

MUNICIPALITY OF TEMAGAMI	
Report Prepared For:	Municipality of Temagami Council
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Subject:	Final Official Plan and Recommendation to Council
Report Date:	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