



Municipality of Temagami

Open House Planning Session

Saturday, July 27, 2019

Jamie Robinson, BES, MCIP, RPP

Schedule

Saturday, July 27, 2019

1:00 P.M. - 4:30 P.M.

Topics of discussion:

- **Official Plan Workshop:** Review of Vision, Goals, and Objectives in Official Plan; Identify Issues and Opportunities. (1:00 P.M. - 2:30 P.M.)
- **Current Planning Issues Presentation:** Secondary Units, Home Industries/Home Occupations, and Cannabis Retail. (2:45 P.M. - 3:15 P.M.)
- **Open House:** Secondary Units, Home Industries/Home Occupations, and Cannabis Retail. (3:15 P.M. - 4:00 P.M.)
- **Question Period** (4:00 P.M. - 4:30 P.M.)

**At the Community
Centre/Arena
100 A Spruce Drive**

**Info: 705-569-3421
www.temagami.ca**

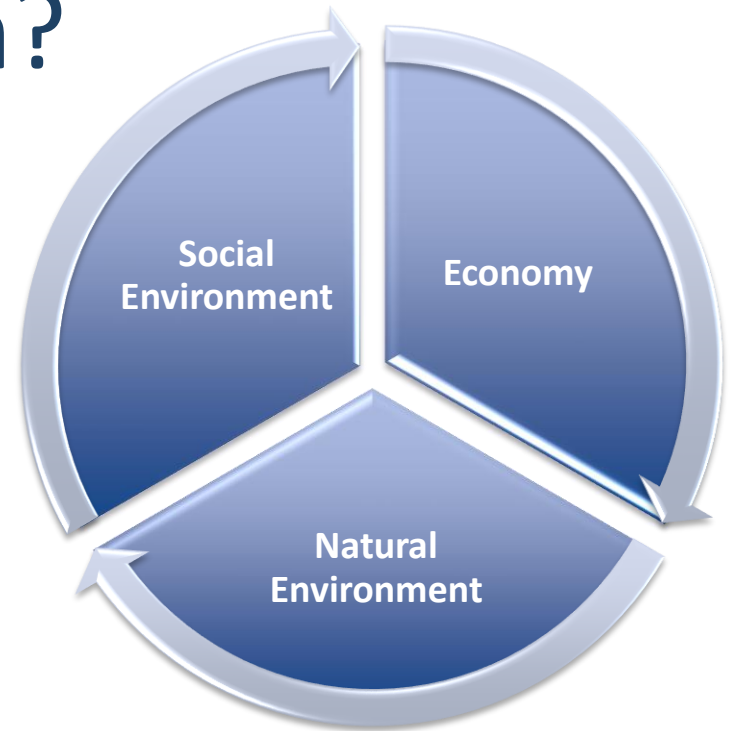
Your Comments Matter!

Official Plan Review Workshop

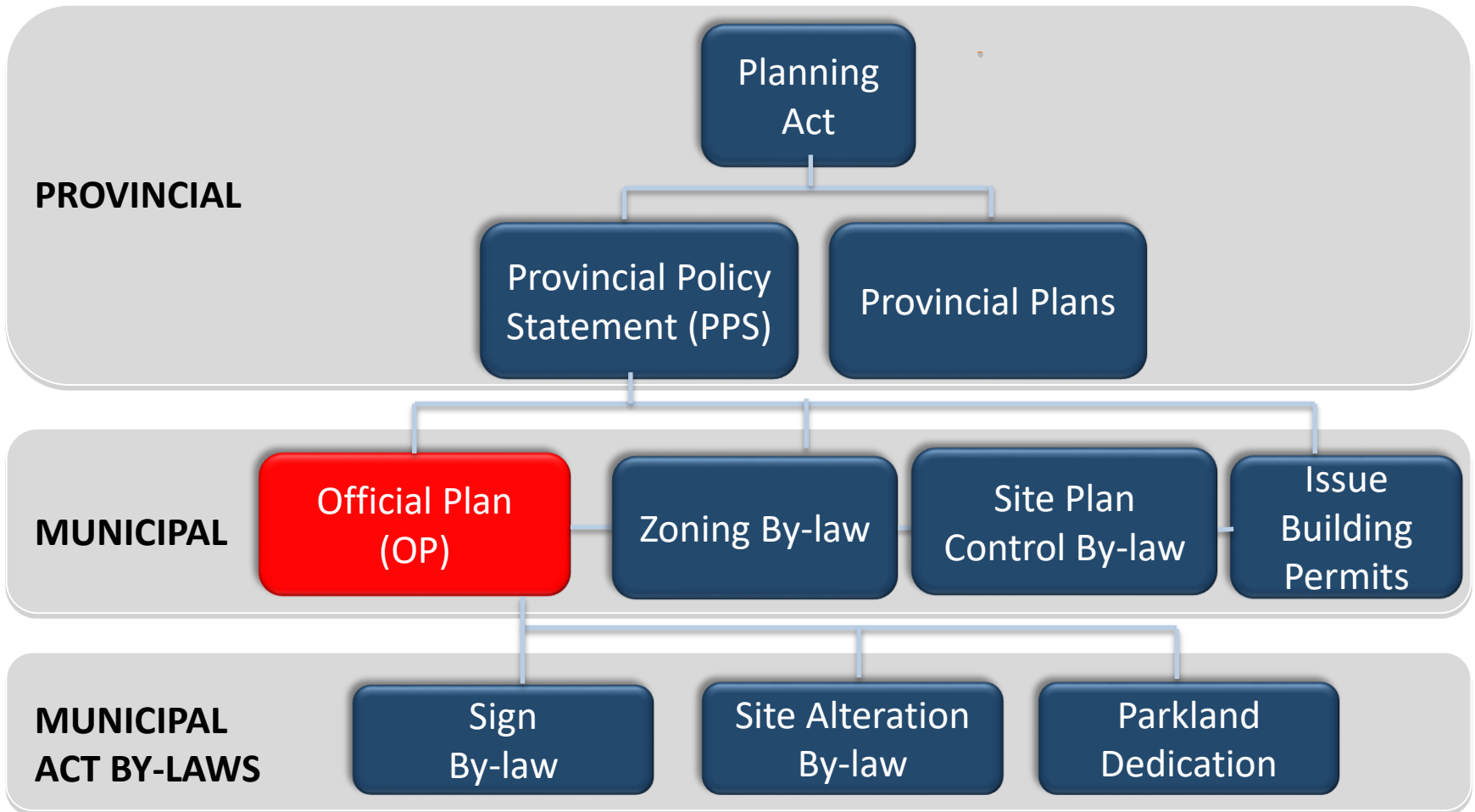
Why Plan?

Protect what the community values:

- Lakes
 - Resource
 - Clean water
 - Landscapes
 - Character of communities
 - Lifestyle
 - Economy
-
- Long term strategy for success of the Municipality.
 - Future generation have an opportunity to prosper and enjoy a healthy environment.
 - Planning is about recognizing the public interest and effectively managing change.



Planning Hierarchy



What is an Official Plan?

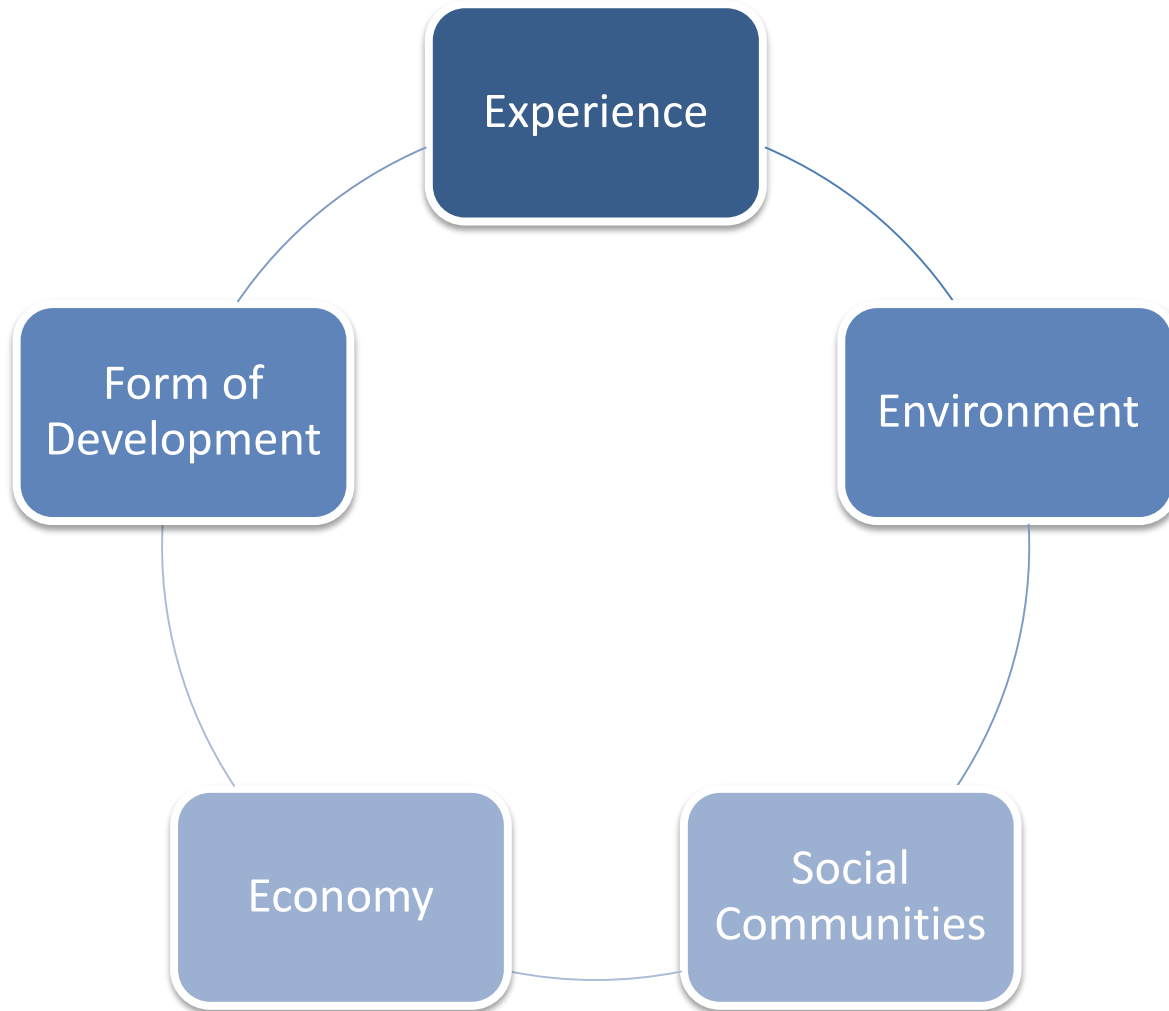


- Adopted by Council on October 13, 2011.
- The Official Plan forms the foundation for decision makers in protecting the environment, guiding future development, public works, and capital investment.
- Council decisions must conform to the Official Plan (parks and public works investments, land use planning applications).

Why Update the Official Plan?

- To ensure that the plan implements any changes to the PPS and other provincial plans and legislation.
- To ensure the official plan continues to address local priorities and changing community needs.
- The Planning Act requires that an Official Plan be updated.

Vision of the Official Plan



Vision of the Official Plan

- **Experience**
 - Unique and personal natural and developed experiences.
- **Environment**
 - Coexistence between the natural and built environment.
- **Social Communities**
 - Communication and co-ordination between permanent, seasonal, and Indigenous residents.
- **Economy**
 - Sustainable and diverse economic opportunities in the recreational, forestry, mining, manufacturing, institutional, and government sectors.
- **Form of Development**
 - Encourage development which conserves wildlife and is allocated to appropriate locations around the Municipality.

Purpose of the Official Plan

- The purpose of the Temagami Official Plan is 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.



Goal of the Official Plan

- The primary long-term goal of the Official Plan is to secure a sustainable future for the community in a way that equitably accommodates the social, environmental, and economic needs and aspirations of the citizens for a high quality of life and a high standard of living.

Objectives of the Official Plan

1. To build a diverse economy based on up to date technology;
2. To ensure that development operates within the limits of a local definition of sustainability;
3. To promote development that creates local benefit;
4. To direct development away from areas where there is a risk to public health or safety or of property damage;
5. 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; and
6. To promote efficient, cost effective development and land use patterns.

General Policies

- Intended to provide policies that apply to more than one land use designation and include policies regarding topics such as:
 - Population and Housing
 - Economic Development
 - Recreation
 - Mineral and Forestry Resources
 - Conservation
 - Services and Utilities
 - Transportation
 - Land Use Compatibility
 - Community Improvement
 - Waterfront Development
 - Etc.

Neighbourhoods

- In recognition of the need to provide specific land use planning guidance for all areas of the Municipality, the Municipality has been divided into five Neighbourhood Planning Areas:
 1. Urban Neighbourhood
 2. Lake Temagami Neighbourhood
 3. Marten River Neighbourhood
 4. Matabitchuan Neighbourhood
 5. Backcountry Neighbourhood

Land Use Designations

- Each Neighbourhood contains land use designations to guide the location and types of development within the Neighbourhood:

Neighbourhood	Land Use Designations
Urban Neighbourhood	Residential, Mobile Home Park, Urban Commercial, Highway Commercial, Tourist Commercial, Industrial, Mineral Aggregate, Parks and Open Space, Future Development, Integrated Management Area, and Special Management Area.
Lake Temagami Neighbourhood	Integrated Management Area, Special Management Area, Protected Area, Mineral Aggregate, Industrial, Tourist Commercial, and Future Development.
Marten River Neighbourhood	
Matabitchuan Neighbourhood	
Backcountry Neighbourhood	

Issues in the Current Official Plan

- The Planning Advisory Committee has identified issues in the current Official Plan document and has provided recommendations to Council.
- The recommendations provide an opportunity for the public to review and provide comments on policy changes and updates.
- The following slides include a summary of key recommendations made by the Planning Advisory Committee.

Issue	PAC Recommendation to Council
Outdated policies	Update Official Plan (OP) to reflect current legislation.
Change in legislative framework for Cultural Heritage Conservation in Land Use Planning	Prepare a draft Archeological Management Plan.
Outdated policies	Review policies with appropriate agencies, ministries, and groups (Temagami First Nation, Ministry of Natural Resources and Forestry (MNR), Teme-Augama Anishnabai (TAA), etc.).
Add policies for second units	Include policies for second units to appropriate sections and add second units as a permitted use in all neighbourhoods.
Update to rural policy	Review economic development plans in rural areas.
Lack of clarity in definitions	Update and add various definitions to improve the clarity of policies.
Improve property and citizen safety	Add Fire Smart guidelines to appropriate sections to mitigate the risk of wildfires.
Private roads	Update standards for development on private roads.
Crown Land policies	Update and ensure accuracy of all Crown Land policies and lake access points.
Conflicting policies and policy consistency	Clean up any conflicting policies within the OP and ensure consistency of poly throughout all areas of the municipality.

Issue	PAC Recommendation to Council
Permitted uses	Review and update permitted uses in various land use designations.
Contractors yard	Review all policies regarding contractors yards and make them more accommodating.
Site plan control restricting development	Only apply site plan control to waterfront lots in the rural neighbourhoods, including lots abutting a shoreline or marine road allowance.
Wind turbines	Update policies to be less restrictive.
Environment sustainability	Update the environmental section for each neighbourhood.
Accessory uses and sleep cabins	Address policies regarding accessory buildings to restrict uses and size.
Shoreline Activity Area (SAA)	Review structures permitted in the SAA and add permitted shoreline structures.
Neighbourhoods	Update policies in all neighbourhoods to reflect community priorities.
Future development land	Review policies related to lot creation. Policies will allow for greater flexibility and encourage new development.
Urban area boundary	Update urban area boundary to include the north-east arm of the municipality within the boundary.
Lake Temagami	Update and review policies related to development surrounding Lake Temagami.
Building height	Permit commercial and residential buildings of up to five storeys.
Zoning By-law (ZBL)	Prepare draft modifications to ZBL to incorporate various amendments to the current ZBL for review by the public and the PAC/Council.
Home occupation/home industry	Review definition and policies throughout all neighbourhoods.

Workshop Items

Values

Vision

Goals and Objectives

Issues

Values

- What do you value most about your community?

Vision of the Official Plan

- **Experience**
 - Unique and personal natural and developed experiences.
- **Environment**
 - Coexistence between the natural and built environment.
- **Social Communities**
 - Communication and co-ordination between permanent, seasonal, and Indigenous residents.
- **Economy**
 - Sustainable and diverse economic opportunities in the recreational, forestry, mining, manufacturing, institutional, and government sectors.
- **Form of Development**
 - Encourage development which conserves wildlife and is allocated to appropriate locations around the Municipality.

Goal of the Official Plan

- Is the current goal appropriate? What should be added or removed?
- The primary long-term goal of the Official Plan is to secure a sustainable future for the community in a way that equitably accommodates the social, environmental, and economic needs and aspirations of the citizens for a high quality of life and a high standard of living.

Objectives of the Official Plan

Are the current Objectives appropriate? What should be removed or added?

1. To build a **diverse economy** based on **up to date technology**;
2. To ensure that **development** operates within the limits of a local definition of **sustainability**;
3. To **promote development** that creates **local benefit**;
4. To **direct development away** from areas where there is a **risk** to public **health or safety** or of **property damage**;
5. 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**; and
6. To promote efficient, **cost effective development and land use patterns**.

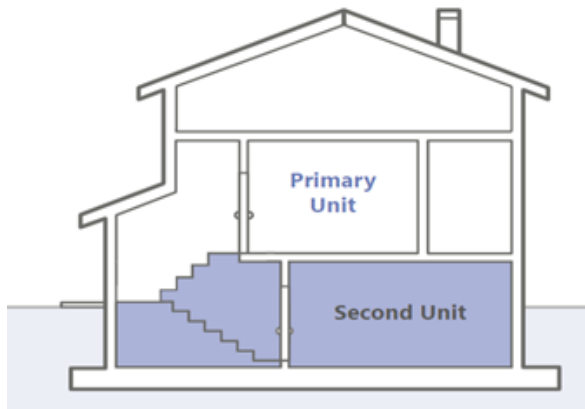
What's Missing? Issues

- List what you believe is missing in the current Official Plan
- List what you believe are the biggest planning issues facing the Municipality now and in the next 20 years.

Secondary Units Official Plan Amendment

What is a Secondary Unit?

- 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 an accessory building or part thereof. Such residential unit is an accessory use to the main dwelling.



Provincial Policy Framework

- **Provincial Policy Statement (PPS):**
 - Speaks to accommodating an appropriate range and mix of residential uses.
 - Includes second units, affordable housing and housing for older persons.
- **Promoting Affordable Housing Act:**
 - Sets out requirements and tools for municipalities to establish policies that would allow second units in new and existing developments.
 - Notes that policies are to deal with such matters as appropriate locations and constraints.

Temagami Official Plan

- Temagami is considering amending the existing policies in the Official Plan that promote affordable housing through permissions for accessory apartments and garden suites by adding permissions for second units throughout the Municipality.
- Currently, second units are permitted within some areas of the Municipality, however, Council has provided direction to consider expand these permissions.
- Draft Official Plan Amendment would facilitate second units in the rural area, including on waterfront properties.

Proposed Official Plan Amendment

- Secondary Dwelling Units may be permitted **in a single detached dwelling or in a building/structure ancillary to a single detached dwelling** within rural areas (including shoreline properties) subject to specific criteria:
 - Not more than one Secondary Dwelling Unit per lot.
 - All requirements of the Zoning By-law are met.
 - Sufficient servicing exists.
 - Not permitted in the front yard.
- Remove permission for a sleeping cabin to contain both a bathroom and a kitchen. These would now be considered a Secondary Dwelling Unit.

Forms of Development



Principal Dwelling



Secondary Dwelling Unit



Sleeping Cabin

Kitchen = "K"

Bathroom = "B"

Existing Permissions by Lot Area

< 0.4 ha



www.shuffenbark.com • 12179601

No K or B

> 0.4 ha



www.shuffenbark.com • 12179601

K or B



www.shuffenbark.com • 12179601

No K or B

> 1.6 ha



www.shuffenbark.com • 12179601

K and B

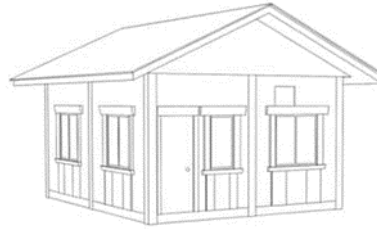


www.shuffenbark.com • 12179601

K or B

Proposed Permissions by Lot Area

< 0.4 ha



www.shuffenbark.com • 12175903
No K or B

> 0.4 ha



www.shuffenbark.com • 12175903
K or B



www.shuffenbark.com • 12175903
No K or B

> 1.6 ha



www.shuffenbark.com • 12175903
K or B



www.shuffenbark.com • 12175903
K or B

Considerations

- **Parking**
 - Ensuring there is adequate parking.
 - Increase demand for parking and parking facilities.
- **Intensity of Use**
 - Potential to increase the amount of users in waterfront areas.
 - Impacts from increased number of private septic systems, especially within waterfront area.
- **Components of Sleeping Cabins**
 - Ensuring compliance with regulations relating to kitchens and bathrooms.

Process

- Schedule a Statutory Public Meeting in accordance with the Planning Act.
- Report to Council with recommendations following formal public process (Open House and Statutory Public Meeting).
- Official Plan Amendment to be considered to Council.
- Consideration for amendments to the implementing Zoning By-law.

Home Industry/Home Occupation Definitions in the Zoning By-law

What is a Home Industry/Home Occupation?

- Home-based businesses constitute a growing trend and have the ability to:
 - Enhance the local employment mix
 - Contribute to generating local jobs
 - Act as an incubator for small businesses
- Home industries/home occupations:
 - Are to be essentially undetectable to the surrounding neighbourhood
 - Are clearly secondary to the main residential use
 - Should not result in negative impacts to the surrounding area
 - Must continue to be compatible with surrounding residential areas

Resolutions from Council

- On March 13, 2018, the Municipality of Temagami Planning Advisory Committee passed a motion to Broaden the definition of a home occupation and home industry;
- On April 25, 2019 the Council of the Municipality of Temagami passed the motion to proceed with the public process of initiating amendments to the planning documents.

Proposed Definitions

- **HOME INDUSTRY** shall mean a gainful occupation, **secondary to a Residential Use, which includes fabrication, light manufacturing, processing, assembly or repair of goods that is** ~~including an electrical, woodworking, carpentry, window frame, welding, plumbing, machine or small engine repair shop, or a live bait supplier. A Home Industry is conducted entirely in an accessory building, or part of an accessory building~~ **and/or part of a residential dwelling** on a Rural Residential or Remote Residential lot. ~~by the residents.~~ A home industry may include, but not be limited to, such uses as electrical, woodworking, carpentry, window frame, welding, plumbing, machine or small engine repair shop, or a live bait supplier. A home industry does not include a contractor's yard.
- **HOME OCCUPATION** shall mean any gainful occupation which is conducted within the dwelling unit **or an enclosed accessory structure**, by the resident(s) of the dwelling, and such home occupation is clearly secondary to the main residential use, does not change the residential character of the dwelling and as further defined in this Zoning By-law.

Summary of Proposed General Provisions for Home Industry

- Rewording of subsection (d), and the addition of the following as subsection (e), and the renumbering of the subsequent subsections to limit the scale of the use.
 - (d) such home industry is clearly secondary to the main residential use, **and** does not change the residential character of the dwelling **and lot**;*
 - (e) in no case shall the accessory building, **or part thereof, and/or portion of the residential dwelling** used for the home industry have a **combined** gross floor area greater than forty percent (40%) of the ground floor area of the dwelling;*

Proposed General Provisions for Home Occupation

- Rewording of subsection (g) to allow for greater interpretation of permitted uses and formally address private teaching or instruction uses.
 - Add new provision (j) to limit parking, traffic and noise.
 - Add new provision (k) to limit scale.
- (g) *such home occupation uses may include, **but not be limited to, such uses as** a service or repair shop, a personal service shop, tradesperson, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, professional offices, **indoor teaching/tutoring/instruction** but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations;*
- (j) *the total cumulative number of on-site clients or attendees of lessons, classes, instruction, treatment or service provided by a home occupation located in a principal dwelling unit or structures accessory thereto shall be limited to a maximum of 5 at any one time, and no more than a total of 20 over a consecutive 24 hour period;*
- (k) *an accessory building or structure may only be used for the purpose of a home occupation if the lot is a minimum of 1 hectare in size and the home business does not occupy more than 50 square metres of the accessory building or structure.*

Cannabis Retail

Purpose

- Review options for the regulation of legal cannabis growing facilities in the Municipality of Temagami through the use of municipal land use planning documents.
- Recreational cannabis was legalized by the Federal Government on October 17, 2018. The Cannabis Act creates the legal framework for controlling the production, distribution, sale and possession of cannabis across Canada
- Land use compatibility is required to be considered in the siting and development of new facilities.

Introduction to the Retail of Cannabis

- Cannabis Retail Facilities are regulated and licensed by the Alcohol and Gaming Commission of Ontario (AGCO).
- Online sales of cannabis are permitted through the Ontario Cannabis Retail Corporation. As of April 1, 2019 brick and mortar retail stores are permitted in Ontario to purchase products.
- Ontario Regulation 497/18 states that only 25 retail stores will be licensed in Ontario through a lottery system. At present time, licenses will only be issued in municipalities with a population greater than 50,000 until the regulation is updated and this requirement is revoked as of December 13, 2019.
- Municipalities do not have the authority to pass by-laws that:
 - Regulate business licensing of Cannabis Retail Stores (Cannabis Licence Act, 2018 s.42 (1)). This is handled by the Province.
 - Regulate the location of retail stores (Cannabis Licence Act, 2018 s.42 (2)). Furthermore, any by-law that has been passed to regulate the location of a retail store, has no effect to the extent that it conflicts with s. 42(2).

The Use

- Use classified as agricultural or industrial.
- Activities associated with the use include:
 - a controlled entrance providing reception and security;
 - an office;
 - growing areas;
 - processing areas;
 - a lab for testing the quality of the product;
 - packaging;
 - secure storage;
 - shipping;
 - mechanical facilities; and,
 - facilities for staff including change rooms, washrooms.

Planning Considerations

Odour

Traffic

Security

Building
Appearance &
Scale

Lighting

Water,
Wastewater &
Stormwater

Economic Impact

Temagami Official Plan

- No reference to cannabis growing facilities in the Official Plan.
- Cannabis growing facilities have been developed in other urban areas and rural/agricultural areas.
- It is recommended that the Official Plan be updated to include policies for the evaluation of Zoning By-law Amendments to establish growing facilities.

Temagami Zoning By-law

- Cannabis growing facilities have been developed in urban areas and rural/agricultural areas.
- Industrial use if urban (employment area) agricultural use if rural/agricultural.
- Recommend that Zoning By-law be updated to include specific permitted uses, definitions and provisions for Cannabis growing facilities.

Temagami Site Plan Control By-law

- Recommended that the Site Plan Control By-law be updated to require Site Plan Control to apply to all cannabis growing facilities.

Summary

- Amend the following documents:
 - Official Plan
 - Zoning By-law
 - Site Plan Control By-law

Questions and Comments