

MUNICIPALITY OF TEMAGAMI			
Report Prepared For:	Sabrina Pandolfo, Clerk / Deputy CAO	Application Number:	ZBA 25-01
Report Prepared By:	Jamie Robinson, BES, MCIP, RPP and Patrick Townes, BA, BEd	Applicant:	Planscape (c/o Stefan Szczerbak
Location:	Blocks 44, 46 and 49 on Registered Plan 36M-610 (Fox Run Road)	Owner:	Geromaer Inc. c/o George Leger
Report Date:	June 12, 2025	Application Type:	Zoning By-law Amendment

A. RECOMMENDATION

THAT Council receives the Planning Report dated June 12, 2025, respecting Zoning By-law Amendment No. 25-01; and,

THAT Council authorizes the passing of By-law No. 2025-1828 being a By-law to amend Zoning By-law 06-650, as amended.

B. PROPOSAL/BACKGROUND

A Zoning By-law Amendment application has been submitted by the owner of the subject lands, which consists of three (3) separate properties that are identified as Block 44, Block 46 and Block 49 on Registered Plan 36M-610 on the north side of Fox Run Road.

The purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject lands to satisfy a condition of provisional Consent, for the applications that were approved by the Committee of Adjustment (C-25-02, C-25-03 and C-25-04). The Consent applications that were provisionally approved resulted in the creation of 12 new lots on the subject lands, and 1 retained lot. The subject lands and the proposed lots are shown on Figure 1 and Figure 2. The subject lands are currently comprised of four separate properties (blocks), and this is shown on Figure 1. In addition to the proposed lot configuration, the four separate properties (blocks) are also outlined in dashed lines on Figure 2.

The subject lands are designated as Integrated Management Area and are located within the Matibitchuan Neighbourhood in the Official Plan. The subject lands are located within the Integrated Management Area (IMA) Zone in the Zoning By-law.

Figure 1: Subject Lands

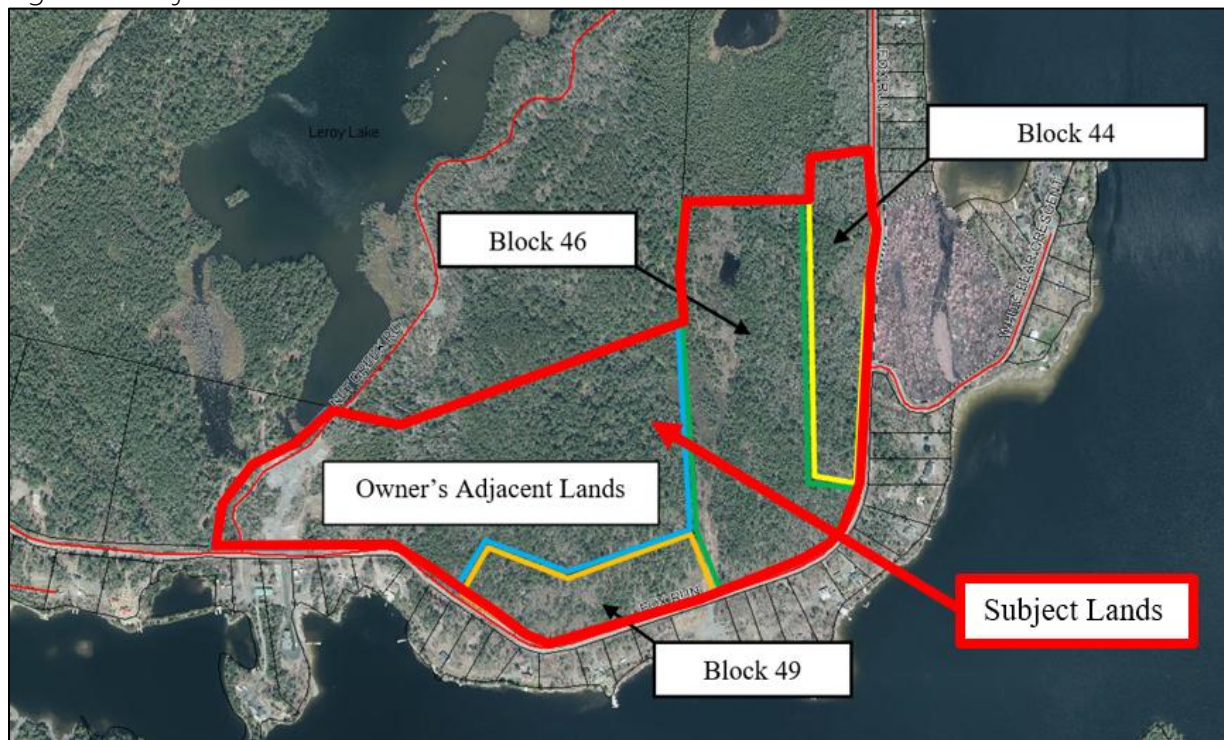
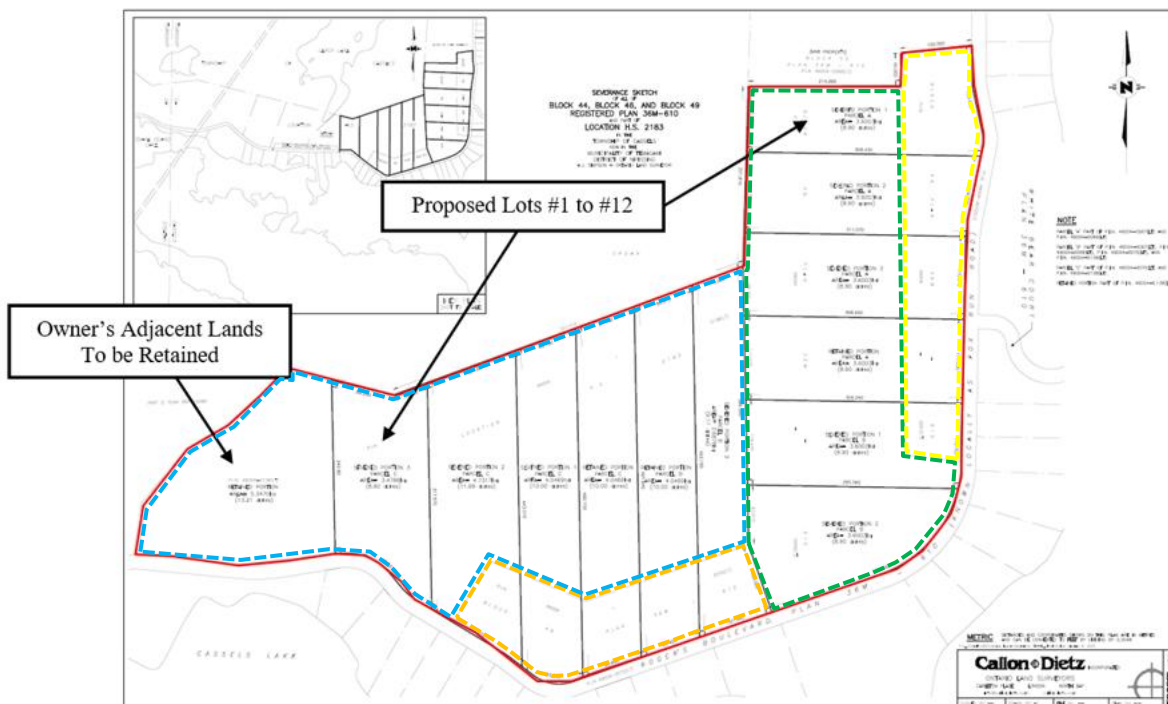


Figure 2: Proposed Lot Configuration



A copy of the Planning Report prepared for the Consent application is included as Attachment #1. The Planning Report prepared for the Consent application includes a detailed review of

the proposed lot areas and lot frontages and also provides a summary of the technical studies that were completed. Following the Committee of Adjustment's decision to provisionally approve the Consent application, the following condition was included:

- 5) *That the owner obtains approval of a Zoning By-law Amendment application to implement the recommendations and mitigation measures contained within the Environmental Impact Study and the Water Quality Impact Study;*

The Zoning By-law Amendment is required to rezone the subject lands from the Integrated Management Area (IMA) Zone to the Rural Residential (R3) Zone and the Protected Area (PA) Zone. The proposed amendment includes the following items:

- 1) Rezone a portion of the subject lands and the proposed lots to the R3 Zone to permit future rural residential land uses;
- 2) Rezone a portion of the subject lands and the proposed lots to the PA Zone to implement the recommendations contained within the Environmental Impact Study; and,
- 3) Include a site-specific amendment to require future septic systems to be located a minimum of 200 metres from the shoreline of Cassels Lake.

C. COMMENTS RECEIVED

Temagami First Nation provided an email on May 27, 2025, confirming that they have no concerns with the proposed Zoning By-law Amendment application.

D. POLICY AND REGULATORY CONSIDERATIONS

The following is a review of the relevant policy and regulatory considerations that pertain to the proposed Zoning By-law Amendment application.

Provincial Policy Statement

The Provincial Policy Statement was approved by the Ministry of Municipal Affairs and Housing on May 1, 2020, and is applicable to the subject lands. In the context of the PPS, the subject lands are considered as Rural Lands. Under Section 1.1.5.2 of the Provincial Policy Statement, residential development is permitted. The proposed lots are to be used for rural residential development.

Section 1.6.6.4 of the Provincial Policy Statement states that individual on-site sewage services and individual on-site water services may be used provided that the site conditions are suitable for the long-term provision of such services with no negative impacts. The Water Quality

Impact Study that was prepared provides recommendations for future septic system locations on each of the proposed lots that are in conformity with the Provincial Lakeshore Capacity Assessment Handbook. It is recommended that future septic systems be located a minimum of 200 metres from the shoreline of Cassels Lake. This requirement is included in the draft Zoning By-law Amendment. Please refer to Attachment #2.

Section 4.1 of the Provincial Policy Statement includes policies to protect natural heritage features, including wetlands, significant woodland, significant wildlife habitat, significant areas of natural and scientific interest, fish habitat and habitat of endangered and threatened species. An Environmental Impact Study was completed, and recommendations and mitigation measures were provided to confirm that there will be no negative impacts to natural heritage features and areas. Due to the natural heritage features and areas identified on the subject lands (including associated buffer areas), the environmental consultant included recommended mapping to be implemented as the Protected Area (PA) Zone in the Zoning By-law. The recommended area to be rezoned to the Protected Area (PA) Zone to prohibit future development is shown on Figure 3.

Figure 3: Recommended Protection Area (PA) Zone



Features that were identified on the subject lands include adjacent lands to a Significant Wetland, other wetlands, dens and turtles nesting areas. Based on the proposed Protected

Area (PA) Zone, development on the subject lands can proceed while avoiding negative impacts on the natural heritage features and functions on and adjacent to the subject lands. Further, there is an available building envelope for a future dwelling and septic system located outside the proposed Protected Area (PA) Zone on each of the lots. Additional mitigation measures are proposed however those will be implemented in the Consent Agreement which is also required under a separate condition of provisional Consent.

Section 4.2 of the Provincial Policy Statement includes policies regarding water. Planning authorities shall protect, improve or restore the quality of water by ensuring consideration of environmental lake capacity, where applicable. As a result of previous technical studies, Cassels Lake was determined to be at capacity as it relates to dissolved oxygen concentrations for lake trout. A Water Quality Impact Study was completed to demonstrate that the proposed lots are in conformity with the Provincial Lakeshore Capacity Assessment Handbook. It is recommended that future septic systems be located a minimum of 200 metres from the shoreline of Cassels Lake. This requirement is included in the draft Zoning By-law Amendment.

Section 4.6 of the PPS includes policies regarding cultural heritage and archaeology. Section 4.6.2 states:

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

An Archaeological Assessment was submitted as part of the Consent application, which has been granted provisional approval from the Committee of Adjustment. No archaeological resources were discovered.

Section 3.1 of the PPS includes policies regarding natural hazards and the protection of new development. There are no known hazards on the subject lands.

The proposed Zoning By-law Amendment is consistent with the relevant policies of the PPS.

Northern Ontario Growth Plan

The Northern Ontario Growth Plan recognizes that tourism is an important component of the economy of Northern Ontario. The applicability to this document in regard to the proposed Zoning By-law Amendment application is limited, however the development of rural residential lots conform to the policies of the Growth Plan.

Municipality of Temagami Official Plan

The subject lands are designated as Integrated Management Area and are located within the Matabitchuan Neighbourhood and permitted uses include permanent or seasonal single detached dwelling units under Section 7.3.2 of the Official Plan. Some Rural Residential and Remote Residential development exists within the Matabitchuan Neighbourhood, and more is anticipated in the Integrated Management Area designation.

Section 2.14 and Section 9.24 of the Official Plan regarding cultural heritage features have been reviewed. An Archaeological Assessment has been prepared for the subject lands and concluded that no further archaeological work is recommended for the subject lands.

Section 7.1 of the Official Plan refers to the subject lands and surrounding area:

In addition, a large undeveloped approved subdivision exists at the northerly end of the lake system. The full environmental and social impact of that development will not be known for many years. As a result, proposals for new multi-lot development on the Cassels and Rabbit Lakes system will require an assessment of the impact of the existing inventory of vacant lots on the natural environment.

As a result of previous technical studies, Cassels Lake was determined to be at capacity as it relates to dissolved oxygen concentrations for lake trout. A Water Quality Impact Study was completed to demonstrate that the proposed lots are in conformity with the Provincial Lakeshore Capacity Assessment Handbook. It is recommended that future septic systems be located a minimum of 200 metres from the shoreline of Cassels Lake. This requirement is included in the draft Zoning By-law Amendment.

Policies regarding natural heritage features and areas are included in Section 9.7.4 of the Official Plan. Features that were identified on the subject lands include adjacent lands to a Significant Wetland, other wetlands, dens and turtles nesting areas. Based on the proposed Protected Area (PA) Zone, development on the subject lands can proceed while avoiding negative impacts on the natural heritage features and functions on and adjacent to the subject lands. Further, there is an available building envelope for a future dwelling and septic system located outside the proposed Protected Area (PA) Zone on each of the lots.

The proposed Zoning By-law Amendment conforms to the Official Plan.

Municipality of Temagami Zoning By-law

The subject lands are located within the Integrated Management Area (IMA) Zone. The IMA Zone applies to patented and Crown Land within the Municipality. Only existing permanent

dwelling units or seasonal dwelling units are permitted that existed on the date of the passing of the Zoning By-law.

The Zoning By-law Amendment is required to rezone the subject lands from the Integrated Management Area (IMA) Zone to the Rural Residential (R3) Zone and the Protected Area (PA) Zone. The proposed amendment includes the following items:

- 1) Rezone a portion of the subject lands and the proposed lots to the R3 Zone to permit future rural residential land uses;
- 2) Rezone a portion of the subject lands and the proposed lots to the PA Zone to implement the recommendations contained within the Environmental Impact Study; and,
- 3) Include a site-specific amendment to require future septic systems to be located a minimum of 200 metres from the shoreline of Cassels Lake.

Item #1 above is required to ensure that the proposed lots are appropriately zoned for future rural residential land uses. The minimum lot area for the R3 Zone is 0.8 hectares for properties without a drilled well and 1 hectare for properties with a drilled well. The minimum lot frontage for the R3 Zone is 60 metres. Each of the proposed lots comply to the minimum lot area and lot frontage requirement in the Zoning By-law. The proposed lot areas and lot frontages are shown on Table 1.

Table 1: Proposed Lot Areas and Lot Frontages

Lot No.	Proposed Lot Area (Approximate)	Proposed Lot Frontage (Approximate)
Owner's Adjacent Lands to be Retained	5.3 hectares (13.2 acres)	269 metres
Lot 1	3.5 hectares (8.6 acres)	163.6 metres
Lot 2	4.7 hectares (11.7 acres)	149.8 metres
Lot 3	4.1 hectares (10 acres)	93.2 metres
Lot 4	4.1 hectares (10 acres)	86.7 metres
Lot 5	4.1 hectares (10 acres)	86.4 metres
Lot 6	3.7 hectares (9.1 acres)	107.6 metres
Lot 7	3.6 hectares (8.9 acres)	330 metres
Lot 8	3.6 hectares (8.9 acres)	119.7 metres
Lot 9	3.6 hectares (8.9 acres)	117.5 metres
Lot 10	3.6 hectares (8.9 acres)	116 metres
Lot 11	3.6 hectares (8.9 acres)	114.4 metres
Lot 12	3.6 hectares (8.9 acres)	157 metres

There R3 Zone also includes a maximum lot area of 1.5 hectares. The proposed lots are larger than 1.5 hectares and the maximum lot area is proposed to not apply to the new lots as detailed in the Zoning By-law Amendment. The proposed lot sizes are appropriate for the rural area.

Items #2 and #3 are required to implement the recommendations contained within the Environmental Impact Study and the Water Quality Report. The draft Zoning By-law Amendment and schedule includes the recommended Protected Area (PA) Zone mapping to prohibit development within the natural heritages features and areas (and buffer areas) and to include a requirement for future septic systems to be located at least 200 metres from the shoreline of Cassels Lake.

The proposed Zoning By-law Amendment includes requirements to ensure that the proposed development on the subject lands is consistent with the Provincial Policy Statement and conforms to the Official Plan.

A draft Zoning By-law Amendment is attached to this Report. Please refer to Attachment #2.

A. RECOMMENDATIONS

Following a review of the proposed Zoning By-law Amendment application in regard to the relevant policy context of the Provincial Policy Statement and the Official Plan, the proposed site-specific amendment to rezone the subject lands to a site-specific Rural Residential (R3) is consistent with the Provincial Policy Statement, conforms to the Official Plan, and represents good land use planning.

It is recommended that the Zoning By-law Amendment be passed by Council, in accordance with the attached draft Zoning By-law Amendment.

Respectfully Submitted,

MHBC Planning

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