

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI SPECIAL COUNCIL MEETING - ZONING BY-LAW HEARING AGENDA

# Tuesday, April 17, 2018, 5:30 P.M. Welcome Center

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

#### 1. PURPOSE OF THIS SPECIAL MEETING

The Purpose of this Special Meeting is for Council to receive public comments on Zoning Bylaw Amendment application # Z-17-01.

- 2. CALL TO ORDER AND ROLL CALL
- 3. ADOPTION OF THE AGENDA

Draft Motion:

BE IT RESOLVED THAT the Special Council Meeting / Zoning By-law Hearing Agenda dated April 17, 2018 at 5:30 pm be adopted as presented.

- 4. DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF
- 5. PRESENTATION OF THE APPLICATION
  - 5.1 Application Z-17-01 Geromaer
- 6. WRITTEN SUBMISSIONS MADE AFTER THE POSTING OF NOTICE OF THE MEETING
- 7. COMMENTS FROM THE PUBLIC ON THE APPLICATION
- 8. ADJOURNMENT

Draft Motion:

BE IT RESOLVED THAT this meeting adjourn at p.m.

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI P.O. BOX 220 TEMAGAMI, ONTARIO P0H 2H0 (705) 569-3421

FAX: (705) 569-2834 E-MAIL: visit@temagami.ca



### Notice of Complete Application and Statutory Public Meeting Zoning By-law Amendment Application Z-17-01

Pursuant to Sections 34(10.7) and 34(13) of the Ontario Planning Act, R.S.O. 1990, c. P. 13 as amended

Application No.	Z-17-01
Date of Notice	March 29, 2018
Applicant	Leo Deloyde on behalf of Geromaer Inc., George Leger
Roll No.	4869-010-003-08000-0000
Subject Property	292 Fox Run (Map 1)

#### **PURPOSE AND EFFECT:**

A complete application has been received to amend the Municipality of Temagami Zoning By-law 06-650, as amended. The purpose of the amendment is to rezone a portion of the subject property from Integrated Management Area (IMA) Zone to Remote Residential Exception-Three (R3-3) Zone.

The purpose and effect of the proposed Zoning By-law Amendment application is to facilitate the creation of three new residential lots (Map 2). It is proposed that these lands would be rezoned to the Remote Residential Exception-Three (R3-3) Zone. The retained lot would remain within the Integrated Management Area (IMA) Zone. Consent Application File C-17-04 has been submitted concurrently with the Zoning By-law Amendment Application. The rezoning of the subject lands to the R3-3 Zone would permit the development of a detached dwelling on each of the proposed three new lots. The proposed exception would permit a maximum lot area for the three new lots of 6.02 hectares, 6.17 hectares and 6.12 hectares whereas Section 7.6.2 c) of the Municipality's Zoning By-law only permits a maximum lot area of 1.5 hectares in the R3 Zone.

#### **PUBLIC MEETING:**

Date: April 17, 2018 Time: 5:30 pm

Location: Municipal Office Council Chambers, 7 Lakeshore Drive, Temagami, ON

#### INFORMATION, INQUIRIES AND WRITTEN SUBMISSIONS:

Inquiries and written submissions regarding the application should be directed to the Municipal Clerk.

Additional information regarding this application is available for public inspection at the Municipality of Temagami Municipal Office, 7 Lakeshore Drive, Temagami, Ontario, between 8:30 am and 4:30 pm, Monday through Friday.

#### **NEED TO MAKE SUBMISSIONS**

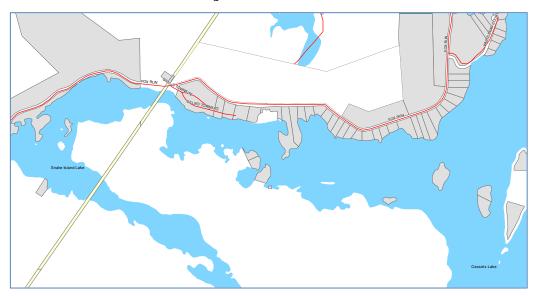
If a person or public body does not make oral submissions at a public meeting or make written submission to the Municipality of Temagami before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Municipality of Temagami to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of Temagami before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

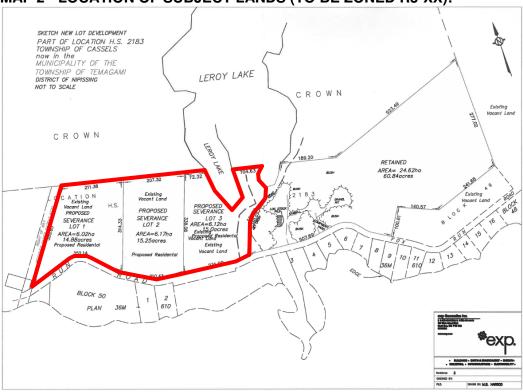
#### REQUESTING NOTICE OF DECISION:

If you wish to be notified of the decision of the Council of the Municipality of Temagami you must make a written request to the Municipality of Temagami.

#### MAP 1 - LOCATION OF SUBJECT PROPERTY:



MAP 2 - LOCATION OF SUBJECT LANDS (TO BE ZONED R3-XX):



292 Fox Run

Mailing Date of this Notice: March 29, 2018

Elaine Gunnell Municipal Clerk (705) 569-3421 clerk@temagami.ca



## THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI Regular Council Meeting

Legislative Number:

18-095

Title:

Memo 2018-M-010 - Deem Completion for Application Z-17-01 - Geromaer Inc

Date:

03/22/2018

MOVED BY:

B. Koski

SECONDED BY:

R. Prefasi

BE IT RESOLVED THAT Council acknowledge receipt of Consent Application File No. C-17-04 & Zoning Bylaw Amendment Application File No. Z-17-01 – Geromaer Inc. and deems application Z-17-01 complete; AND FURTHER THAT Council receive Memo No. 2018-M-10 regarding the Statutory Public Meeting for Zoning Bylaw Amendment – Z-17-01 – 292 Fox Run; AND FURTHER THAT Council set the date and time for the statutory public meeting for Zoning By-law Amendment File No. Z-17-01 as Tuesday, April 17, 2018 at 5:30 p.m.

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

Application to Amend the Official Plan
Application to Amend the Zoning By-law

□
X



#### PLEASE READ BEFORE COMPLETING THIS APPLICATION

This application reflects the mandatory information that is prescribed in the schedules to Ontario Regulations 198/96 and 199/96 made under the Planning Act, R.S.O. 1990 as amended. In addition to this form, the Applicant will be required to submit the appropriate fee, site plan, and any additional information or studies that may be necessary to assess the

proposal. Failure to submit all of the required information may prevent or delay the consideration of the Application. If more space is required please use additional sheets. Three copies of the completed application accompanied by the fee, in the form of a cheque, are required upon submission of the application.

SECTION 1 APPLICANT INFORMATION						
1.1 Name of Owner(s). An owner's authorisation is required in Section 11.1, if the applicant is not the owner.						
Name of Owner(s) Geromae	er – George Leger		Home Te	elephone No.		
Business Telephone No	Fax No.		Email 📉			
Address			Postal Co	ode <b>Caracteris</b>		
	of the person who is to be cor firm acting on behalf of the ov		ication, if	different than the owner.		
Name of Owner(s) Leo DeLo	oyde MCIP, RPP		Cell No.			
Business	Fax No.		Email	,		
Address 448 Surrey Driver	Hard Day, Old		Postal Co	ode		
1.3 Communications to be t	between the Municipality and	owner Leo DeLoyde A	pplicant/	Agent and		
George Leger, Owner						
2. LOCATION OF THE SUE	BJECT LAND (Complete app	olicable boxes in 2.1)				
2.1 Address Part Sawmill S	ite HS 2183					
District	Township Cassells	Municipality Temag	ami	Section or Mining Loc. No.		
Concession Number (s)	Lot Number (s)	Registered Plan No		Lot (s) Block(s)		
Reference Plan No.	Part Number(s)	Parcel Number		Island Number		
2.2 Are there any easements or restrictive covenants affecting the subject land?						
XNNo						
3. NAMES AND ADDRESS TO THE SUBJECT LANDS	ES OF ANY MORTGAGES<	CHARGES OR OTHE	RENCU	MBRANCES IN RESPECT		
None						

Privately owned and operated individual well  Privately owned and operated communal well  Lake or other water body other means  U  4.5 Sewage Disposal (check the appropriate space)  Publicly owned and operated sanitary sewage system Privately owned and operated individual septic tank Privately owned and operated communal septic system Privy  Other means  1)  4.6 Other services Check if the service is available  Electricity School Bussing Garbage Collection  X  5. LAND USE  5.1 What is the existing Official Plan designation(s), of the subject land? Integrated Management Area  5.2 What is the Proposed Zoning? IMA  5.3 What is the Proposed Zoning / Official Plan designation? R3 Residential			1				
Depth(m) Area (ha) Area (h	4. DESCRIPTION C	)FSI	UBJECT LAND 8	SERVICING INFOR	MATION	(Complete	each section)
Area (ha)  Area (ha)  42.9 ha  43.4 Cress (check the appropriate space)  Froposed Use (s)  Municipal road, maintained all year  Municipal road, seasonally maintained  Other public road (e.g. LRB)  Right of way  Water access (if so please describe)  If access to the subject land is by private toad, or if "other public road" or " right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year  If access to the subject land is by water describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.  4.4 Water Supply  Publicly owned and operated piped water system  Privately owned and operated communal well  Approximate the appropriate system  Privately owned and operated communal well  Approximate the appropriate system  Publicly owned and operated sanitary sewage system  Privately owned and operated individual septic tank  Privately owned and operated individual septic tank  Privately owned and operated communal septic system  Other means  11  4.6 Other services Check If the service is available  School Bussing  Garbage Collection  X  5. LAND USE  5.1 What is the existing Official Plan designation(s), of the subject land? Integrated Management Area  5.2 What is the Proposed Zoning/Official Plan designation? R3 Residential	4.1 Description		Frontage (m)			1301.3 m	
4.2 Use of Property  Existing Use(s)  Proposed Use (s)  Single family houses (3)  4.3 Access (check the appropriate space)  Municipal road, maintained all year  Municipal road, maintained all year  Municipal road, seasonally maintained  Other public road (e.g. LRB)  Right of way  Water access (if so please describe)  If access to the subject land is by private toad, or if "other public road" or "right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year  If access to the subject land is by water describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.  4.4 Water Supply  Publicly owned and operated piped water system  Privately owned and operated communal well  Privately owned and operated communal well  Privately owned and operated sanitary sewage system  Privately owned and operated individual septic tank  Privately owned and operated communal septic system  Privately			Depth(m)			340	
Proposed Use (s)  Single family houses (3)  4.3 Access (check the appropriate space)  Provincial Highway Municipal road, maintained all year  Municipal road, seasonally maintained Other public road (e.g. LRB)  Right of way Water access (if so please describe)  If access to the subject land is by private toad, or if "other public road" or "right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year  If access to the subject land is by water describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.  4.4 Water Supply  Publicly owned and operated piped water system Privately owned and operated communal well  A.5 Sewage Disposal (check the appropriate space)  Publicly owned and operated sanitary sewage System Privately owned and operated individual septic system Privately owned and operated communal septic system Privately owned and operated communal septic system Privately owned and operated individual septic system Privately owned and operated communal septic system Privately owned and operated communal septic system Privately owned and operated individual septic system Privately owned and operated communal septic system Privately owned and operated individual septic system Privately owned and operated individual septic system Privately owned and operated communal septic system Privately owned and operated communal septic system Privately owned and operated individual septic system Privately owned and operated communal septic system Privately owned and operated individual septic system Privately owned and operated individual septic system Privately owned and operated individual septic system Privat			Area (ha)			42.9 ha	
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A.4 Water Supply  Publicly owned and operated individual well  As Sewage Disposal (check the appropriate space)  A.5 Sewage Disposal (check the appropriate space)  A.6 Other services Check if the service is available  A.6 Other services Check if the Service is available  A.6 Other services Check if so please describe)  Municipal road, seasonally maintained  Municipal			Proposed Use (s)	)		Single fam	ily houses (3)
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Other public road (e.g. LRB)  Right of way  Water access (if so please describe)  If access to the subject land is by private toad, or if "other public road" or " right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year  If access to the subject land is by water describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.  4.4 Water Supply  Publicly owned and operated piped water system Privately owned and operated communal well Lake or other water body other means  U  A.5 Sewage Disposal (check the appropriate system Privately owned and operated sanitary sewage system Privately owned and operated individual septic tank Privately owned and operated communal septic system Privately owned and operated communal septic tank Privately owned and operated communal septic system Privy U  Other means  1 1  4.6 Other services Check if the service is available  5.1 What is the existing Official Plan designation(s), of the subject land? Integrated Management Area  5.2 What is the Proposed Zoning / Official Plan designation? R3 Residential	appropriate space)		Municipal road, m	naintained all year		X	
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	5.2 What is the existing Zoning? IMA						
	5.3 What is the Proposed Zoning /Official Plan designation? R3 Residential						
5.4 Complete the following chart for all existing buildings or structures on the subject land							
Building No. 1 Building No. 2 Building No. 3 Building No. 4		Buile	ding No. 1	Building No. 2	Building	No. 3	Building No. 4

Туре	Vacant land	Vacant I	Land	Vacan	it Land	
Height						
Dimensions						
Ground Floor Area						
Date Constructed					n vian vian dian dalla dalla dalla dian dan dan	
	owing uses or features of	on the subje	ect land or wit	hin 500	meters of the su	bject land, unless
otherwise specified.	Jse or Feature		1	On the subject Within 500 meters of Unless otherwise speciapproximate dis		vise specified (indicate
An agricultural operati stockyard	on including livestock fa	cility or	No			
A landfill	· -		No			
A sewage treatment p	lant or waste stabilisation	n plant	No			
A provincially significa wetland)	nt wetland (class 1,2, or	r 3	No			
	nt wetland within 120 m	eters of	No			1
Flood Plain			No			
A rehabilitated mine si	te		No			
A non-operating mine subject land	site within 1 kilometre o	f the	No			
A active railway line,	a municipal/federal airpo ildings, structures, sites		Yes	Yes Hydro corridor		lor
6. HISTORY OF TH	IE SUBJECT LAND			•		
amendment?	nd ever been the subject	• • •	·	•		
	s a re-submission or a p	revious cor	nsent applicat	tion, des	cribe how I has	been changed from
	e that the subject land	d was acqu	uired by the	owner	1992	
<b>6.4</b> Provide the leng required) 1995 <b>7. CURRENT APPI</b>	th of time that the exi	sting uses	of the subje	ect land	s have continu	ed (Proof may be
	amendment is being red	nuested:				
			41	1_4_4_	1 4 . 1 1	
10 construct three	single family detacl	ned nouse	es on three	lots to	be created by	way of consent.
7.2 Is the subject land	the subject of any other	r planning a	ipprovals app	lication	at this time?	
_	es and if known specify	,				
7.2 Complete the folio	wing short for all manage	and building	o or otructure		aubicat landa	
r.s Complete the follo	wing chart for al propos				ng No. 3	Building No. 4
Туре	Building No. 1	Building	<u> </u>			Building No. 4
* *	Single family	Single fa	mily		family	
Height	TBD	TBD		TBD		
Dimensions	TBD	TBD		TBD		

Ground floor area	TBD	TBD	TBD			
Proposed Constructed Date	Unknown	Unknown	Unknown			
	Future owners will	prepare building pla	ans for Town of Tem	agami approval.		
B. SKETCH NOTE: Future owners will prepare building plans for Town of Temagami approval.  The application shall be accompanied by a sketch showing the following:  the boundaries and dimensions of the subject land;  all existing and proposed buildings and structures on the subject land showing the distance of said buildings and structures from front, rear, and side lotlines  the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may effect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells septic tanks, steep slopes, and narrow waterbodies:  the existing uses on adjacent lands  the location, width and name of any roads within or abutting the subject land: indicating whether it is an unopened road allowance, a public travelled road, a private road, a right of way  if access to the subject land is by water only,, the location of the parking and boat docking facilities to be used;  the location and name of any easement affecting the subject land.						
9.1 Does this application skip to Section 10	on involve an amendmen	nt to the Official Plan?	Yes <b>X No</b> if yes comp	lete Section 9, if no		
9.2 What is the purpos	e of the proposed Officia	al Plan Amendment?				
				***************************************		
9.3 Does the proposed Official Plan Amendment Change policy						
☐ Yes ☐ N	Official Plan amendmer lo	nt change a land use de	NIA	cial Plan		
9.5 What is the prop	osed Official Plan des	signation				
10. AUTHORISATION  10.1 If the applicant is not the owner of the land that is the subject of this application, the written authorisation of the owner that the applicant is authorised to make the application must be included with this form or the authorisation set out below must be completed.						
AUTHORISATION OF OWNER FOR AGENT TO MAKE THE APPLICATION						
I, George Leger	, am the o	water of the land that is s	ubject of this application	and I authorise		
Leo DeLoyde MCIP RPP to make this application on my Behalf.						
Date		Signature of Owner		_		

10.2 If the applicant in not the owner of the land that is the subject of this application, complete the authorisation of the owner concerning personal information set out below
AUTHORISATION OF OWNER FOR AGENT TO PROVIDE PERSONAL INFORMATION
I, George Leger, am the owner of the land that is the subject of this application and for the purpose of the Freedom of Information and Protection of Privacy Act,
I authorise Leo DeLoyde MCIP RPP as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.
Date Signerary of Owner
10.3 Consent of Owner  Complete the consent of the owner concerning personal information set out below
CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION
I, George Leger, am the owner if the land that is the subject of this application and for the purposes of the Freedom of Information and protection of Privacy Act, I authorise and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.
Date Signature of Owner
11. AFFIDAVIT OR SWORN DECLARATION  NOTE: ALL APPLICANTS SHALL ENSURE THAT A " COMPLETE APPLICATION" UNDER THE PLANNING ACT HAS BEEN MADE BEFORE COMPLETING SECTION II
I, George Leger of the Teman has the American American Contained in the documents that the information contained in the documents that accompany this application is true. Sworn (or declared) before me
in the City of Scotsdall Arizona, Maricypacounty
this day of DC 20_// Compaissioner of Oaths  Applicant
PICE SA DRINOCZY NATARY PUBLIC - ARIZONA Paga County P

#### 12. Check List

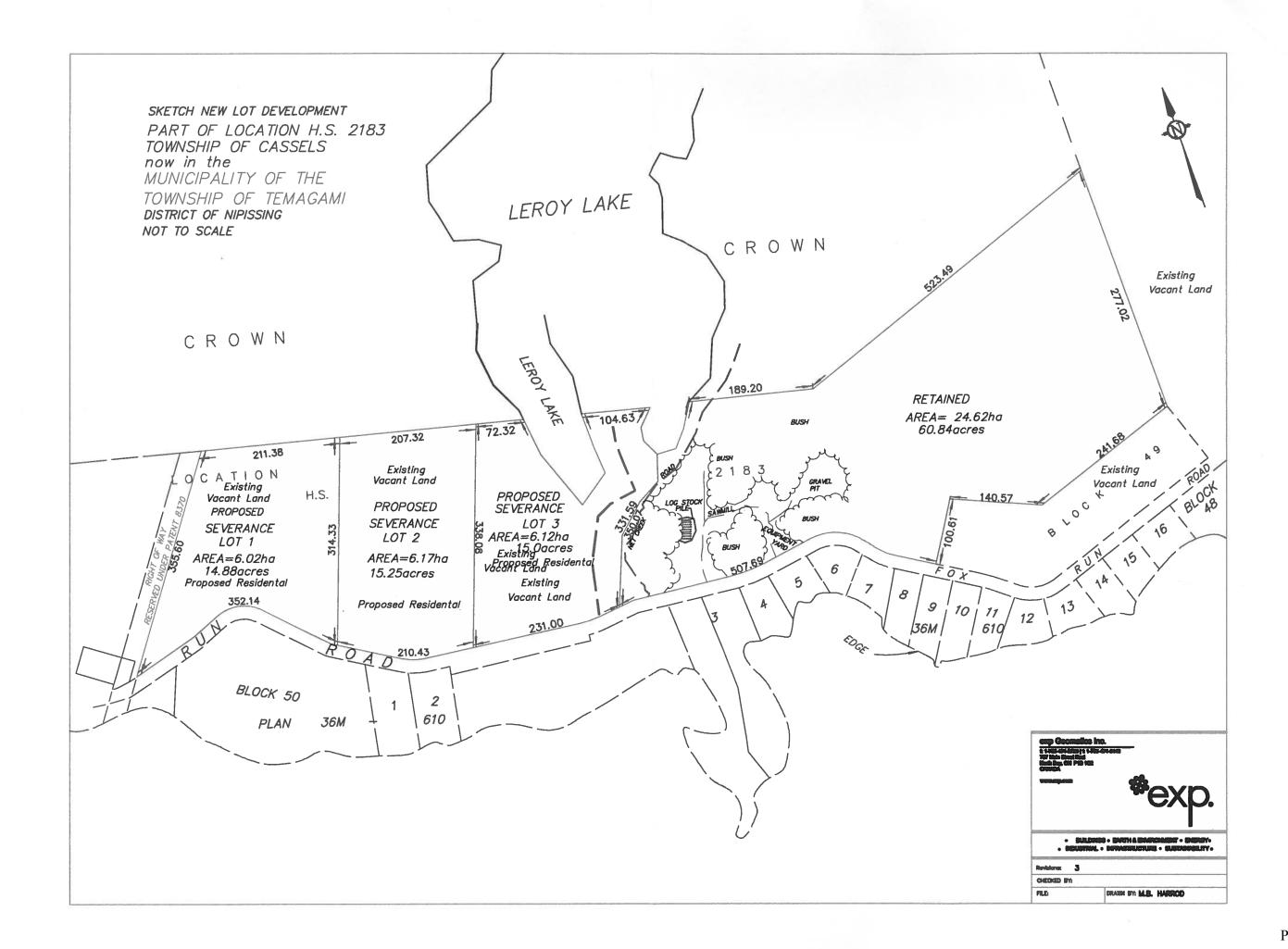
Applicants check list: HAVE YOU REMEMBERED TO ATTACH:

- 3 copies of the complete application form 3 copies of the required sketch
- 2 copies of any required technical or justification study

the required fee, cheque payable to the Municipality of Temagami

#### **CONSENT OF OWNER - SITE VISIT**

I, Geroge Leger \_\_\_\_, am the owner of the land that is subject of this application and I authorise municipal staff, committee of adjustment members, and council members to enter onto the property to gather information necessary for assessing this application.















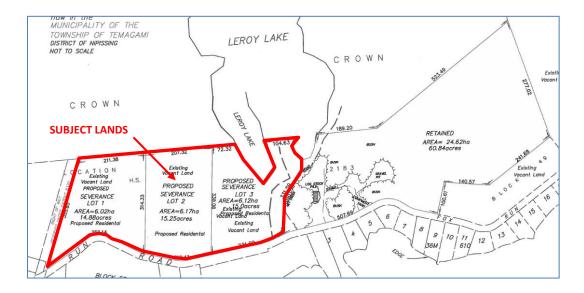
MUNICIPALITY OF TEMAGAMI					
Report Prepared	Tammy Lepage	Application	Z-17-01		
For:		Number:			
Report Prepared By:	Jamie Robinson, BES,	Applicant Name:	Deloyde		
	MCIP, RPP and Patrick		Development		
	Townes, BA, BEd		Solutions c/o Leo		
			Deloyde		
Location:	292 Fox Run Road	Owner Name:	Geromaer Inc. c/o		
			George Leger		
Report Date:	March 13, 2018	Application Type:	Zoning By-law		
			Amendment		

#### 1.0 BACKGROUND

A Zoning By-law Amendment application has been submitted by Deloyde Development Solutions, on behalf of the owner, Geromaer Inc. The application is to rezone a portion of the subject property located at 292 Fox Run Road to facilitate the creation of three new lots, and to permit residential development on each of the three proposed new lots.

A Consent application has also been submitted concurrently by the applicant/owner which proposes to create the three new lots on the subject property. For the purposes of this Report, the proposed three new lots as shown on Figure 1 will be referred to as the subject lands. These lands are proposed to be rezoned from the Integrated Management Area (IMA) Zone to the Rural Residential Exception Three (R3-3) Zone. The remaining portion of the subject property will remain in the IMA Zone.

Figure 1: Subject Lands



The subject property is located at 292 Fox Run Road and is legally described as Cassels PT LOC HS2183 PT PCL 15812 NIP. The subject property is located within the Matabitchuan Neighbourhood and is designated as an Integrated Management Area; and is located within the Integrated Management Area (IMA) Zone in the Municipality of Temagami's Zoning Bylaw 06-650.

#### 2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject property is identified on Figure 2 and is located on the north side of Fox Run Road. As noted on the application, the subject property has a lot area of 42.9 hectares (106 acres) and has a lot frontage of 1,200 metres (3,937 feet) on Fox Run Road.

There is an existing sawmill, equipment yard and gravel pit situated on the subject property. The surrounding land uses include the following:

- North: Crown Land and Leroy Lake
- East: Vacant lands and shoreline residential lots
- South: Shoreline residential lots and Cassells Lake
- West: Vacant Lands and shoreline residential lots

MUNICIPALITY OF THE
TOWNSHIP OF TEMAGAMI
DISTRICT OF NIPISSING
NOT TO SCALE

C R O W N

SUBJECT PROPERTY

20132

104.63

RETAINED
AREA = 24.62ha
60.84acres

PROPOSED
SEVERANCE
LIOT 1

AREA = 5.17ha
15.25acres
Proposed Residental

Figure 2: Subject Property

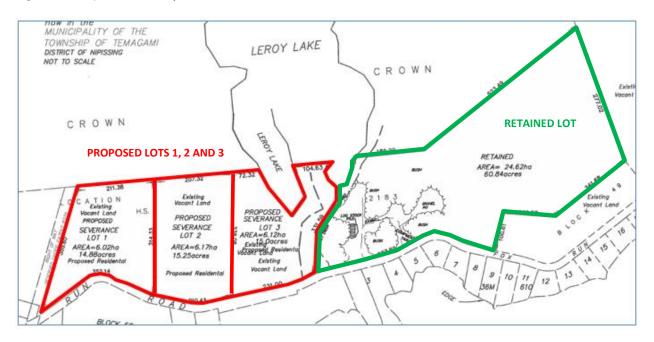
#### 3.0 PROPOSAL

The purpose of the application is to rezone the subject lands to the R3-3 Zone. The IMA Zone does not permit new detached dwellings and therefore the rezoning application is required to permit detached dwellings on each of the proposed three new lots.

The subject lands are representative of the three new proposed lots which are subject to a concurrent Consent application. A Zoning By-law Amendment is a recommended condition

of provisional consent for the concurrent Consent application. The proposed lot layout on the subject lands is shown on Figure 3; and the proposed lot statistics are shown in Table 1.

Figure 3: Proposed Lot Layout



*Table 1: Proposed Lot Statistics* 

Lot	Lot Area	Lot Frontage
Lot 1	6.0 ha (14.9 ac)	300 m
Lot 2	6.2 ha (15.3 ac)	200 m
Lot 3	6.1 ha (15.0 ac)	225 m
Retained Lot	24.6 ha (60.8 ac)	470 m

An exception to the R3 Zone is required because each of the proposed three new lots exceed the maximum lot area in the Zoning By-law. Furthermore, each of the proposed three lots will be serviced by private water supply and sewage disposal systems following construction of a detached dwelling.

#### 4.0 POLICY AND REGULATORY CONSIDERATIONS

#### 4.1 Provincial Policy Statement

The Provincial Policy Statement, 2014 (PPS) was approved on April 30, 2014 by the Ministry of Municipal Affairs and Housing and is applicable to the subject lands. The subject lands and surrounding area are considered Rural Lands in accordance with the PPS, and Section 1.1.5.2 recognizes limited residential development as a permitted use. The proposed application is to rezone the subject lands to permit residential development is consistent with the PPS.

#### 4.2 Municipality of Temagami Official Plan

The subject lands located within the Matabitchuan Neighbourhood and are designated as Integrated Management Area in the Official Plan. The Matabitchuan Neighbourhood is characterized by dispersed residential development, tourist commercial activities and resource extraction all linked to a less developed hinterland by existing roads, trails, portages and waterways.

The permitted uses of the Matabitchuan Neighbourhood are listed in Section 7.3.2 of the Official Plan, and include permanent or seasonal detached dwelling units. The subject lands are to be used for residential purposes, including the construction of detached dwellings.

The subject lands are designated as an Integrated Management Area in the Official Plan. Uses permitted within this designation are included in Section 7.4.1 of the Official Plan and are limited to existing and new private residential development. Again, the proposal is to rezone the subject lands to facilitate residential development, which conforms to the policy direction provided in the Official Plan.

Policies regarding land use compatibility are included in Section 2.19 of the Official Plan. It is noted that the Retained Lot contains a sawmill and a small gravel pit. It is our understanding that this is a small operation is terms of intensity and was originally established when Fox Run Road was being constructed. These uses are permitted within the IMA Zone and it is our opinion that residential uses on the subject lands will be compatible with this existing use, along with the surrounding shoreline residential properties along the south side of Fox Run Road.

Based on our review, the proposed rezoning to permit residential uses on the subject lands conforms to the relevant policies of the Official Plan.

#### 4.3 Municipality of Temagami Zoning By-law

The subject lands are currently located within the IMA Zone in the Municipality's Comprehensive Zoning By-law. The permitted uses for the IMA Zone are included in Section 7.3.1 of the Zoning By-law, and includes the following:

- conservation
- hunt camps
- recreational trails
- huts and warm-up shelters
- commercial timber harvesting, mining and aggregate extraction
- permanent dwelling unit or seasonal dwelling unit and accessory buildings and structures existing on the date of adoption of this By-law

New permanent dwelling units or seasonal dwelling units are not permitted within the IMA Zone, therefore the rezoning is required to facilitate the proposed three new lots and to permit the construction of detached dwelling on each lot. The area is characterized as a rural area and the adjacent properties are zoned R3, therefore the R3 Zone is appropriate for the subject lands.

A zoning compliance review of the proposed three new lots and one retained lot is included in Table 2. The zone requirements for the R3 Zone are included in Section 7.6.2 of the Zoning By-law.

Table 2: R3 Zoning Compliance

R3 Standard	R3 Requirement	Lot 1	Lot 2	Lot 3	Compliant
Minimum Lot Frontage	50.0 m	300 m	200 m	225 m	Yes
Minimum	1.0 ha with a	6.02 ha	6.17 ha	6.12 ha	Yes
Lot Area	drilled well	(14.88 ac)	(15.25 ac)	(15.0 ac)	
Maximum	1.5 ha	6.0 ha	6.2 ha	6.1 ha	No – Lot 1, Lot 2 and
Lot Area		(14.9 ac)	(15.3 ac)	(15.0 ac)	Lot 3 do not comply

It is noted that there have been no specific building plans provided at present time. Future building and structure construction on the subject lands will have to comply with the zone standards of the R3 Zone, including lot coverage, yard setbacks, maximum gross floor area and maximum size requirements for accessory buildings and structures.

An exception to the R3 Zone is also required to permit lots that exceed the maximum lot area of 1.5 hectares. The proposed lot sizes are appropriate for the rural area. The R3-3 Zone will include a maximum lot area of 6.5 hectares.

#### 6.0 RECOMMENDATIONS

The proposed rezoning of the subject lands to facilitate residential development on the proposed three new lots which are subject to a concurrent Consent application conforms the policy direction in the Official Plan and is consistent with the PPS. On this basis, it is recommended that Council approve the Zoning By-law Amendment by enacting the By-law attached to this Report.

Respectfully submitted,

Jamie Robinson, BES, MCIP, RPP

**Partner** 

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

#### **BY-LAW NO. 18-xxxx**

### A By-law to amend the zoning provisions which apply to the lands located at 292 Fox Run Road, Municipality of Temagami

**WHEREAS** the Council of the Corporation of the Municipality of Temagami is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13;

**AND WHEREAS** Council deems it appropriate to rezone the subject lands, in accordance with Section 7.4.2 of the Official Plan;

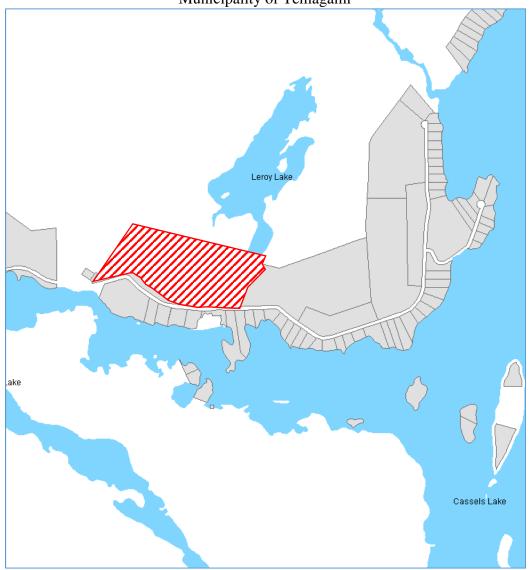
**NOW THEREFORE** the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

- 1. That Schedule 'A3' of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on the lands at 292 Fox Run Road from the Integrated Management Area (IMA) Zone to the Rural Residential Exception Three (R3-3) Zone on the lands identified on Schedule "A1" attached hereto and forming part of this By-law.
- That the Clerk of the Municipality of Temagami is hereby authorized to make minor
  modifications or corrections of a grammatical or typographical nature to the by-law and
  schedule, after the passage of this by-law, where such modifications or corrections do not
  alter the intent of the by-law.
- 3. That Section 7.6.4 Exceptions of By-law 06-650, as amended, is hereby amended by adding the following:
  - 7.6.4.3 Rural Residential Exception Three (R3-3) Zone
    - a) Notwithstanding any other provisions of the Zoning By-law, the following shall apply to the lands within the R3-3 Zone:
      - i. The maximum lot area shall be 6.5 hectares.

This By-law will take effect on the date of its passage, subject to the provisions of Section 34(30) and (31) of the Planning Act, R.S.O. 1990, c.P.13.

TAKEN AS READ a first time this	day of	, 2018.		
TAKEN AS READ a second and thir	d time and	finally passed this	day of	, 2018.
		Mayor		
		Clerk		

Schedule 'A1'
292 Fox Run Road – By-law No. \_\_\_\_\_
Municipality of Temagami



The lands to be rezoned from the Integrated Management Area (IMA) Zone to Rural Residential Exception Three (R3-3) Zone.

This is Schedule	'A-1' to By-law No.	18-
Passed this	_ day of	, 2018
	<u> </u>	
	Mayor	
	Clerk	