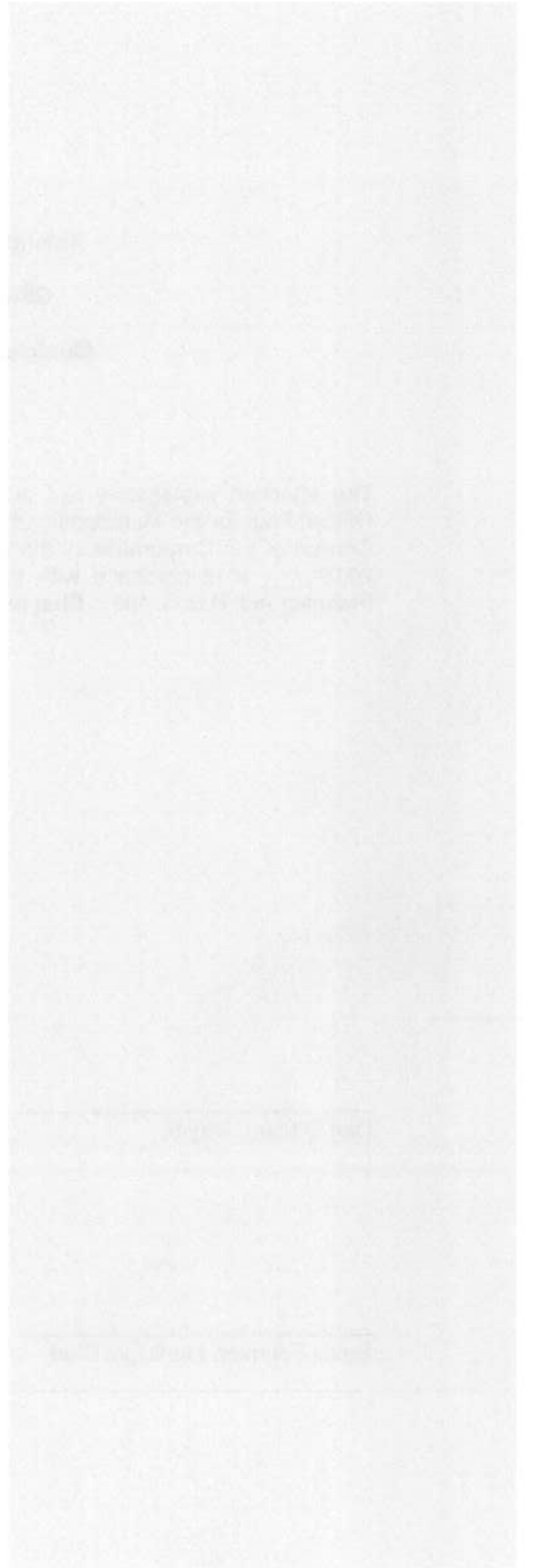


Official Plan Amendment No. 3

Municipality of Temagami

DRAFT



**Amendment No. 3 to the
Official Plan of the
Municipality of Temagami**

The attached explanatory text and constituting Amendment Number 3 to the Official Plan for the Municipality of Temagami, was prepared and adopted by the Council of the Corporation of the Municipality of Temagami, by By-law Number 2019- in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Dan O'Mara, Mayor

Suzie Fournier, Municipal Clerk

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 2019-__

**A By-law to adopt Amendment No. 3 to the
Official Plan for the Municipality of Temagami.**

WHEREAS The Corporation of the Municipality of Temagami is empowered to amend its Official Plan as required;

AND WHEREAS Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provide Council such authority to amend its Official Plan;

AND WHEREAS the policies of the Official Plan of the Municipality of Temagami are approved and in force and effect at this time;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it necessary and desirable to adopt an amendment to the Official Plan of the Temagami;

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

1. Amendment No. 3 to the Official Plan for the Municipality of Temagami, consisting of the explanatory text is hereby adopted.
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 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.

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.

READ A FIRST AND SECOND TIME on the _____ day of _____, 2019.

READ A THIRD TIME and finally passed this _____ day of _____, 2019.

Mayor

Municipal Clerk

Certification

Certified that the above is a true copy of By-law No. 2019-___ as enacted and passed by Council of the Municipality of Temagami on the ____ day of _____, 2019.

Municipal Clerk

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Municipality of Temagami consists of three parts:

Part A – THE PREAMBLE does not constitute part of this Amendment.

Part B – THE AMENDMENT, consisting of the text of Amendment No. 3 to the Official Plan to the Municipality of Temagami. There is no map or schedule associated with the Amendment.

Part C – THE APPENDICES do not constitute part of this Amendment. The appendices contain the background material, planning considerations and public involvement associated with this Amendment.

Part A – Preamble

Purpose

The purpose of this amendment is to include policies in the Municipality of Temagami Official Plan to implement Provincial policies regarding second units, and to permit second units within all neighbourhoods in the Municipality following direction from Council.

This amendment implements the goals and objectives of the Official Plan by providing opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs.

Location

Amendment No. 3 is a textual amendment and generally applies to all lands within the Municipality, therefore there is no schedule provided with the Amendment.

Basis

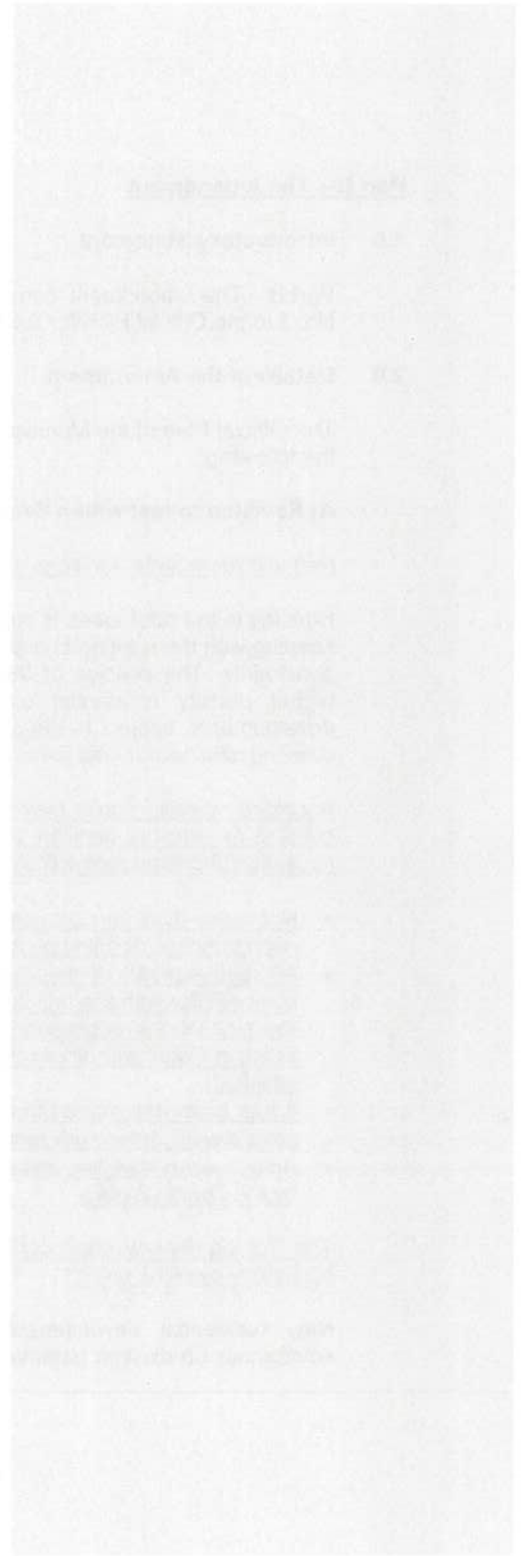
The Provincial Policy Statement (2014), the Strong Communities through Affordable Housing Act (2011), and the Promoting Affordable Housing Act (2016) provide direction to Municipalities to provide for opportunities for the development of affordable housing in the form of second units in their planning documents, Official Plans and Zoning By-laws.

In adopting this Official Plan Amendment, Council relies on the following basis:

- The Provincial Policy Statement (2014) which speaks to the accommodation of an appropriate range and mix of residential, including second units, affordable housing and housing for older persons;
- Bill 140, The Strong Communities through Affordable Housing Act, 2011 which came into effect on January 1, 2012. This Bill made changes to the Planning Act, expanding on the affordable housing options by requiring that municipalities set policies that would allow second units in new and existing developments provided that they are in appropriate areas;
- Bill 7, The Promoting Affordable Housing Act, 2016, and Ontario's Long Term Affordable Housing Strategy Update, which expanded and enhanced the range of land use planning and municipal finance tools that municipalities can use to build more affordable market housing; and
- The Municipality of Temagami's Official Plan which sets out policies to promote affordable housing.

- A desire by the Municipality to permit accessory~~second~~ dwelling units on waterfront properties meeting lot area and lot frontage specification.

The Provincial policy framework related to promoting affordable housing encourages and requires Municipalities to permit second units in some form, at the discretion of the Municipality within their planning documents. Council has provided direction to permit second units in the form of accessory apartments in all neighbourhoods of the Municipality, including shoreline properties.



Part B – The Amendment

1.0 Introductory Statement

Part B – The Amendment, consisting of the following text constitutes Amendment No. 3 to the Official Plan for the Municipality of Temagami.

2.0 Details of the Amendment

The Official Plan of the Municipality of Temagami is amended in accordance with the following:

A) Revision to text within Section 2.2.2 Housing as follows:

(red text represents additions or deletions)

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. Garden suites and accessory dwelling units~~apartments in houses~~ are not permitted in the rural area.

Accessory dwelling units may be permitted in single detached dwellings or in a building or structure ancillary to a single detached dwelling within the rural area (including shoreline properties) provided that:

- Not more than one accessory dwelling unit is permitted in association with each principal dwelling on the same lot;
- 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 accessory dwelling unit and other standards including the Building Code and other relevant municipal and provincial regulations can be satisfied;
- It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the accessory apartment.
- An accessory dwelling unit shall not be permitted in the front yard as defined by the Zoning By-law.

The Zoning By-law shall contain provisions to regulate the establishment of accessory dwelling units.

New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown

land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

B) Revise all references to “Accessory Apartments” to read “Accessory Dwelling Units”.

B) Include Accessory Dwelling Unit as a permitted use in various designations

Sections 4.3.3, 5.3.2, 5.3.3, 6.3.2, 6.3.3, 7.3.2, 7.3.3 & 8.3.2 8.3.3 shall be amended by including “accessory dwelling unit” as a permitted accessory use.

- Commented [CK1]: Permitted uses for Lake Temagami Neighbourhood
- Commented [CK2]: Permitted uses in Marten River Neighbourhood
- Commented [CK3]: Permitted uses in Matabitchaun Neighbourhood
- Commented [CK4]: Permitted uses in Backcountry Neighbourhood

C) Delete definition of ‘Apartments-in-House’ from Appendix C

~~Apartments-in-House—These are second self-contained units in detached or semidetached houses in a residential zone serviced by a publicly owned or operated sewage system and which satisfy special provisions of the Ontario Building Code and the Fire Code.~~

D) Add new definition of ‘Accessory Dwelling Unit’ to Appendix C

~~Accessory Dwelling UnitApartment - A self-contained residential dwelling unit with a private kitchen, bathroom facilities and sleeping areas created by either an interior renovation within an existing dwelling, or as an exterior addition to the primary a dwelling unit or accommodated as an within an accessory building or part thereof. an accessory building. Such residential unit is an accessory use to the main dwelling.~~

All other policies of the Official Plan of the Municipality of Temagami shall apply.

3.0 Implementation and Interpretation

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment. In all other respects the provisions of the Municipality of Temagami Official Plan shall apply.

Upon approval of this Amendment, Council shall consider an implementing Zoning By-law.

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

Part C – The Appendices

1. Resolution of Council (17-704), November 23, 2017;
2. Memorandum to Council (2017-M-103), November 23, 2017;
3. Memorandum to Planning Advisory Committee, February 16, 2018;
4. Planning Information Report prepared by MHBC, March 13, 2018;
- 2-5. Motion from Planning Advisory Committee (18-20), March 13, 2018;
- 3-6. Resolution of Special Council - Committee of the Whole (18-081) regarding Second Units, March 13, 2018.;
- 4-7. Planning Information Report prepared by MHBC, April 11, 2018;
8. Planning Report regarding Second Units OPA prepared by MHBC, May 10, 2018;
9. Resolution of Council (18-175), May 24, 2018;
10. Resolution of Council (18-186), May 24, 2018;
11. Planning Report regarding Second Units OPA prepared by MHBC, August 14, 2018;
12. Memorandum to Council (2019-M-018), January 10, 2019; and
- 5-13. Resolution of Council (19-70), January 10, 2019.