

Agenda

**Committee of Adjustment
Corporation of the Township of The North Shore
Wednesday June 7th 2023
6:00 PM**

Join Zoom Meeting

Here is the ZOOM info :

Join Zoom Meeting

<https://us02web.zoom.us/j/81204162814?pwd=dGc0cXdrejRMZ3ZFQTIDeUo1VWRkdz09>

Meeting ID: 812 0416 2814
Passcode: 914404

- 1. CALL TO ORDER**
- 2. ADDITIONS TO THE AGENDA**
- 3. DISCLOSURES OF PECUNIARY INTEREST**
- 4. APPROVAL OF MINUTES**
 - a) Meeting held February 1st, 2023 minutes.
- 5. NEW BUSINESS**
 - a) Planning Report - Planscape
 - b) Public Comment Period for the “at capacity” designation of Lake Lauzon
- 6. NOTICES OF MOTION**
- 7. MOVED TO CLOSED SESSION** Nil
- 8. REPORT FROM CLOSED SESSION** Nil
- 9. ADJOURNMENT**



Minutes

Committee of Adjustment - Public Meeting for Official Plan amendment and Zoning By-Law amendment
Township of the North Shore
Wednesday February 1st 2023
6:00 p.m.
Hybrid Meeting

This meeting is being held in a Hybrid setting. Attendees may choose to attend via ZOOM or in person in the Municipal Office Council Chambers located at 1385 Highway 17, Algoma Mills.

ATTENDANCE

- Council: Tony Moor – Mayor
Robin Green- Councillor At Large
Mike Roach - Councillor Ward 1
Len Menard - Councillor Ward 2
Tracey Simon – Councillor Ward 3
- Staff: Rachel Schneider, Clerk - electronic
France Gagnon, Treasurer
Matt Simon, Public Works Manager
- Absent: Rian Allen – Planscape

CALL TO ORDER

Mayor Moor called the meeting to order at 6:00 p.m.

The Mayor informed Council and those who attended the meeting that the Clerk was attending the meeting via ZOOM.

The Mayor also informed Council and those who attended the meeting that the Planner would not be attending and explained the options that the Planner suggested for the meeting

APPROVAL OF AGENDA

RESOLUTION

Moved by: T. Simon

Seconded by: L. Menard

RESOLVED THAT the Committee of Adjustment of the Township of The North Shore hereby approve the agenda as circulated.

"CARRIED"

DISCLOSURES OF PECUNIARY INTEREST Ni

APPROVAL OF MINUTES

RESOLUTION

Moved by: M. Roach

Seconded by: R. Green

RESOLVED THAT the Committee of Adjustment of the Township of the North Shore hereby approve the minutes of the meeting held on October 19th 2022

“CARRIED”

NEW BUSINESS

a) Official Plan amendment

RESOLUTION

Moved by: T. Simon

Seconded by: L. Menard

BE IT RESOLVED THAT the Committee of Adjustment of the Township of The North Shore receive and approve the public comment period

“CARRIED”

RESOLUTION

Moved by: L. Menard

Seconded by: R. Green

BE IT RESOLVED THAT the Committee of Adjustment of the Township of The North Shore defer the decision of changing the “at capacity” status and direct staff to seek further information from Ministries to bring forward to a future meeting

“CARRIED”

MOTIONS Nil

MOVE TO CLOSED SESSION Nil

REPORT FROM CLOSED SESSION Nil

ADJOURNMENT

RESOLUTION

Moved by: T. Simon

Seconded by: M. Roach

RESOLVED that this meeting of the Committee of Adjustment for the Township of the North Shore be adjourned at 6:30 PM

“CARRIED”

Tony Moor, Mayor

Rachel Schneider, Clerk

May 15, 2023

Planning Report – Official Plan Amendment - Lake Lauzon: Removal of 'At-Capacity' Status

1. Introduction

In 2022, a resident inquired with the Township about a potential severance to create a new non-waterfront lot located near Lake Lauzon. The resident was advised that Lake Lauzon was 'at capacity' and the Official Plan does not permit the creation of new lots within 300 m of the shoreline of 'at capacity' lake except in specific circumstances (i.e. separation of two existing dwellings on separate lots and where the septic bed on the new lot is located a minimum of 300 m from the shoreline). Following this inquiry, the Township contacted the Ministry of Natural Resources and Forestry (MNRF) to understand the 'at capacity' status of Lake Lauzon and if any changes were being considered.

On September 30, 2022, the Township received correspondence from the MNRF advising that the dissolved oxygen levels in Lake Lauzon exceed the 7 mg/L minimum and that the "at capacity" designation can be lifted without substantial risk to lake trout population.

An information report from Planscape was provided to Council in response to the MNRF's letter for discussion at the December 14, 2022 Council meeting, and Council directed staff and Planscape to prepare and circulate an Official Plan Amendment to consider removing the 'at capacity' status of Lake Lauzon.

On February 1, 2023, a Public Meeting was held to consider a municipally initiated Official Plan Amendment (OPA #2) to remove the 'at-capacity' status of Lake Lauzon from the Official Plan. Planscape prepared a planning report to Council but due to illness Planscape was unable to attend the public meeting. Numerous public comments and submissions were received. No decision was made, the application was deferred, and staff were directed to seek further information from Ministries to bring forward to a future meeting.

The January 12, 2023, Planscape planning report to Council recommended approval of OPA #4, however Planscape was not able to attend due to illness. Had Planscape attended the public meeting a deferral would have been recommended to review and consider the public comments.

Notice of a second public meeting was given on May 11, 2023.

2. Background

The provincial government, through the MNRF is responsible for the classification of inland lakes designated for lake trout management. Each applicable lake is identified in a ministry publication - *Inland Ontario Lakes Designated for Lake Trout Management, 2015*. Lake Lauzon is identified as being a natural lake trout lake in northeast region. Lake trout lakes have special status due to the sensitivity of lake trout populations to development pressures related phosphorus inputs and dissolved oxygen levels.

In the 1970's, the Ministry of the Environment, Conservation and Parks (MOECP) developed a Lakeshore Capacity Model that quantifies the linkages between the natural contributions of phosphorus to a lake, the contributions of phosphorus to a lake from shoreline development, the water balance of a watershed,

the size and shape of a lake and the resultant phosphorus concentration. Through the model, a lake is considered to be “at capacity” for phosphorus (i.e., phosphorus concentrations exceed 'background' or 'undeveloped' concentrations by +50%), or have been modeled or measured with dissolved oxygen concentrations less than the 7 mg/L. The Lakeshore Capacity Model directs that new lot creation should be prohibited and other development restricted on lakes determined to be ‘at capacity’.

The combination of Lake Lauzon’s classification as a natural lake trout lake by the MNRF and the ‘at capacity’ by the MOECP based on analysis of phosphorus and dissolved oxygen concentration results in the lake being considered an ‘at capacity’ lake trout lake.

The Township Official Plan includes policies that guide growth and development, and implements provincial policy, such as the classification and protection of ‘at capacity’ lakes. The Official Plan contains numerous policies related to Lake Lauzon and the ‘at capacity’ status.

In comparison to other lakes, development located within 300m of Lake Lauzon or other ‘at capacity’ lake is subject to additional requirements and restrictions. For example, development is only permitted on existing lots of records under strict conditions, and new lot creation within 300m of the shoreline is generally limited to a few specific circumstances such as separating existing dwelling and where the septic system for a new lot is located more than 300m from the shoreline.

3. Ministry Comments

The September 30, 2022, letter from the MNRF indicates that historic water temperature and dissolved oxygen data provided by the Ministry of the Environment, Conservation and Parks (MECP) for Lake Lauzon was reviewed. The review indicates the dissolved oxygen levels in the south basin of Lake Lauzon are below the minimum 7mg/L, however the dissolved oxygen levels in the northern and central basin of Lake Lauzon are above the 7mg/L minimum. The MNRF concludes that the dissolved oxygen levels in Lake Lauzon as a whole are above the 7mg/L minimum and that the ‘at capacity’ designation can be lifted without substantial risk to lake trout population in the immediate future.

In addition to confirming that the ‘at capacity’ status of Lake Lauzon can be lifted, the MNRF has also provided several recommendations to the Township when considering future planning decisions on the Lake. More specifically, the Ministry recommends:

- That lands located within 120 metres of fish habitat be considered adjacent lands
- A minimum of 30 metre setback or a 30 metre non-development zone from water bodies
- 30 metres of natural shoreline vegetation be maintained or rehabilitated adjacent to fish habitat for its protection

On February 9, 2023, a second letter was received from the MNRF in response to the Township’s inquiry for more information related to the Ministry’s conclusions that the ‘at capacity’ status of Lake Lauzon can be removed. The MNRF has provided additional comments and included a summary of the water temperature and dissolved oxygen profiles for Lake Lauzon. Additional context was also provided to explain how the water temperature and dissolved oxygen profiles relate to provincial policy.

The MNRF states that during the sampled years, the mean, volume-weighted, hypolimnetic dissolved oxygen concentration (MVWHDO) concentration for Lake Lauzon as a whole has consistently been

measured above 7 mg/L, and the data that dissolved oxygen levels for Lake Lauzon are above the recommended minimum MVWHDO concentration criterion of 7 mg/L.

The second letter from the MNRF includes restatement of the *Provincial Policy Statement, 2020* (PPS) requirements related to fish habitat, and additional comments related to the need for an Environmental Impact Study (EIS) for development applications to ensure the PPS requirements are met for evaluating and demonstrating there will be no negative impacts on fish habitat. The MNRF also identifies that Lake Lauzon is located within both the Township of the North Shore and the Town of Blind River and encourages municipal Official Plans to coordinate cross-boundary matters including establishing a mechanism for allocating development capacity to ensure that the water quality objectives are met.

Lastly, the MNRF indicates that development planning must protect fish habitat in accordance with the federal Fisheries Act and Fisheries and Oceans Canada policy for the management of fish habitat. The MNRF stresses that removing the 'at capacity' status of Lake Lauzon does not suggest the concentration criterion of 7mg/L MVWHDO to protect lake trout habitat no longer applies.

4. Public Comments

Thirteen written comments were received prior to or at the February public meeting. All written comments raised concerns or objections to the application. No submissions in support were received. Two people also attended the public meeting virtually. Written comments were provided by the following people or groups:

1. Bruce Lattimer
2. Cheryl Lattimer
3. Don and Barbara McLean
4. Geoffrey Creason
5. John Kabrick
6. Kelly Berry and Al Viel
7. Lauzon Aviation
8. Linda and Guy Mailhot
9. Liz Rousselle
10. Marnie and Ron Scott
11. Rhonda Kirby
12. Ron Gauthier
13. Stephen and Jannick Harvey

All of the public comments received either objected to the proposed application or raised concerns. Several questions were also asked. Each public comment was reviewed in detail and a summary of the comments has been provided along with a response.

Comment: Concerns about a lack of recent water testing data to support the proposed change and a lack of data to review.

Response: MNRF is responsible for the classification of 'at capacity' inland lakes designated for lake trout management and was responsible for the current 'at capacity' classification status of Lake Lauzon. The MNRF is the provincial authority for lake classification and the Ministry would not have confirmed removal

of the 'at capacity' status if there was insufficient testing data or if there were concerns. The MNRF provided a summary of the water temperature and dissolved oxygen profiles for Lake Lauzon in their second letter to the Township.

Comment: Concerns about the lack of evidence to make conclusions.

Response: The MNRF is the provincial authority for the classification of inland lakes and would not have confirmed the 'at capacity' status be changed if there was a lack of evidence to support the change.

Comment: Concerns about new severances and unknown impact of development potential.

Response: The lifting of the 'at capacity' status of Lake Lauzon will remove the lot creation restriction and permit the creation of new lots. The number of new lots that could be created as a result of the proposed change is unknown. The lack of public road access to large parts of the lake, the large areas of undevelopable Crown Land, extractive resource development restrictions, and the minimum lot and frontage requirements of the Zoning By-law, combined with current Official Plan policies (Section 4.1.2) that control new lot creation (i.e. minimum area and frontage (1ha and 61m), private servicing requirements, access, etc.), the number of potential new lots will be relatively limited. Based on a cursory review of zone mapping which does not include a detailed review of environmental or building constraints (i.e. wetlands, steep slopes, servicing needs, etc.) the potential exists to create approx. 200 new lots on Lake Lauzon. There are presently 211 existing waterfront lots on Lake Lauzon.

Since 2020, a total of five new lots have been created across the Township. One lot was created on the Serpent River, two former lots were recreated on Lake Wagoosh, one lot was created on Lake Lauzon that separated two existing dwellings, and one lot was created in the rural area. An average of 1.5 new lots/year have been created in the past 3.5 years. The current lot creation trend in the Township does not indicate there is a large demand for new lot, however the demand for new lot creation on Lake Lauzon is unknown due to the existing severance restrictions.

Comment: Questions about rationale for the decision and why amendment was initiated.

Response: This amendment was initiated following an inquiry to the Township related to the creation of a new non-waterfront lot near Lake Lauzon and the subsequent response received from the MNRF. Before the application commenced, Planscape provided an information report to Council that described the issue and provided available options. Council discussed the matter and directed that an Official Plan Amendment be prepared and circulated.

Comment: Questions if Blind River will make the same change.

Response: The Town of Blind River was contacted following the February public meeting. The Town of Blind River confirmed that their Council received the MNRF letter confirming the 'at capacity' status can be lifted. The Town also confirmed that reviews and updates are planned to the Official Plan and Zoning By-law and the new designation of Lake Lauzon would be incorporated through this process.

Comment: Questions if First Nations have been consulted.

Response: The Serpent River First Nation was circulated notice of the proposed application prior to both the public meetings. No comments or questions were received at the first public meeting.

Comment: Concerns about long term risk associated with the proposed change.

Response: Compared to other more populous and southern municipalities, the Township of the North Shore experiences very little growth or change. The Township received very few development applications for new lot creation. Over the past three years, only five new lots were created and two of the lots were former lots that had inadvertently merged and one lot contains an existing dwelling. Only two new vacant lots have been created since 2020 in the Township. This trend shows there is limited demand or pressure for new lot creation.

The Official Plan is the planning document that guides development, growth and change and includes considerably more policies beyond lot creation restrictions for 'at capacity' lakes. Many of the existing policies control new development to ensure that any potential negative impacts are understood and addressed through the planning process. Existing development will continue to be permitted and any new development will be reviewed and evaluated to ensure it represents good planning.

Comment: Concerns about environmental impacts, pollution, water quality, fish habitat, swimming, noise, human health.

Response: The 'at capacity' classification of a lake by the MNRF is solely based on temperature and dissolved oxygen and phosphorus concentrations related to the protection of Lake Trout, which require low temperatures and high concentrations of dissolved oxygen, in accordance with provincial policy. The 'at capacity' classification is not a measure of overall water quality or the safety of the water for consumption and does not impact the use of the lake for swimming or other activities.

The 'at capacity' classification is not intended or designed to provide broad environmental protection of all species, habitats, natural features and functions. If there were concerns related to negative impacts on Lake Trout as a result of the change, the MNRF would not have confirmed the 'at capacity' could be removed.

In waterfront residential areas, the greatest human-caused impacts to declines in recreational water quality is due to erosion from stormwater runoff and from septic systems. Properly installed and maintained septic systems, setback a minimum 30 metres from the shoreline, buildings setback 30 metres from the shoreline, along with a naturally vegetated shoreline buffer are key requirements for the protection of water quality. The current Zoning By-law requires a minimum 30 metre setback from Lake Lauzon and requires the shoreline area to be maintained as a 30 metre natural buffer. The Official Plan requires new leaching beds for septic systems to be setback a minimum of 30 metres from the shoreline.

Comment: Concerns about the south basin being considered with the north and central basin.

Response: The MNRF is the provincial authority responsible for the classification of inland lakes. A lake is either classified as 'at capacity' or it is not. The classification applies to the entire lake. The MNRF is aware of the different basis in Lake Lauzon and the difference in sampling data and confirmed the 'at capacity' status can be removed.

Comment: Concerns about timing of the application.

Response: Notice for the February public meeting was provided approx. 2 months after receiving Council direction to proceed with a public meeting. The *Planning Act* requires a minimum of 20 days of notice prior to the public meeting and allows municipalities to conduct public meetings throughout the year. Notice for the first public meeting was provided 28 days prior to the meeting. The timing of the second public meeting was delayed until June to allow for seasonal residents to be more involved. Notice of the second public meeting was provided 27 days prior to meeting.

Comment: Questions about studies re: recent low water levels.

Response: The removal of the 'at capacity' status of Lake Lauzon is not related or connected to low water levels or changes in water depth.

Comment: Concerns with industrial development.

Response the removal of the 'at capacity' status of Lake Lauzon will not allow for new industrial development. There are no existing lots zoned for industrial development located on Lake Lauzon. Any future proposed industrial use on or near Lake Lauzon will be subject to a public planning process that involves considering the impacts of the proposed new use.

Comment: Concerns about the lack of additional monitoring and water testing.

Response: The MECP is responsible for collecting dissolved oxygen and temperature data. Data collection and monitoring will be completed as required and determined by the MOECP. The Township lacks the required knowledge and experience to understand the appropriate level of monitoring and testing and should defer to the MECP and MNRF for technical guidance.

Comment: Concerns that changes are being made without community awareness and implications are not fully understood.

Response: The Lakeshore Capacity Model and the related 'at capacity' lake classification involves a complex understanding of limnology (the study of freshwater systems), chemistry, and biology. Accordingly, it is recognized that most of the public will have little to no understanding of the model, its methodology or its application. Nevertheless, there is an obligation to explain the implications to the public when a change is proposed. The key implication of the proposed change to remove the 'at capacity' status of Lake Lauzon is the removal of the lot creation restrictions.

It is also recognized that the public may not be aware of planning applications, notices, and meetings for a number of reasons. The large number of comments received at the first public meeting suggests the public is aware of the proposed application. A second public meeting will be held in June to allow for further consideration of the application and provide more opportunity for seasonal residents to be involved.

Comment: Requests for additional site development tools beyond MNRF minimum requirements.

Response: The Township can apply greater requirements recommended by the MNRF. For example, the minimum 30 metre setback of buildings and structures from the shoreline can be increased, the 30 metre required shoreline buffer zone can be increased, and lands located beyond 120 metres of fish habitat could be considered adjacent lands. Council could also amend the Official Plan to require an Environmental Impact Study (EIS) for the creation of every new lot on Lake Lauzon, whereas an EIS is only currently required where environmental features and functions are present that would be impacted by the proposed development.

Comments: Requests that seasonal residents be involved.

Response: All members of the public can participate in the planning process. A second public meeting was held in June to ensure seasonal residents can be involved.

5. Official Plan Amendment

This proposed Official Plan Amendment is the fourth amendment of Township of the North Shore Official Plan. The amendment is proposed under Sections 16, 17 and 21 of the *Planning Act*. Notice of the proposed amendment was provided on January 4, 2023, and again on May 11, 2023, in accordance with the prescribed notification requirements of the *Planning Act*.

The proposed amendment is attached to this report. Amendments to the Zoning By-law are not required to implement the proposed Official Plan policy changes because the Zoning By-law does not contain any provisions related to 'at capacity' waterbodies.

The existing 'at capacity' policies will remain in the Official Plan, however the specific references to Lake Lauzon will be removed. The 'at capacity' policies will continue to apply to any lakes that are identified and designated to be 'at capacity' by the MNRF, and future amendments to the Official Plan will not be required when the 'at capacity' designation of a lake changes.

If the proposed application is approved there will be no 'at capacity' lakes in the Township. To ensure staff, Council and the public are aware of any future lakes classified as 'at capacity', consideration could be given at the next Official Plan review and update to adding an appendix that includes a list of the 'at capacity' lakes. The appendix would be used for reference purposes and would not form part of the Official Plan.

6. Planning Analysis

Provincial Policy Statement

Under Section 3 of the Planning Act, the province issued the *Provincial Policy Statement, 2020* (PPS). The PPS provides direction on matters of provincial interest related to land use planning and development. The PPS outlines matters of provincial interest in land use planning. The PPS requires that development be permitted only if there will be no negative impact on natural heritage features such as fish habitat and water quality.

Section 2.0 of the PPS applies to the Wise Use and Management of Resources including natural heritage and water. Section 2.2.1.h) requires the improvement or restoration of the quality and quantity of water by ensuring consideration of environmental lake capacity. The current 'at capacity' classification is applied through this provincial policy direction.

Section 2.1.8 of the PPS applies to adjacent lands and directs that development and site alteration shall not be permitted on lands adjacent to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. For the purpose of protecting fish habitat, the province recommends including adjacent lands within 120m from the normal high water mark.

Implementation of this recommendation is somewhat challenging because existing lots can continue to be developed and buildings constructed in accordance with the Zoning By-law, with no requirement to assess impacts on fish habitat, however 'development' proposed under the Planning Act, which includes a minor variance, zoning by-law amendment, severance, plan of subdivision applications, requires an assessment. The majority of buildings constructed in the Township are located on existing lots and in compliance with the Zoning By-law requirements, and not required to assess potential impacts is not required. Including specific adjacent land policies in the Official Plan will result in very few assessments and will not capture the majority of new buildings or structures.

Policies could be added to the Official Plan that identify adjacent lands to be located within 120 m of the high water mark and require that no development or site alteration be permitted on these land unless the impacts to fish habitat are assessed. However, the PPS presently includes existing policies that require protection of lands adjacent to fish habitat from development and site alteration, and the *Planning Act* requires all development applications be consistent with the PPS policies and adjacent land requirements will be assessed for every planning application.

The need to duplicate PPS policies in the Official Plan is questionable because policy changes in PPS will require amendments to the Official Plan. Specifically, stating that Lake Lauzon is an 'at capacity' lake in the policies of the Official Plan is a good example of the added process and complications that occur when provincial updates occur, and Official Plan Amendments are required. The recommended distance of adjacent land from a natural feature could be changed by the province in the future.

Including a specific distance of adjacent lands from the high water mark in an Official Plan also reduces flexibility and limits the ability to consider the specific context of each site and the details of the proposed development. Specific numbers and values should only be included in an Official Plan where necessary, such as minimum lot area and frontage requirements. The PPS does not require Official Plans to specifically identify adjacent lands to be within 120m of the high water mark. The PPS policy simply indicates that adjacent lands are lands that are contiguous to a natural feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The PPS also recognizes that municipal approaches are permitted that achieve the same provincial objectives which indicates that strict adherence to provincial recommendations is not required. On this basis, including a specific distance for adjacent lands in the Official Plan is not recommended.

It is important to recognize that regardless of the policies included in the PPS or if a lake is identified in an Official Plan as being 'at capacity' or not, all landowners are required to comply with the requirements of the Federal *Fisheries Act* to protect fish and fish habitat. The MNRF also provides a public complaint

hotline where the public can inform the Ministry about concerns related to site alteration, tree removal, damage to fish habitat, etc.

To ensure users of the Official Plan are aware of what lakes are classified to be 'at capacity', Appendix 3 could be added to the Official Plan that includes a list of current 'at capacity' lakes for reference purposes. Appendix 3 would not form part of the Official Plan and be used for information only. Lakes could be added or removed when classifications change. This could be considered during the next review and update of the Official Plan.

Section 2.2.1 of the PPS requires planning authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning. Lake Lauzon is divided between two municipal jurisdictions, the Township of the North Shore and the Town of Blind River. The province encourages Official Plans to coordinate cross-boundary matters including establishing a mechanism for allocating development capacity to ensure that the water quality objectives are met. The Town of Blind River is planning to address the 'at capacity' status of Lake Lauzon through the review and update of the Official Plan and Zoning By-law. It is unknown when the reviews are expected to commence.

There is no requirement for the Township of the North Shore to delay the proposed amendments to the Official Plan, however the proposed amendment could be postponed for the changes to be discussed and coordinated with the Town of Blind River during the next review of the Official Plan. There may be benefits to considering the development policies and requirements for the entire lake as a whole, including minimum lot sizes and EIS requirements, etc. The downside to this approach is delayed changes to the Official Plan where there is no policy basis to maintain the existing severance restrictions on Lake Lauzon. The MNRF has not recommended the 'at capacity' status of Lake Lauzon be maintained until the cross-municipal issues are addressed and coordinated development policies are in place. If changes are delayed to coordinate with Blind River, landowners planning to create new lots must either wait for the policies to be changed or submit a site specific Official Plan Amendment.

Council could choose to remove the 'at capacity' status through this application and collaborate with the Town of Blind River during the future reviews of the Official Plan and Zoning By-law to develop unified development policies for Lake Lauzon. This approach would allow for the 'at capacity' status to be lifted while continuing to allow for future Official Plan changes and development requirements that would apply to the entire lake.

Zoning By-law

Section 4.17.5 of the Zoning By-law includes provisions related to a shoreline buffer zone on waterbodies. A minimum setback of 30 metres is required for a dwelling, accessory structures and septic system from the high water mark of all waterbodies. A requirement also applies to maintain a shoreline buffer zone between the high water mark and any building or structure on Recreational Residential (R4), Restricted Open Space (ROS) and Residential (R) zoned properties. Limited tree and vegetation clearing and removal is permitted within the shoreline buffer zone. The Township's Zoning By-law also currently requires a minimum front yard setback of 30 metres in the Recreational Residential (R4) zone for all buildings and structures. The Ministry's recommended 30 metre minimum setback and non-development zone has been met.

The Township does not currently have tree preservation or site alteration by-laws to protect shorelines from filling and excavation and the removal of shoreline vegetation. Council could consider implementing such by-laws if there is a need to provide greater protection for shoreline areas, however the capacity for enforcement is an important consideration when applying new by-laws that must be considered.

7. Recommendation

The proposed amendment to the Township Official Plan has been reviewed against the applicable policies and direction of the *Provincial Policy Statement, 2020* and the *Growth Plan for Northern Ontario, 2011* and is found to be consistent. It is recommended that the proposed Official Plan Amendment (OPA #4) be approved.

Respectfully Submitted,

PLANSCAPE INC.



Rian Allen M.Sc., MCIP, RPP
Planning Consultant

References

1. Inland Ontario Lakes Designated for Lake Trout Management, July 2015
https://files.ontario.ca/inland-ontario-lakes-final-en_03122019.pdf
2. Lakeshore Capacity Assessment Handbook
<https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>