME PRESERVE
- MOOSE AQUATIC FEEDING AREA
- MOOSE LATE WINTERING AREA

- FORMER WASTE MANAGEMENT SITE
- ACTIVE WASTE MANAGEMENT SITE
- ABANDONED MINE
- AGGREGATE SITE - CATEGORY 14
- AGGREGATE SITE - ACTIVE
- AGGREGATE SITE - INACTIVE
- FISH SPAWNING AREA
- MINERAL AGGREGATE POTENTIAL OVERLAY
- ANSI - EARTH SCIENCE
- ANSI - LIFE SCIENCE
- SIGNIFICANT WETLAND
- OLD GROWTH FOREST
- POTENTIAL ARCHAEOLOGICAL AREAS
- SKYLINE RESERVE



SCALE: 1:100,000



MAP PROJECTION: NAD 1983 UTM ZONE 17N

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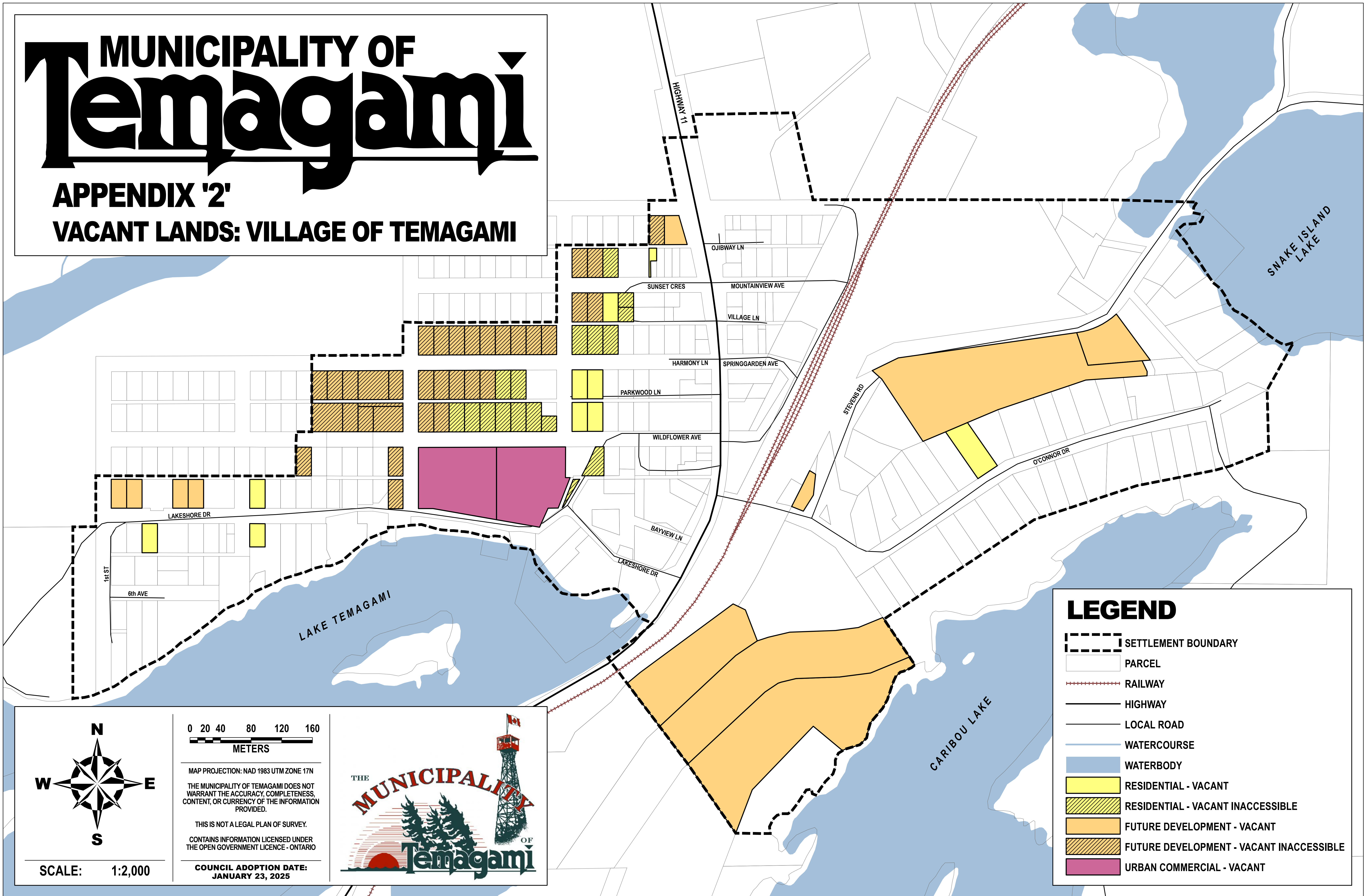
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# MUNICIPALITY OF Temagami

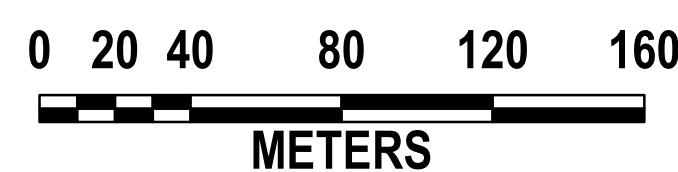
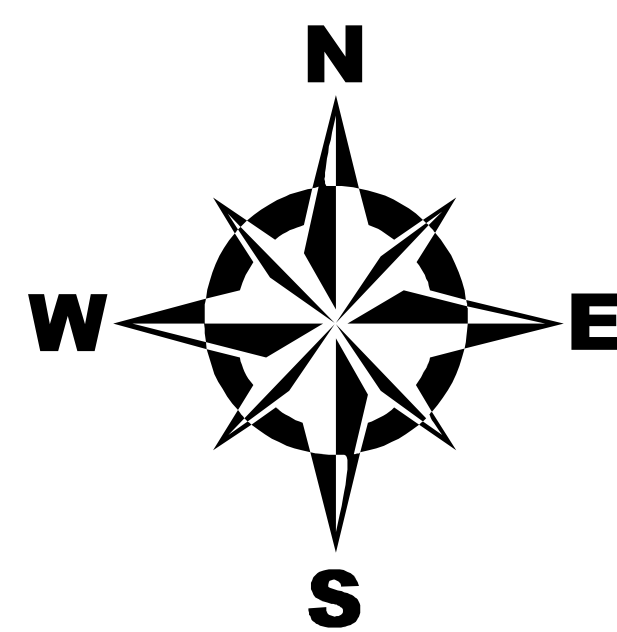
## APPENDIX '2'

### VACANT LANDS: VILLAGE OF TEMAGAMI



### LEGEND

- SETTLEMENT BOUNDARY
- PARCEL
- RAILWAY
- HIGHWAY
- LOCAL ROAD
- WATERCOURSE
- WATERBODY
- RESIDENTIAL - VACANT
- RESIDENTIAL - VACANT INACCESSIBLE
- FUTURE DEVELOPMENT - VACANT
- FUTURE DEVELOPMENT - VACANT INACCESSIBLE
- URBAN COMMERCIAL - VACANT



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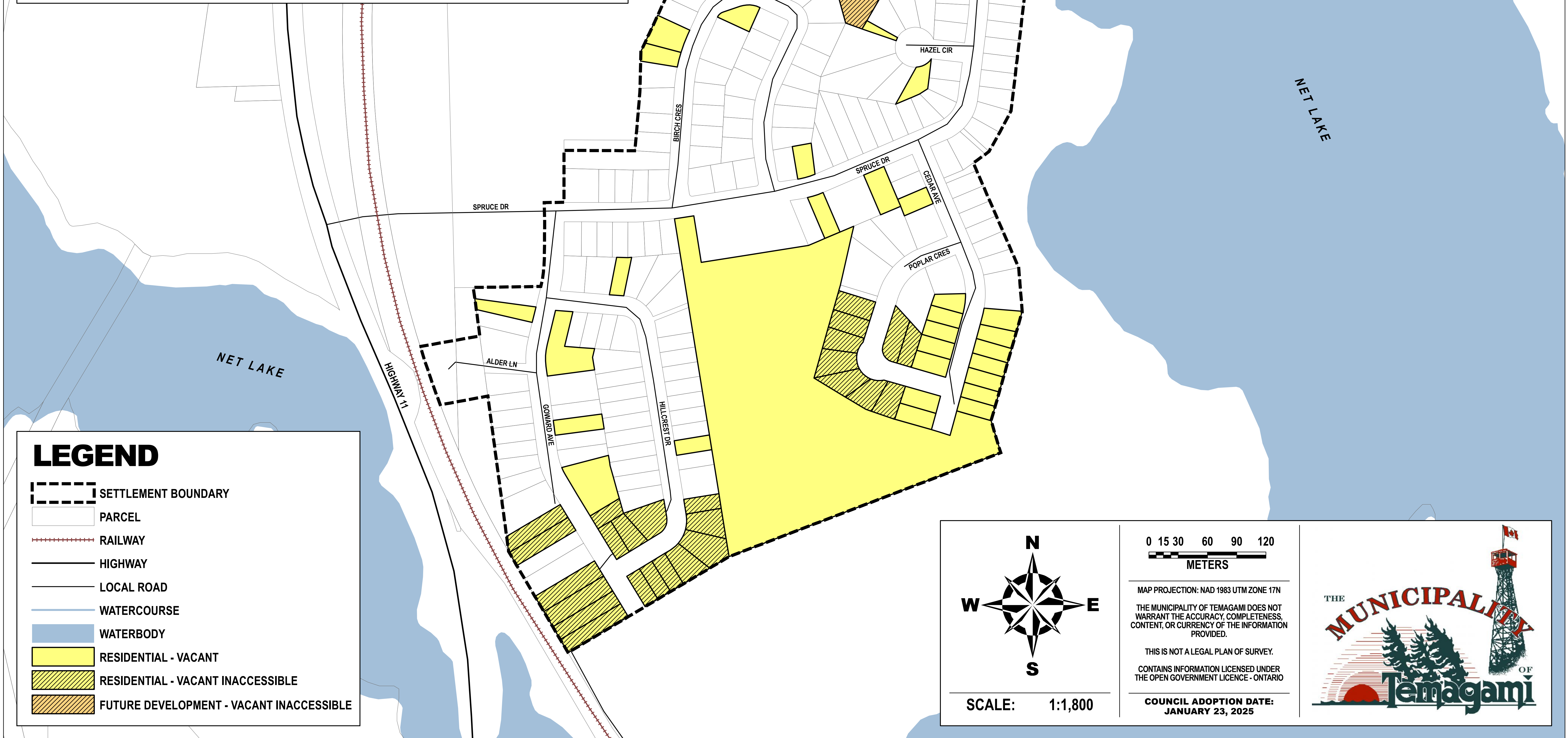


SCALE: 1:2,000





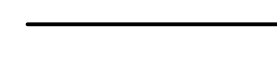





# MUNICIPALITY OF Temagami

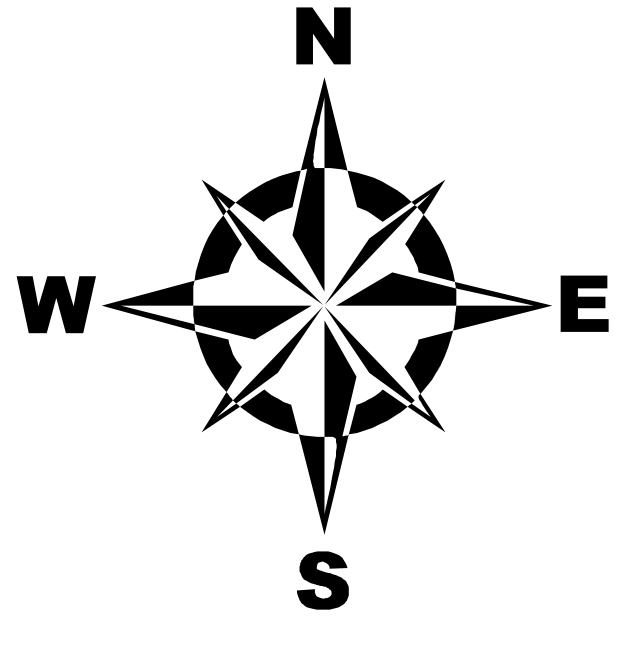
## APPENDIX '3'

### VACANT LANDS: TEMAGAMI NORTH

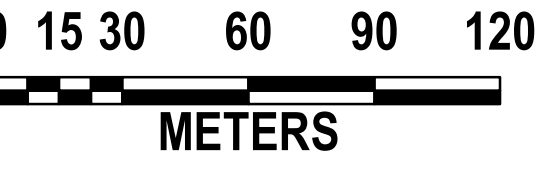


### LEGEND

-  SETTLEMENT BOUNDARY
-  PARCEL
-  RAILWAY
-  HIGHWAY
-  LOCAL ROAD
-  WATERCOURSE
-  WATERBODY
-  RESIDENTIAL - VACANT
-  RESIDENTIAL - VACANT INACCESSIBLE
-  FUTURE DEVELOPMENT - VACANT INACCESSIBLE



SCALE: 1:1,800



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# MUNICIPALITY OF Temagami

## APPENDIX '4'

### VACANT LANDS SUMMARY

Village of Temagami			
Designation	Vacant Type	Area (ha)	# of Parcels
Future Development	Accessible	8.68	11
	Not Accessible	2.72	34
<b>Total</b>		<b>11.4</b>	<b>45</b>
Residential	Accessible	0.84	10
	Not Accessible	1.13	17
<b>Total</b>		<b>1.97</b>	<b>27</b>
Commercial	Accessible	1.72	2
	Not Accessible	0	0
<b>Total</b>		<b>1.72</b>	<b>2</b>
<b>TOTAL</b>		<b>15.09</b>	<b>74</b>

Temagami North			
Designation	Vacant Type	Area (ha)	# of Parcels
Future Development	Accessible	0	0
	Not Accessible	1.32	1
<b>Total</b>		<b>1.32</b>	<b>1</b>
Residential	Accessible	7.33	30
	Not Accessible	2.21	26
<b>Total</b>		<b>9.54</b>	<b>56</b>
Commercial	Accessible	0	0
	Not Accessible	0	0
<b>Total</b>		<b>0</b>	<b>0</b>
<b>TOTAL</b>		<b>10.86</b>	<b>57</b>

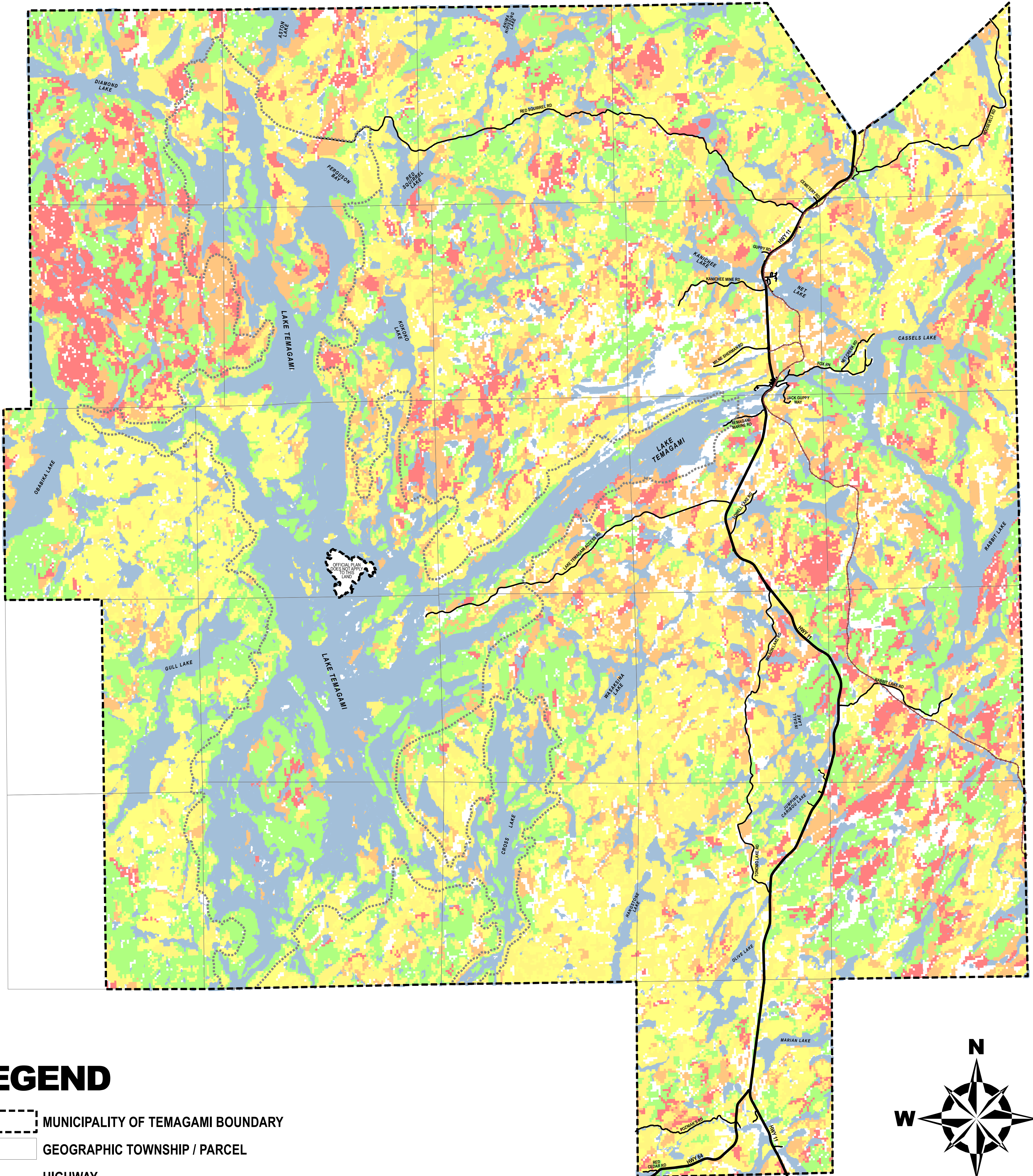
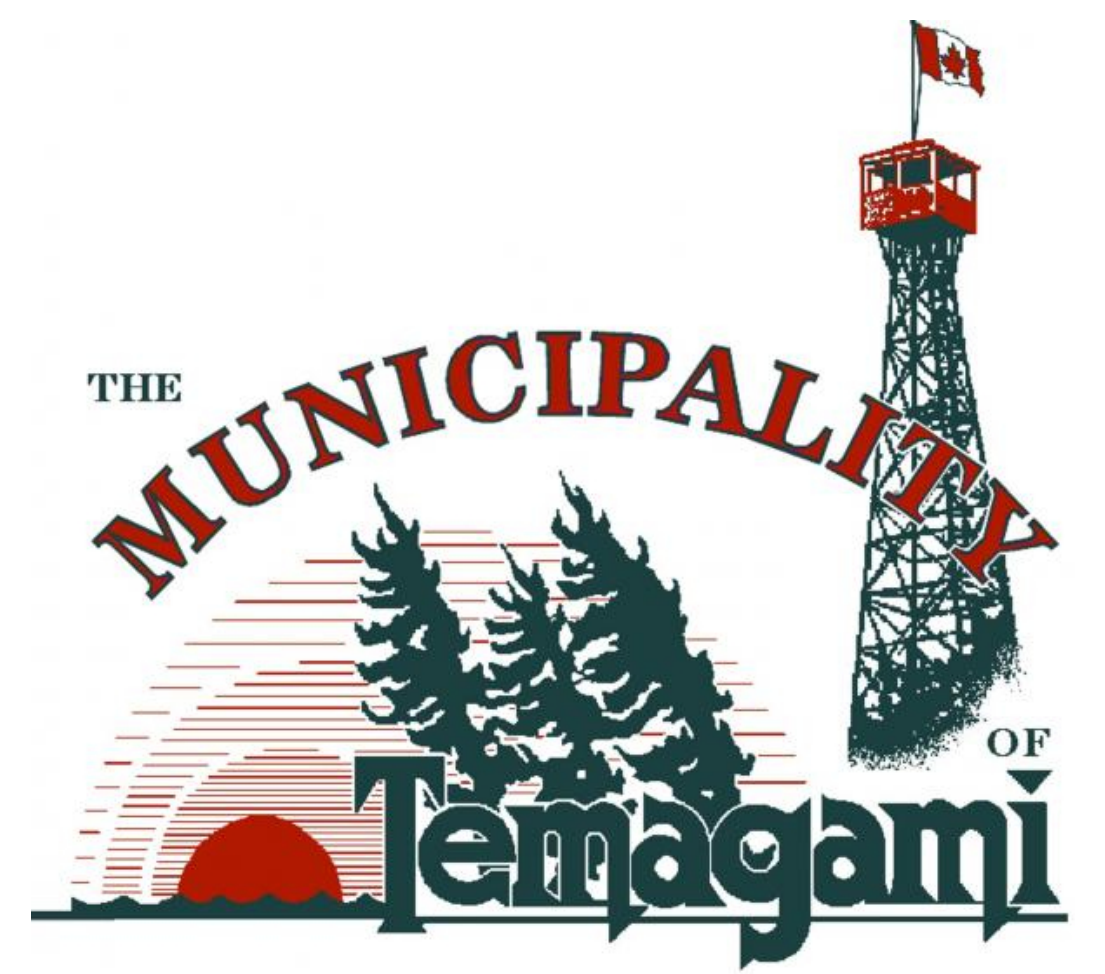
COUNCIL ADOPTION DATE:  
JANUARY 23, 2025

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INFORMATION PROVIDED.



# MUNICIPALITY OF Temagami

## APPENDIX '5' FIRE HAZARD

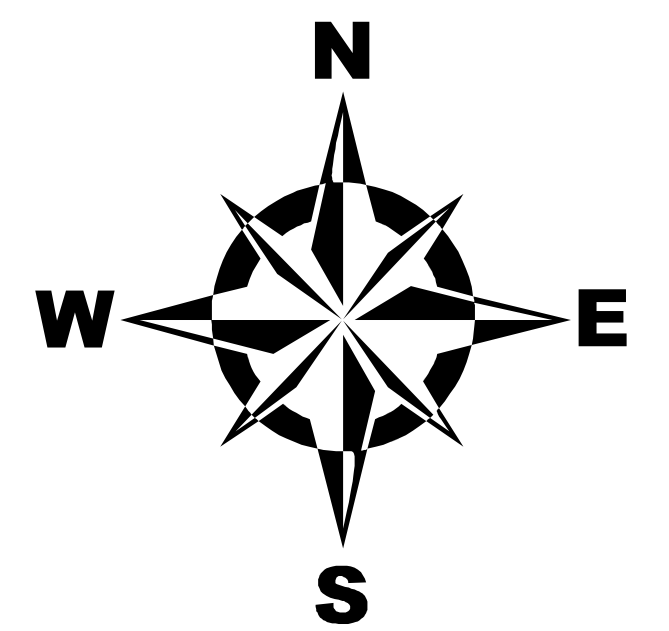


### LEGEND

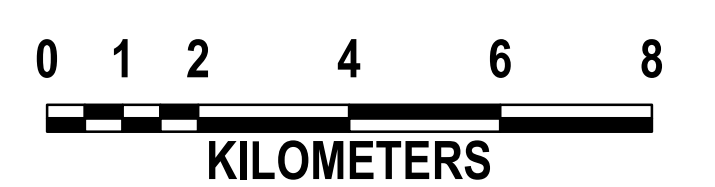
- MUNICIPALITY OF TEMAGAMI BOUNDARY
- GEOGRAPHIC TOWNSHIP / PARCEL
- HIGHWAY
- LOCAL ROAD
- RAILWAY
- WATERBODY

### POTENTIAL HAZARDOUS FUEL TYPES - 100m

- EXTREME: C1, C2, C4
- HIGH: C3, M2>50%, M4
- MODERATE: M2>25% - <50%
- LOW: D1, M2<25%
- PINE NEEDS EVALUATION: C5, C6



SCALE: 1:100,000



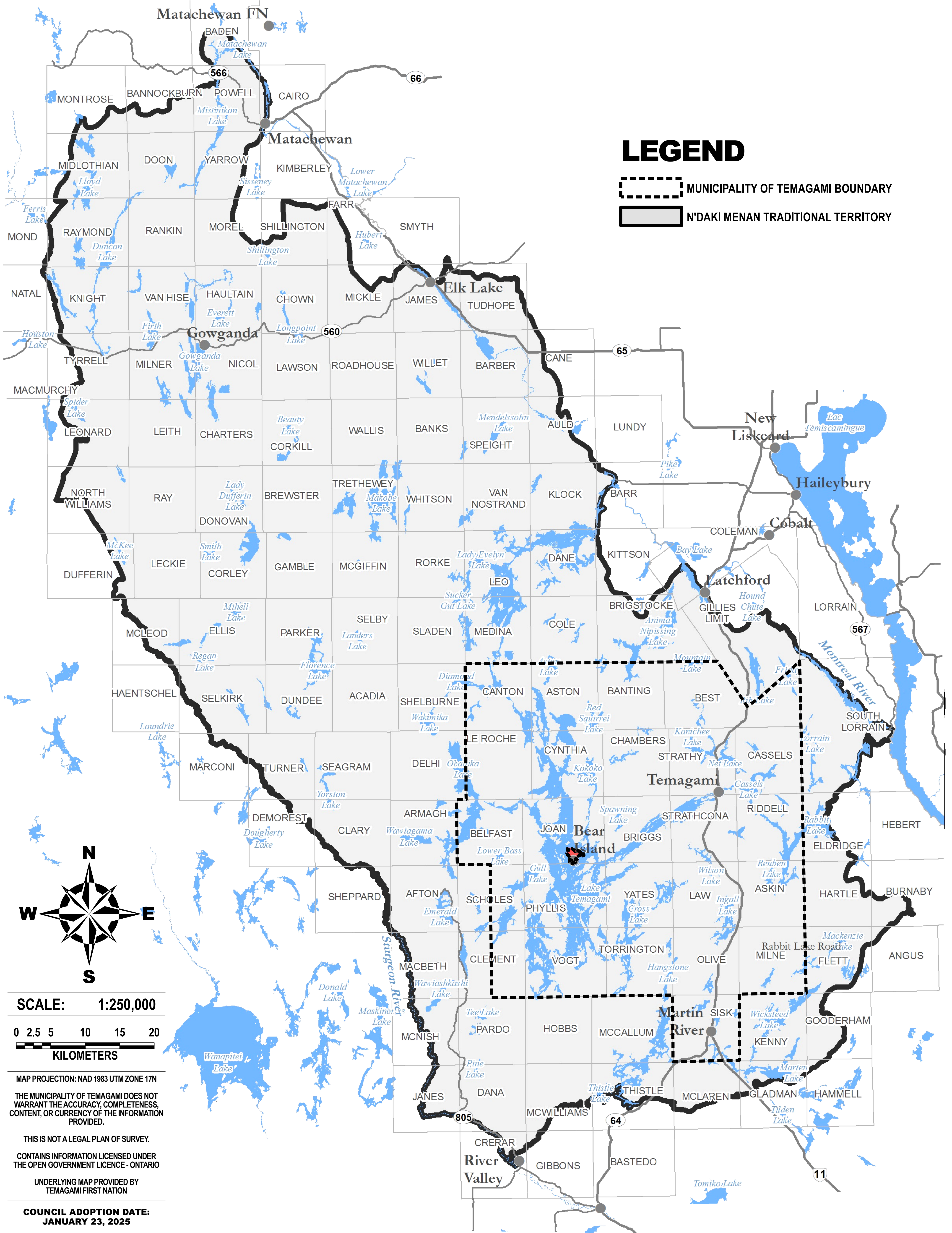
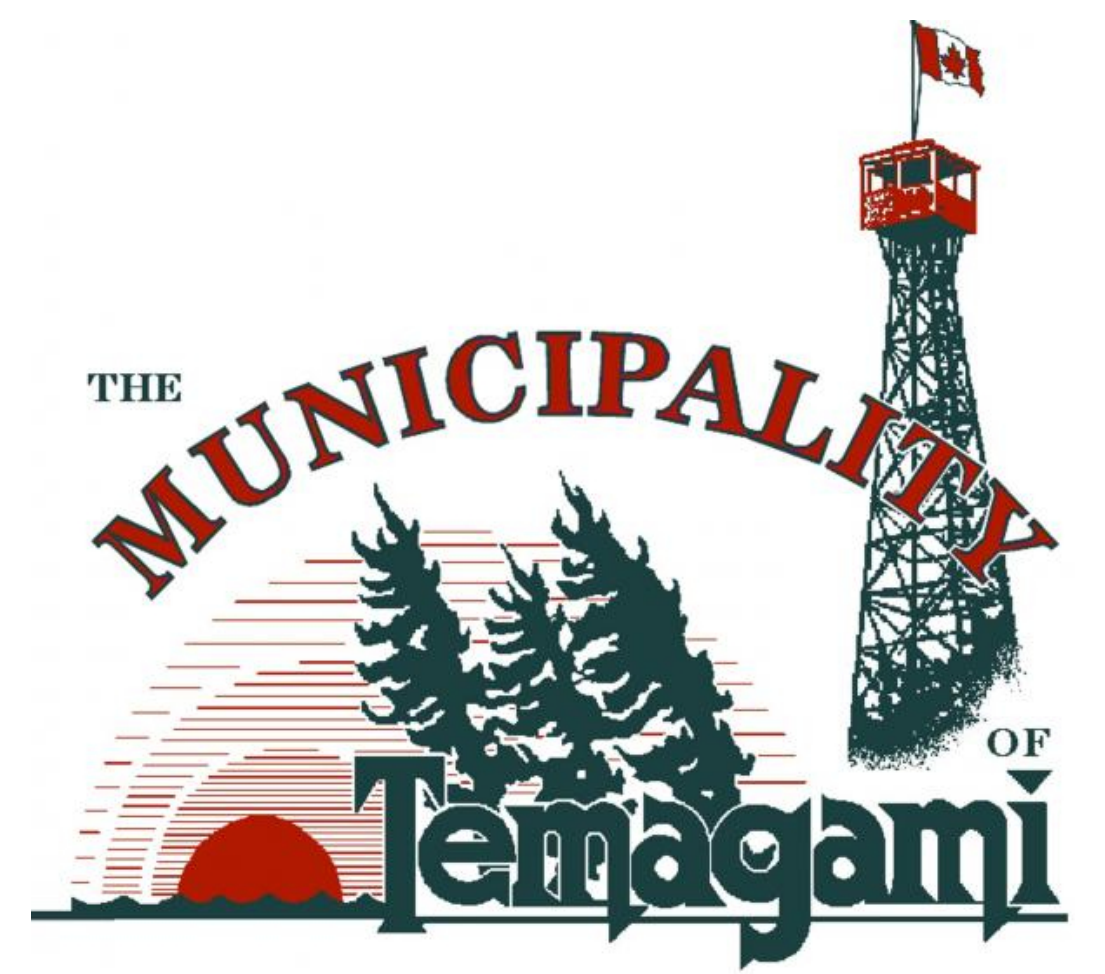
MAP PROJECTION: NAD 1983 UTM ZONE 17N  
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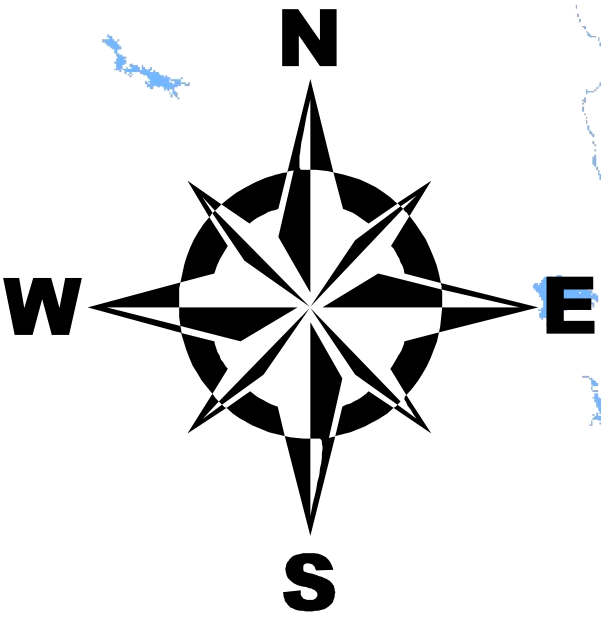
# MUNICIPALITY OF Temagami

## APPENDIX '6' TRADITIONAL TERRITORY



### LEGEND

- MUNICIPALITY OF TEMAGAMI BOUNDARY
- N'DAKI MENAN TRADITIONAL TERRITORY



SCALE: 1:250,000

0 2.5 5 10 15 20  
KILOMETERS

MAP PROJECTION: NAD 1983 UTM ZONE 17N

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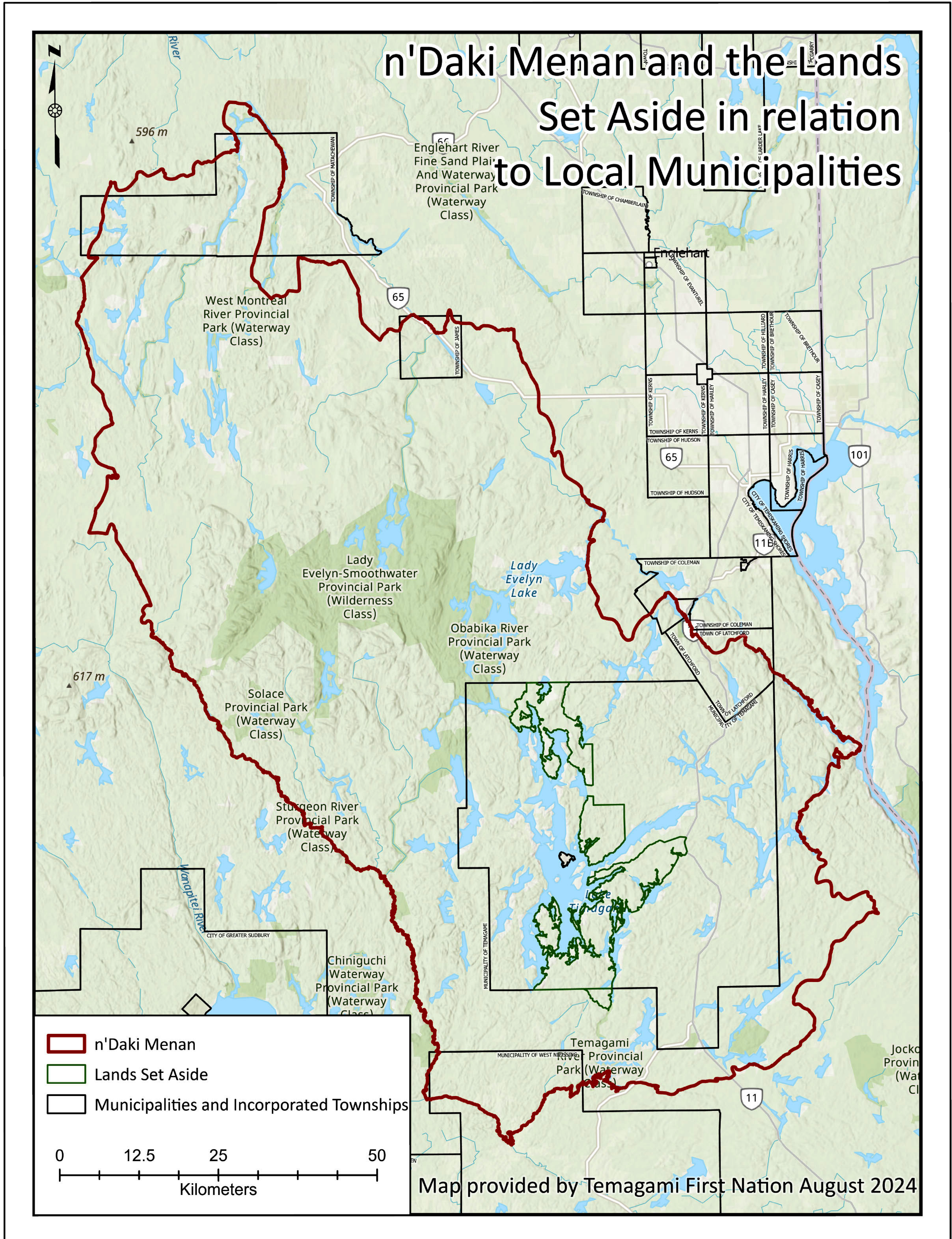
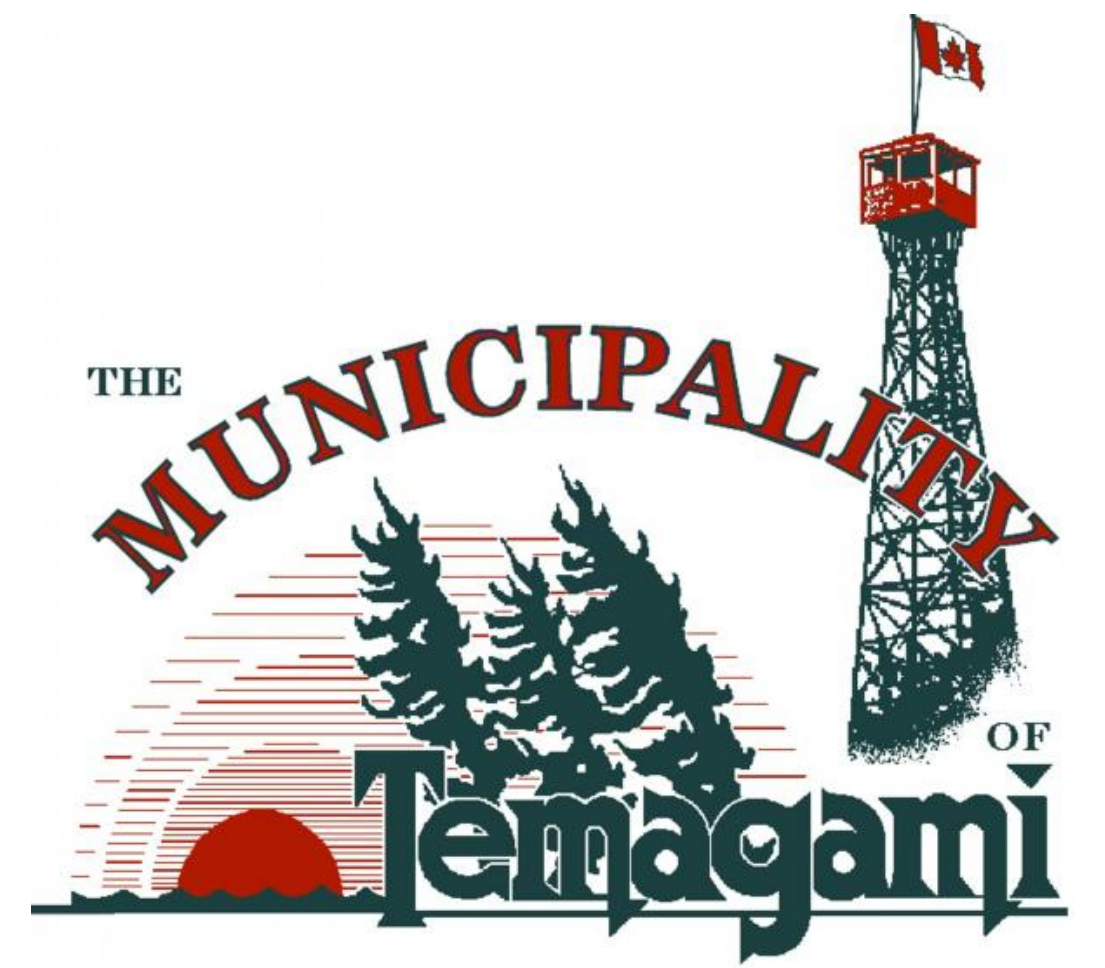
CONTAINS INFORMATION LICENSED UNDER THE OPEN GOVERNMENT LICENCE - ONTARIO

UNDERLYING MAP PROVIDED BY TEMAGAMI FIRST NATION

COUNCIL ADOPTION DATE: JANUARY 23, 2025

# MUNICIPALITY OF Temagami

## APPENDIX '7' LANDS SET ASIDE



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UNDERLYING MAP PROVIDED BY TEMAGAMI FIRST NATION

**COUNCIL ADOPTION DATE:  
JANUARY 23, 2025**

**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

**BY-LAW NO. 25-1794**

**A By-law to adopt a new Official Plan for the Municipality of Temagami**

**WHEREAS** Section 17 of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, provides that the Council of a municipality may, by By-law, adopt an Official Plan and undertake a review of an Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami deems it appropriate and in the public interest to adopt a new Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami has, during the preparation of the new Official Plan, ensured that the relevant and required agencies, and Indigenous Communities were consulted, and all required information was made available to the public and Indigenous Communities in accordance with the *Planning Act*, R.S.O. 1990, C.P. 13, as amended;

**AND WHEREAS** the Corporation of the Municipality of Temagami has conducted the Statutory Open House and Public Meeting in accordance with the *Planning Act*, R.S.O. 1990, C.P. 13, as amended;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami ensured that any person who attended the Public Meeting was given the opportunity to make representations with respect to the new Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami has deemed that the modifications made to the Official Plan following the Public Meeting respond to public comments and input and do not require an additional Public Meeting;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami, upon completion of the requirements set out under the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, is satisfied that the new Official Plan is appropriate for adoption;

**NOW BE IT ENACTED** the Council of the Corporation of the Municipality of Temagami in accordance with the provisions of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, enacts as follows:

1. That Schedule "A" to this By-law, being the new Official Plan text and associated schedules and appendices, is hereby adopted;
2. That the Council of the Corporation of the Municipality of Temagami deems the new Official Plan to be consistent with the Provincial Planning Statement and conforms to the applicable Provincial Plans;



3. That the Clerk of the Corporation of the Municipality of Temagami is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of the new Official Plan;
4. That upon approval of the new Official Plan by the Province, that By-law No. 11-1031 for the Corporation of the Municipality of Temagami, adopting the Official Plan on October 13, 2011, is hereby repealed;
5. That upon approval of the new Official Plan by the Province, the existing Official Plan, and all amendments thereto, for the Corporation of the Municipality of Temagami, as originally adopted by Council on October 13, 2011 and approved by the Ministry of Municipal Affairs and Housing, are hereby repealed; and,
6. That this By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME on the 23rd day of January, 2025.

READ A THIRD TIME and finally passed this 23rd day of January, 2025.

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Dan O'Mara, Mayor

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Sabrina Pandolfo, Municipal Clerk

# Memorandum to the Council of Corporation of the Municipality of Temagami

---

**Subject:** 2024 Emergency Management Annual Report Submission

**Memo No:** 2025-M-019

**Date:** January 23, 2025

**Attachment:** None

**Prepared By:** Jim Sanderson

## Recommendation

BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Temagami does hereby receive report from the Emergency Management Program Committee Chair on the 2024 Emergency Management Ontario annual Report submission.

## Executive Summary

T Municipalities are required under Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (EMPCA) and ONTARIO REGULATION 380/04 Standards, to have in place an Emergency Management Plan and Program for their municipality. The Emergency Management and Civil Protection Act Compliance Guide for Municipalities is a guide in meeting the Legislative requirements of the EMPCA and the documentation required.

The 2024 Municipal Compliance Report was submitted on December 30th 2024. An official letter from Emergency Management Ontario is normally sent out / received in late February or early March with EMO's official notification regarding the Municipality meeting compliance.

I am extremely grateful for the commitment and assistance of staff, Council, Emergency Control Group (ECG) and Emergency Management Program Committee (EMPC) members for all the work and time commitments made to meet EMPCA Annual Reporting Submission December

31st deadline. This work includes numerous meetings and participation involved in reviewing & revisions to the Emergency By-law, Emergency Response Plan, reviewing the Hazard information and Risk Assessment, Critical Infrastructure tables, and training sessions, including the annual Emergency Control Group exercise.

While I believe the Municipality has achieved compliance for 2024, there are a number of areas where going forward, improvements are required, or recommended to increase the robustness of the Emergency Response Plan and community emergency preparedness. In no specific order of priority, areas for improvement include: increased staff & ECG training, new Hazard Information and Risk Assessment methodology, identifying Critical Infrastructure (associated Hazards and mitigation techniques), emergency evacuation planning / public notification, and public emergency preparedness education.

# Memorandum to the Council of Corporation of the Municipality of Temagami

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**Subject:** Municipal Land Use By-Law Public Consultation

**Memo No:** 2025-M-020

**Date:** January 23, 2025

**Attachment:** Draft By-Law, Draft Survey

**Prepared By:** Daryl Bell, John Shymko, Laala Jahanshahloo, Sabrina Pandolfo

## Recommendation

BE IT RESOLVED THAT Council receives Memo 2025-M-020 including the attached Draft Land Use By-law and the Draft Survey as presented;

AND FURTHER BE IT RESOLVED THAT Council approves the use of an online webinar, followed by an online survey as attached to seek public input on the Municipal Land Use By-Law.

AND FURTHER THAT Council Direct staff to prepare a summary of the comments to be discussed at the March Working Session Meeting.

## Contents

Recommendation .....	1
Executive Summary .....	2
Background.....	2
Rationale .....	2
Legal Compliance and Relevant Acts.....	3
Implementation Plan.....	3
Conclusion.....	4

## Executive Summary

This memorandum outlines proposed methods to gather public input on the recently updated Municipal Land Use By-law. The recommended approach combines digital and in-person strategies to ensure accessibility, inclusivity, and detailed feedback. These methods aim to address diverse community needs and effectively inform potential adjustments to the by-law.

## Background

The Municipal Land Use By-law regulates and controls the use of municipal land, including provisions for permits, enforcement, and applicable fees. The Municipal Land Use By-law has evolved significantly since its introduction in 2019 as the Encroachment By-law, when concerns were raised about its name and scope. In 2020, debates centered around excluding the Temagami Access Point from its application. Further concerns emerged in 2021 and 2022 regarding the implementation of fees, prompting revisions. By 2024, updated fee structures and procedural amendments were approved by Council, addressing earlier criticisms. Now, in 2025, the by-law is being revisited, and the Municipality is preparing to engage the public through consultation to ensure it reflects community needs and expectations.

## Rationale

Proposed Feedback Methods:

### Online Surveys

Pros: Cost-effective, broad reach, accessible for most residents.

Cons: May exclude individuals with limited internet access.

Response Rate: Estimated 5-20%, contingent on promotion efforts.

### Town Hall Meetings

Pros: Facilitates detailed discussions and builds community trust.

Cons: Limited to those available to attend.

Response Rate: Estimated 5-15%, dependent on publicity and accessibility.

### Focus Groups

Pros: Enables in-depth, targeted discussions with key stakeholders.

Cons: May lack broader community representation.

Response Rate: High (80-100%) within selected participants.

### Online Webinars

Pros: Convenient and interactive, allowing for real-time engagement.

Cons: Technical barriers and scheduling conflicts may limit participation.

Response Rate: Estimated 10-25%, depending on timing and promotion.

## **Legal Compliance and Relevant Acts**

The proposed public consultation methods comply with Section 9(1) of the Municipal Act, 2001, which supports broad municipal authority to engage stakeholders in decision-making processes. The consultation process aligns with principles of transparency, inclusivity, and accountability.

## **Implementation Plan**

Key Steps:

1. Schedule interactive webinars to present by-law highlights and answer questions regarding the by-law or implementation. Record sessions for subsequent distribution and review.
2. Launch electronic surveys via email, social media, and the municipal website. Include clear, accessible language and a deadline for responses.
3. Compile Comments for Council Consideration and bring to a Working Session Meeting.
4. Make any required revisions to the By-law as directed by Council.
5. Bring Back to Council for Final Approval and Commence advertising and implementation.

## Conclusion

The proposed consultation strategy integrates multiple feedback channels to ensure a better understanding and robust public input on the Municipal Land Use By-law. This approach aligns with Council's commitment to fostering an engaged and informed community.

## Public Engagement Survey for Municipal Land Use By-law Review

The Municipality of Temagami is seeking public feedback on the Municipal Land Use By-law By-Law-24-1727 Municipal Land Use (Last Updated May 16, 2024").

The by-law regulates and controls the use of municipal land within the Municipality of Temagami. Key highlights include:

1. **Purpose:** To manage how municipal lands are used and ensure that such uses comply with established guidelines, including public spaces, parks, roads, and other municipally managed areas.
2. **Permits:** Individuals or organizations must obtain a Municipal Land Use Permit for any personal property or use of municipal land. This includes portable structures, vehicles, or other objects. Permits are valid for one year and must be renewed annually.
3. **Prohibited Uses:** Unauthorized use of municipal land, such as unpermitted placement of objects or structures, is not allowed. Violators may face removal actions and associated costs.
4. **Responsibilities:** Permit holders are responsible for maintaining their authorized land use and bear any associated costs or liabilities. The municipality disclaims liability for damage or loss to private property.
5. **Enforcement and Penalties:** The municipality has the authority to revoke permits, remove unauthorized uses, and recover costs from property owners. Offenders may face fines and other legal actions.
6. **Emergency and Compliance:** The by-law outlines procedures for addressing emergencies or breaches of its terms. Municipal officials may take immediate action to remove hazards or violations.
7. **Fees and Schedules:** The by-law includes an administrative fee schedule for different types of municipal land uses, such as trailers, boats, or ice huts.
8. **Mapping:** Specific areas of municipal land covered under this by-law are detailed in accompanying maps.

Your input will help us evaluate its effectiveness and consider any amendments that address community needs and municipal priorities.

Under the Planning Act, (**Planning Act, R.S.O. 1990, c. P.13**), municipalities must involve the public in land use decisions. This survey seeks your input on the by-law, focusing on its impact on financial sustainability, local businesses, and taxpayers.



## Survey Questions

### Section 1: General Understanding

Did you know that Temagami has put forth a Municipal Land Use By-law?

- Yes
- No

Do you think the by-law effectively manages and regulates municipal lands?

- Yes
- Somewhat
- No
- Unsure (Please explain): \_\_\_\_\_

### Section 2: Key Topics for Feedback

#### A. Effect on Local Businesses

Does the by-law support local businesses?

- Yes
- No
- Not Sure (Unsure) (Please share your thoughts): \_\_\_\_\_

What should the by-law address to avoid limiting local business opportunities?

- (Explanation): \_\_\_\_\_

#### B. Financial Sustainability and Cost Recovery

Should the by-law fees cover the true cost of maintaining the utilized municipal lands instead relying on general taxpayer funds?

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree (Optional explanation): \_\_\_\_\_

#### C. Taxpayer Considerations

Should the by-law determine how land management costs are shared between users and general taxpayers?

- Yes
- No
- Not Sure (Please explain): \_\_\_\_\_

Do you think the fee structure is fair to residents and businesses while meeting municipal revenue needs?

- Yes
- No
- Not Sure (Optional comments): \_\_\_\_\_

**D. Enforcement and Accountability**

Do you think the by-law's enforcement provisions are clear and sufficient?

- Yes
- No
- Not Sure (Please elaborate): \_\_\_\_\_

Should court orders be used to address repeated by-law violations?

- Yes
- No
- Unsure (Optional comments): \_\_\_\_\_

**Section 3: Additional Comments**

Does the by-law balance the needs of the community, businesses, and the Municipality?

- Yes
- Somewhat
- No (Please explain): \_\_\_\_\_

Can the by-law be improved or clarified?

- Yes (Please specify): \_\_\_\_\_
- No

Do you have any comments or suggestions we have not addressed?

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**Submission Instructions**

- Please submit your completed survey by \_\_\_\_\_.
- Surveys can be returned via:
  - Email:
  - Drop-off:
  - Online:

Thank you for your feedback. It helps ensure our by-laws serve the Municipality well.

**THE CORPORATION OF  
THE MUNICIPALITY OF TEMAGAMI  
BY-LAW NO. 24-1727**

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**Being a By-law to Regulate and Control Municipal Land Use within the Municipality of  
Temagami**

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**WHEREAS** the Municipal Act, 2001, S.O. 2001, c.25 (hereinafter the “Municipal Act, 2001”) provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on highways at section 11(1) 1; Culture, parks, recreation and heritage at section 11(1) 5 and Structures, including fences and signs at section 11(1) 7;

**AND WHEREAS** section 8 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act;

**AND WHEREAS** section 9(1) of the Municipal Act, 2001 provides that sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable them to govern their affairs as they consider appropriate, and (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** section 391(c) of the Municipal Act, 2001 provides that a municipality may pass by-laws imposing fees or charges on any class of persons for the use of its property including property under its control;

**AND WHEREAS** section 427(1) of the Municipal Act, 2001 provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law or otherwise but has failed to do;

**AND WHEREAS** section 427(3) of the Municipal Act, 2001 provides that the costs incurred by a municipality in doing a thing or matter under section 427(1) may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Temagami enacts as follows:

We respectfully acknowledge that the Municipality of Temagami operates within the traditional territory of the Temagami First Nation, known as N’dakimenan. As we enact this by-law, it is important to recognize that it applies solely to lands owned, operated, or managed by the Municipality of Temagami, within the context of our ongoing commitment to reconciliation and partnership with the Temagami First Nation.

## **1.0 Definitions**

**Municipality** means The Corporation of the Municipality of Temagami;

**Any reference to Municipal land, municipally owned land, Municipal property or any other term to that same effect shall mean:** Municipally owned, operated, managed, lease, rented, and/or controlled lands.

**Easement** means an interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, but does not include an interest created by a license;

**Municipal Land Use** means any type of vegetation, man-made object or item of personal property of a person which exists wholly upon, or extends from a person's premises onto municipal lands and shall include any aerial, surface or subsurface land use;

**Aerial Municipal Land Use** means any privately-owned object that is located at least .304 meters (12 inches) above the surface of public lands;

**Surface Municipal Land Use** means any privately-owned object that is located on municipal property between the surface of municipal lands to a maximum height of 304 centimeters (12 inches) above the land surface and beneath the surface of public lands to a depth of not more than 2.54 centimeters (1 inch).

**Sub-Surface Municipal** means any privately-owned object that is located beneath the surface of public lands at a depth exceeding 2.54 centimeters (1 inch) below the ground;

**Municipal Land Use Permit** means a document prepared by the Municipality allowing land use of municipally owned/operated lands;

**Expenses** means any and all sums of money actually spent or required to be spent by the Municipality, and shall include but not be limited to all charges, costs, administrative fees, HST, outlays, legal fees and losses;

**Highway** means a common and public highway and includes any street, sidewalk, bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway;

**Owner** means the registered owner of a parcel of property as such person is described in the records of the land registry office;

**Person** means an individual, partnership, association, firm or corporation, business entity or club, incorporated group or organization, federal or provincial government, crown agents and school boards, to whom the context can apply in accordance with the Interpretation Act of Ontario, as amended, but specifically excludes the Municipality;

**Personal Property** means any privately-owned object or item of property other than real property;

**Premises** means a parcel of real property under registered ownership and includes all buildings and structures thereon;

**Public Lands** means lands owned by, leased, licensed to or under the management of the Municipality, and shall include but not be limited to any public highway, road, street, avenue, lane, place, viaduct or trestle, water, thoroughfare way or bridge, park, woodland, greenbelt, storm water management facility, open space, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb and sidewalk;

**Right-of-Way** means a person's legal right, established by usage or by contract, to pass through grounds or property owned by another person;

**Unauthorized Municipal Land Use** means any use of lands owned, operated, or managed by the Municipality of Temagami not authorized by this by-law.

## **2.0 Municipal Land Use Prohibited**

- 2.1** No person shall erect, place or maintain, or cause to be erected, placed or maintained, on municipal land, any kind of land use except where permitted by Municipal Land Use Permit with the Municipality and in accordance with this by-law;
- 2.2** Notwithstanding subsection 2.1, the provisions of this by-law do not apply to land use permitted as a result of a written and signed agreement with the Municipality;
- 2.3** The Municipality shall not bear any responsibility for any form of damage or deterioration occurring to personal property named in the Municipal Land Use Permit, howsoever or whenever caused and the personal property shall be personal property owner's sole responsibility, cost and expense.

## **3.0 Municipal Land Use**

- 3.1** Any person requesting authorization to erect, install or maintain personal property on public lands (See Schedule 'E'- Maps) shall be required to apply to the Municipality seeking permission to do so, along with payment of the non-refundable application fee (Schedule "C");
- 3.2** The application (Schedule "A") will include all details of the land use including but not limited to details of all portable and stationary objects which may be ice huts, trailers, vehicles, boats, barges, equipment and various other materials, permitted placement on a property with details of how it will be stored;
- 3.3** The Municipal Land Use Permit will be valid for a period of **one (1)** year from the date of approval and shall be renewed **each** year on the anniversary date of the application;
- 3.4** Where an applicant fails to pay the applicable fees for a Municipal Land Use Permit, within the **thirty (30)** calendar days as prescribed in subsection 3.3, the applicant shall be deemed to have abandoned his application.

## **4.0 Authority to Regulate and Control**

- 4.1** The Municipal Law Enforcement Officer shall have delegated authority to:
  - 4.1.1** Approve or reject any application submitted for a Municipal Land Use Permit; and
  - 4.1.2** Impose such terms and conditions to any application and/or Municipal Land Use Permit as the Municipal Law Enforcement Officer may deem appropriate; and

- 4.1.3** Determine whether any Municipal Land Use Permit expiring on a date after the date of enactment and passage of this by-law shall be renewed and/or extended.

## **5.0 Revocation**

The execution of a Municipal Land Use Permit in respect to a use of land for a personal object does not create any vested right in the owner or occupant of the premises to which the land use is appurtenant, or in any other person, and the Municipal Land Use Permit may be revoked in accordance with the terms set out therein.

## **6.0 Access to Municipal Land Use Permits**

No person shall obstruct, hinder or interfere with the free access to any land use by an employee, officer or agent of the Municipality.

## **7.0 Discontinuance of Municipal Land Use Permits**

**7.1** If the owner of any personal property to which a Municipal Land Use Permit is appurtenant, desires to permanently discontinue the land use, he/she shall notify the Municipal Law Enforcement Officer in writing and the Municipal Law Enforcement Officer shall issue a notice to be sent to the owner advising that the privately-owned object shall be removed public lands;

**7.2** If the Municipal Law Enforcement Officer is at any time of the opinion that a breach of the terms and conditions attached to a Municipal Land Use Permit has occurred and that the land use should be discontinued, or where a Municipal Land Use Permit has expired, the Municipal Law Enforcement Officer may cause a notice to be sent to the owner advising that the object which is subject of a Municipal Land Use Permit be removed and the public lands be restored to their former condition by the object owner at his/her own expense.

**7.3** Where an owner fails to comply with the notice described in subsection 7.1 and/or 7.2 within **thirty (30)** days of receipt of same, the object of the Municipal Land Use Permit may be removed by the Municipality, and the public lands restored to their former condition at the expense of the owner, such expense to be recovered in full in the manner provided in section 11 below, and until the unauthorized land use is so removed or filled in and closed up and the public lands restored to their former condition, all expenses incurred by the Municipality in respect thereto shall continue to be paid by the owner.

## **8.0 Exemptions and Inclusions**

The Municipal Land Use By-law applies to all municipally owned, operated, controlled, leased, rented and managed land within the boundaries of the Municipality of Temagami.

## **9.0 Emergency Situations**

**9.1** If the Municipal Law Enforcement Officer deems that an emergency exists or may exist as a result of a Municipal Land Use Permit being or about to become a source

of danger to the health and safety of the public, the Municipal Law Enforcement Officer may;

- 9.1.1 Notify in writing the owner of the personal property to which the land use is appurtenant of the required repairs or removal of the unauthorized land use and restoration of the public lands to their former condition at the expense of the owner, so that the land use is no longer deemed to be a source of danger or potential danger to the public by the Municipal Law Enforcement Officer, and/or
- 9.1.2 Take such measures on behalf of the owner, without notice to the owner, as the Municipal Law Enforcement Officer may deem necessary to remove the danger or potential danger created by the unauthorized land use.
- 9.2 Where the notice described in subsection 9.1.1 is not complied with within the time period stipulated therein, the Municipality may repair or remove the unauthorized land use and restore the public lands to their former condition, at the expense of the owner, such expense to be recovered in full in the manner provided in section 11 below.
- 9.3 Where the Municipal Law Enforcement Officer elects to take any action under subsection 9.1.2 the expenses incurred by the Municipality in so doing shall be recovered in full in the manner provided in section 11 below.

## 10.0 Removal of Unauthorized Land Use

- 10.1 Where the Municipality becomes aware of an unauthorized land use, the Municipality may give notice in writing to the owner of the premises to which an unauthorized land use is appurtenant, to forthwith remove the unauthorized land use and to restore the public lands to their former condition at the expense of the owner.
- 10.2 Where the notice in subsection 10.1 is not complied with within **thirty (30)** days of the date of the notice, the Municipality may, on behalf of the owner, remove the unauthorized land use and restore the public lands to their former condition at the expense of the owner, such expense to be recovered in full in the manner provided in section 11 below.
- 10.3 Any materials or structures forming part of or attached to an unauthorized land use removed by the Municipality may, at the discretion of the Municipal Law Enforcement Officer, either be deposited at the owner's premises or be stored for **thirty (30)** days at the owner's expense, such expense to be recovered in full in the manner provided in section 11 below. Any item so stored and not claimed by the owner within the said **thirty (30)** day period shall be disposed of by the Municipality in such manner as it deems appropriate.

## 11.0 Recovery of Expenses

All expenses incurred by the Municipality in connection with the enforcement of this by-law shall be paid within **thirty (30)** days of their billing date, and in the event of failure to pay the entire amount due within the said **thirty (30)** days, at the discretion of the Municipality, the outstanding balance of the invoice may thereafter be added to the tax roll as of the year in which



the expenses were billed. The Municipality may also recover all expenses owing under this by-law by a court action as a debt due to the Municipality.

## **12.0 Offences and Penalties**

Every person who contravenes any of the provisions of this by-law is guilty of an offence; and is liable to pay a fine as set out in Schedule “B” of this By-law, exclusive of costs, as provided for in the Provincial Offences Act of Ontario, as amended.

See Schedule “D” for Municipal Land Use Rules.

## **13.0 Enforcement**

A Municipal Law Enforcement Officer acting under this by-law may enter and inspect all buildings, structures or parts thereof that are subject to this by-law at any reasonable time for the purposes of determining whether there is compliance with this by-law.

## **14.0 Severability**

**14.1** Where a court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

**14.2** That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law, after the passage of the by-law, where such modifications or corrections do not alter the intent of the by-law.

## **15.0 Rescind/Repeal**

This By-law shall rescind/repeal By-law 19-1485, 21-1565 and any other By-law pertaining to ‘Municipal Land Use’ once it has been read a first, second, third time and finally passed.

**Read a First and Second Time this 28<sup>th</sup> Day of September 2023.**

**Read a Third and Finally Passed this 22<sup>nd</sup> Day of February 2024.**

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**Mayor**

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**Clerk**

The Corporation of the Municipality of Temagami



Schedule "A" to By-law 24-1727

Application for 'Municipal Land Use Permit'

In addition to this form, the applicant will be required to submit the appropriate non-refundable application fee.

Applicant Information

Name of Owner(s)

Home Telephone

Cell Phone

Fax Number

Email

Mailing Address

Municipal Address

Location of Municipal Land

Purpose of Land Use & Description of Items Being Stored/Parked

How Will Object(s) be Stored

Declaration of Applicant

I declare that I am the owner of the afore mentioned items and to the best of my knowledge the information provided in this application is to be true and factual.

Name (print)

Signature

Date

Name (print)

Signature

Date

Office Use ONLY

Received By (print)

Date

Applicable Fees Paid

MLEO Portion

Location Visit Completed

Location Approved for Suggested Use Yes No

Date of Inspection

Photo Taken Yes No Application Approved Yes No

Comments:

Signature:

**The Corporation of the Municipality of Temagami**

**Schedule “B” to By-law 24-1727**

**Part I of the Provincial Offences Act**

<b>Item Number</b>	<b>Short Form Wording</b>	<b>Provision Creating/Defining the Offence</b>	<b>Set Fine</b>
<b>1</b>	Erecting, placing, maintaining or cause to be erected, placed or maintained use of land except where permitted.	Section 2.1	<b>\$100.00</b>
<b>2</b>	Municipal Land Use without a permit.	Section 12.0	<b>\$500.00</b>

**Note:** the general penalty provision for the offences listed above is Section 12 of By-law 23- A certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

DRAFT

**The Corporation of the Municipality of Temagami**

**Schedule “C” to By-law 24-1727**

<b>Municipal Land Use Fee Schedule</b>	
<b>Municipal Land Use Type</b>	<b>Municipal Land Use Admin/Registration Fee</b>
Ice Hut	<b>\$25.00</b>
Licensed Boat Trailer (18’ and under)	<b>\$25.00</b>
Licensed Boat Trailer (19’ and greater)	<b>\$25.00</b>
Boat and Licensed Trailer	<b>\$25.00</b>
Barge/Houseboat and Licensed Trailer	<b>\$25.00</b>
Current Licensed Snowmobile/ATV	<b>\$25.00</b>
Current Licensed Snowmobile/ATV with Licensed Trailer	<b>\$25.00</b>

**\* FEES SUBJECT TO CHANGE WITHOUT NOTICE**

DRAFT

## **The Corporation of the Municipality of Temagami**

### **Schedule “D” to By-law 24-1727**

#### **Municipal Land Use Rules**

1. No person shall erect/ cause to be erected, place or maintain on municipal land, any kind of land use except as permitted by a Municipal Land Use Permit.
2. The Municipality shall not be responsible for any form of damage or deterioration occurring to personal property named in the Municipal Land Use Permit and shall be the Permit Holder’s sole responsibility, cost and expense.
3. Any person requesting authorization to erect, install or maintain personal property on public lands is required to submit an application with a non-refundable fee to the Municipality.
4. Failure to pay applicable fees for a Municipal Land Use Permit within thirty days, shall be deemed to have abandoned the application and the Permit property shall be removed at the Permit Holder’s expense.
5. The Municipal Land Use Permit will be valid for a period of one year from the date of approval and shall be renewed each year.
6. The Municipal Law Enforcement Officer (MLEO) shall have authority to approve, reject, impose or renew terms and conditions to any application submitted for a Land Use Permit.
7. A Municipal Land Use Permit gives rights to the Permit Holder for the personal property in accordance to the terms of the permit.
8. No person shall obstruct, hinder or interfere with the free access to any land use by an employee, officer or agent of the Municipality.
9. Permanent discontinuation of a Municipal Land Use Permit must be submitted in writing to the Municipality and a notice will be issued advising that the Permit property shall be removed from public lands.
10. A Municipal Land Use Permit may be discontinued if there is a breach of terms and conditions of Permit or the Permit has expired. The Municipality may issue a notice advising that Permit property shall be removed the public lands and the lands restored to former condition at the Permit Holder’s expense.
11. Failure to comply with a notice within thirty days, will result in the cancellation of the Municipal Land Use Permit and the Permit property will be removed by the Municipality and the public lands restored to their former condition at the Permit Holder’s expense,
12. The Municipal Land Use By-law 19-1485, as amended, applies to all municipally owned land within the boundaries of the Municipality of Temagami.

13. If the Municipality determines that an emergency exists or may exist, appropriate steps will be taken in accordance with the By-law.
14. Failure to comply with a notice issued by the Municipality, will result in the Municipality taking appropriate steps in accordance with all legislative requirements at the expense of the Permit Holder.
15. Unauthorized property use may be removed by the Municipality, may be deposited at the owner's premises or be stored for thirty days, at the owners' expense. Any item stored and not claimed by the owner within thirty days shall be disposed of by the Municipality in accordance with the by-law.
16. All expenses incurred by the Municipality in connection with the enforcement of the Municipal Land Use Permit or unauthorized land use, shall be paid within thirty days of their billing date.
17. Failure to pay may be added to the Permit owner's tax roll and the Municipality may recover all expenses owing by a court action as a debt due to the Municipality.
18. Every person who contravenes any of the provisions of land use, is guilty of an offence and on conviction is liable to pay a fine, exclusive of costs, as provided for in the Provincial Offences Act of Ontario. In addition to any other penalty imposed on the person convicted, an order prohibiting the continuation or repetition of the offence may occur.
19. A Municipal Law Enforcement Officer may determine the compliance of the Municipal Land Use Permit and is authorized to enter and inspect all buildings, structures or parts in connection with land use, at any reasonable time.

The Corporation of the Municipality of Temagami



Schedule "E" to By-law 24-1727



Municipal Land Use Locations

Map #	Map Description	Map Picture
1	Temagami North, Arena / Public Boat Launch at 85 Spruce Drive-Net Lake	
2	Temagami North, Cedar Avenue at Sewage Treatment Holding Ponds	

3	O'Connor Drive / Public Parking Lot	
4	Memory Lane / Wild flower Public Parking Lot	



<p>5</p>	<p>26 Lakeshore Drive- Vacant Lot Known as “Busby Property”</p>	
<p>6</p>	<p>381 Fox Run Drive/ Cassell’s Lake Public Boat</p>	

<p>7</p>	<p>Strathcona Road / Public Boat Launch</p>	
<p>8</p>	<p>Lake Temagami Access Rd- All Parking areas at Mine Landing/ Manito Landing</p>	

9	Rabbit Lake Road	
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DRAFT



Corporation of the Municipality of Temagami

Memo No.  
2024-M-099

## Memorandum to Council

**Subject:** Municipal Land Use By-Law

**Agenda Date:** May 23, 2024

**Attachments:**

### **RECOMMENDATION**

BE IT RESOLVED THAT the Corporation of the Municipality of Temagami receives Memo 2024-M-099.

AND FURTHER THAT Council approve the changes and will consider a by-law later in the meeting.

### **INFORMATION**

Following Council's instructions, municipal staff have made the following changes to the Municipal Land Use By-law:

The registration fee for the initial introduction of the by-law has been revised to \$25.00. It is important to note that we will review these fees again in the future to ensure they remain fair and equitable.

Identifiers for the locations to which this by-law applies have been added, as requested. This will provide clarity and transparency regarding the areas covered by the by-law.

In addition to these changes, municipal staff have engaged with TFN staff to seek their input on the by-law. From this consultation, one significant change has been made: the addition of the following paragraph at the beginning of the by-law:

"We respectfully acknowledge that the Municipality of Temagami operates within the traditional territory of the Temagami First Nation, known as N'Daki Menan. As we enact this by-law, it is important to recognize that it applies solely to lands owned, operated, or managed by the Municipality of Temagami, within the context of our ongoing commitment to reconciliation and partnership with the Temagami First Nation."

This addition underscores our commitment to reconciliation and partnership with the Temagami First Nation and acknowledges the traditional territory on which the municipality operates.

With these changes incorporated, the revised Municipal Land Use By-law is now ready for your review and approval.

**Respectfully Submitted**  
**Sabrina Pandolfo**



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
Council Working Sessions

**Resolution Number:** 24-234  
**Title:** 2024-M-099 - Draft Changes to the Land Use By-law  
**Date:** Thursday, May 23, 2024

---

**MOVED BY:** W.Gustavson  
**SECONDED BY:** J. Koistinen

BE IT RESOLVED THAT the Corporation of the Municipality of Temagami receives Memo 2024-M-099.  
AND FURTHER THAT Council approve the changes and will consider a by-law later in the meeting.

**AMENDED**

Declaration of Conflict of Interest:

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A true copy of the resolution by the Council of the Municipality of Temagami



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
Council Working Sessions

**Resolution Number:** 24-235  
**Title:** 2024-M-099 - Draft Changes to the Land Use By-law  
**Date:** Thursday, May 23, 2024

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**MOVED BY:** W.Gustavson  
**SECONDED BY:** J. Koistinen

That the motion be amended to change the motion to change the words "later in the meeting" to "at a later date after public consultation".

**CARRIED**

Declaration of Conflict of Interest:

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A true copy of the resolution by the Council of the Municipality of Temagami



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
Council Working Sessions**

**Resolution Number:** 24-234 - as amended  
**Title:** 2024-M-099 - Draft Changes to the Land Use By-law  
**Date:** Thursday, May 23, 2024

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**MOVED BY:** W. Gustavson  
**SECONDED BY:** J. Koistinen

BE IT RESOLVED THAT the Corporation of the Municipality of Temagami receives Memo 2024-M-099;  
AND FURTHER THAT Council approve the changes and will consider a by-law at a later date after public  
consultation.

**CARRIED**

Declaration of Conflict of Interest:

---

A true copy of the resolution by the Council of the Municipality of Temagami

**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

**BY-LAW NO. 25-1794**

**A By-law to adopt a new Official Plan for the Municipality of Temagami**

**WHEREAS** Section 17 of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, provides that the Council of a municipality may, by By-law, adopt an Official Plan and undertake a review of an Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami deems it appropriate and in the public interest to adopt a new Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami has, during the preparation of the new Official Plan, ensured that the relevant and required agencies, and Indigenous Communities were consulted, and all required information was made available to the public and Indigenous Communities in accordance with the *Planning Act*, R.S.O. 1990, C.P. 13, as amended;

**AND WHEREAS** the Corporation of the Municipality of Temagami has conducted the Statutory Open House and Public Meeting in accordance with the *Planning Act*, R.S.O. 1990, C.P. 13, as amended;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami ensured that any person who attended the Public Meeting was given the opportunity to make representations with respect to the new Official Plan;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami has deemed that the modifications made to the Official Plan following the Public Meeting respond to public comments and input and do not require an additional Public Meeting;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami, upon completion of the requirements set out under the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, is satisfied that the new Official Plan is appropriate for adoption;

**NOW BE IT ENACTED** the Council of the Corporation of the Municipality of Temagami in accordance with the provisions of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, enacts as follows:

1. That Schedule "A" to this By-law, being the new Official Plan text and associated schedules and appendices, is hereby adopted;
2. That the Council of the Corporation of the Municipality of Temagami deems the new Official Plan to be consistent with the Provincial Planning Statement and conforms to the applicable Provincial Plans;



3. That the Clerk of the Corporation of the Municipality of Temagami is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of the new Official Plan;
4. That upon approval of the new Official Plan by the Province, that By-law No. 11-1031 for the Corporation of the Municipality of Temagami, adopting the Official Plan on October 13, 2011, is hereby repealed;
5. That upon approval of the new Official Plan by the Province, the existing Official Plan, and all amendments thereto, for the Corporation of the Municipality of Temagami, as originally adopted by Council on October 13, 2011 and approved by the Ministry of Municipal Affairs and Housing, are hereby repealed; and,
6. That this By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME on the 23rd day of January, 2025.

READ A THIRD TIME and finally passed this 23rd day of January, 2025.

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Dan O'Mara, Mayor

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Sabrina Pandolfo, Municipal Clerk

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

## BY-LAW NO. 25-1795

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### Being a By-Law to confirm the proceedings of Council of the Corporation of the Municipality of Temagami

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#### WHEREAS

1. Pursuant to Section 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the powers of a municipality shall be exercised by its Council;
2. Pursuant to Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, a municipal power, including a municipality's capacity, rights, powers, and privileges under Section 8 of the *Municipal Act, 2001*, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;
3. It is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Temagami at this session be confirmed and adopted by by-law.

#### NOW THEREFORE

The Council of the Corporation of the Municipality of Temagami enacts as follows:

##### 1. Confirmation of Actions

The actions of the Council of the Corporation of the Municipality of Temagami in respect of:

- All recommendations in reports and minutes of committees,
- All motions and resolutions, and
- All actions passed and taken by the Council, including documents and transactions entered into,

during the Working Session of Council held on January 23, 2025, are hereby adopted and confirmed as if expressly embodied in this by-law.

**2. Authorization to Act**

The Mayor and proper officials of the Corporation of the Municipality of Temagami are hereby authorized and directed to take all necessary actions to give effect to the decisions of the Council during the meetings referred to in Section 1 of this by-law.

**3. Execution of Documents**

The Mayor and the Treasurer/Administrator or Clerk are hereby authorized and directed to execute all necessary documents related to the actions taken by the Council as described in Section 1 of this by-law. The Corporate Seal of the Municipality of Temagami shall be affixed to all such documents.

**Final Passing**

Taken as read a first, second, and third time, and finally passed this 23rd day of January, 2025.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_