

Agenda

Committee of Adjustment
Corporation of the Township of The North Shore
Wednesday June 25th 2025
6:00 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/87230554979?pwd=zTlEai1gz9uTrMphgipg66PyhrZfOy.1>

Meeting ID: 872 3055 4979

Passcode: 491412

- 1. CALL TO ORDER**
- 2. ADDITIONS TO THE AGENDA**
- 3. DISCLOSURES OF PECUNIARY INTEREST**
- 4. APPROVAL OF MINUTES**
 - a) Meeting held June 7, 2023 minutes.
- 5. NEW BUSINESS**
 - a) Planning Report – Lauzon “At Capacity” – by Planscape
- 6. NOTICES OF MOTION**
- 7. MOVED TO CLOSED SESSION** Nil
- 8. REPORT FROM CLOSED SESSION** Nil
- 9. ADJOURNMENT**



4a

Minutes

Committee of Adjustment - Public Meeting for Official Plan amendment and
Zoning By-Law amendment

Township of the North Shore

Wednesday June 7th 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
Richard Welburn - 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.

APPROVAL OF AGENDA

RESOLUTION

Moved by: L. Menard

Seconded by: T. Simon

BE IT RESOLVED That the Committee of Adjustment of the Township of the North Shore hereby approve the agenda as circulated.

"CARRIED"

DISCLOSURES OF PECUNIARY INTEREST

Nil

APPROVAL OF MINUTES

RESOLUTION

Moved by: T. Simon

Seconded by: L. Menard

BE IT RESOLVED THAT the Committee of Adjustment of the Township of the North Shore hereby approve the minutes of the meeting held February 1st, 2023

"CARRIED"

NEW BUSINESS

a) Planning Report - Planscape

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 Planscape's planning report regarding the removal of the "at capacity" status of Lake Lauzon

"CARRIED"

b) Public Comment Period for the "at capacity" designation of Lake Lauzon

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 the public comments during 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 directs Planscape to provide an updated report at a future meeting, discuss the situation with the planner for Blind River, and extend the opportunity for public input, prior to the decision regarding the removal of the "at capacity" status of Lake Lauzon

"CARRIED"

MOTIONS Nil

MOVE TO CLOSED SESSION Nil

REPORT FROM CLOSED SESSION Nil

ADJOURNMENT

RESOLUTION

Moved by: L. Menard

Seconded by: T. Simon

RESOLVED that this meeting of the Committee of Adjustment for the Township of the North Shore be adjourned at 6:45 PM

“CARRIED”

Tony Moor, Mayor

Rachel Schneider, Clerk

June 13, 2025

Planning Report – Official Plan Amendment # 4 - Lake Lauzon: Removal of 'At-Capacity' Status

1. Background

At the June 7th, 2023 meeting of the Committee of Adjustment, the following Resolution was passed with respect to OPA # 4:

BE IT RESOLVED THAT the Committee of Adjustment of the Township of The North Shore directs Planscape to provide an updated report at a future meeting, discuss the situation with the planner for Blind River, and extend the opportunity for public input, prior to the decision regarding the removal of the 'at capacity' status of Lake Lauzon. CARRIED.

Attached to this report is the May 15, 2023 staff report that provides an in-depth history of this file, as well as the appropriate policy analysis and recommendation. To assist the Committee, below is a brief summary:

- 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.
- Following this inquiry, the Township contacted the Ministry of Natural Resources (MNR) to understand the 'at capacity' status and if any changes were being considered.
- On September 30, 2022, the Township received correspondence from the MNR 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 the Committee of Adjustment in response to the MNR's letter for discussion at the December 14, 2022 Committee meeting, and the members 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 the municipally initiated Official Plan Amendment (OPA #4) to remove the 'at-capacity' status of Lake Lauzon from the Official Plan. Planscape prepared a planning report to the Committee. Numerous public comments and submissions were received. The Committee decided to defer making a formal decision and directed staff to seek further information from the Ministries and to bring back additional information to a future meeting.
- On January 12, 2023, a fulsome planning report was presented to the Committee and it was recommended that the Committee approve OPA #4. The members decided to defer making a decision to afford the public with additional time to review the report. A second public meeting was to be scheduled.

- Notice of a second public meeting was given on May 11, 2023. The meeting was held on June 7th, 2023. Again, Council decided to defer making a formal decision on the OPA pending an understanding of the current and proposed Official Plan policies for the portion of Lake Lauzon that falls under the jurisdiction of Blind River.

2. Current Official Plan Policies for Lake Lauzon

NORTH SHORE CURRENT OP POLICIES

4.1.2 Consent to a Land Severance

- a) Consents will only be granted in accordance with the provisions of the Planning Act, related regulations, and the policies of this Plan;
- b) Consents shall only be granted for residential developments which create not more than 3 lots per original parcel of lands, exclusive of the retained lot. An original "parcel" is a section of land capable of being transferred under the provisions of the Planning Act, and which existed on March 7, 1988;
- c) Consents shall only be granted for commercial or industrial developments which create not more than 3 lots per original parcel, exclusive of the retained lot;
- d) Consents shall only be granted if the additional lots will not unduly overburden municipal services;
- f) Consents shall only be granted if the additional lots will not have a negative impact on the area's natural environment;
- g) Consents shall only be granted if the subject property fronts on and has direct access, from the same lot, to a fully-maintained public road and does not require an extension of municipal services unless an agreement for the extension of municipal services is entered into with the municipality and the developer of the subject lands. Exceptions to this policy are noted in paragraph (h) and (i) of this Section.
- i) Consents may be granted for recreational residential lots where there is no road access and where access is only available by water provided that there exists a public access point within reasonable proximity and adequate public parking is available at such an access point;
- j) Consents may be granted to provide for the purposes of deed corrections, a lot addition, a partial discharge of a mortgage or any other technical purpose and to provide for a lease longer than 21 years;
- k) Parcels created by consent shall comply with the requirements of the Zoning By-law;
- l) The application shall be supported with information or a certificate of approval or evidence to verify the suitability of the lot for sewage disposal, or to verify that there is off-site

treatment capacity or hauled sewage. This may include approval for an individual on-site system or a hydrogeological study;

- m) Consents shall not create land-locked parcels;
- n) Consents should have the effect of infilling existing built-up areas;
- o) Where the consent-granting authority and/or the Township deems that there may be a lack of information or a particular matter which requires additional technical advice, a report may be requested from the applicant;
- p) Any consent abutting or adjacent to a Provincial highway must meet the Ministry of Transportation's policies and guidelines for access and is also subject to the Ministry of Transportation's permit approval. A noise study may be required, as set out in Section 4.11 - Human-Made Hazards.
- q) Where a proposed lot fronts on a provincial highway, prior approval must be obtained for access from the Ministry of Transportation. Also, where the Ministry has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval. New lots should have direct access to a municipal road wherever possible.
- r) Consents will be granted only if the consent-granting authority and/or the Township is satisfied that a plan of subdivision would not be a more appropriate means of ensuring the comprehensive and orderly development of the lands.
- s) A proponent of a consent application may be required to enter into an agreement with the municipality.
- t) A minimum lot size for new lot creation of 0.6 hectares and a minimum lot frontage of 61 metres applies to all new lots within 300 metres of the shorelines of water bodies. Smaller lots may be considered where justified by a hydrogeological study.
- u) Any consent on lands adjacent to a water body shall conform with the policies of Section 4.13 - Waterfront Development.

4.13 Waterfront Development

The Township is characterized by a landscape with many lakes and rivers. The policies of this Section of the Plan generally apply to lands which have lot frontage along one of the shorelines of these water bodies, into those properties considered "back lots" separated from the shoreline by a first tier of development (e.g., across the road from shoreline cottages).

It is the intent of Council that this Plan will limit the nature and extent of development along the townships water bodies including second tier or back lot development, development on islands and development on water courses flowing into lakes. In general it is an objective of these policies to maintain or improve the existing level of water quality, aesthetic and recreational quality and to improve the fisheries, particularly cold water fisheries or lake trout lakes. Waterfront

development is encouraged where it maintains this commitment to protecting water quality and conforms to the policies of this Plan.

The policies of section 4.12.2 apply to any development within 300 meters of a water body which is deemed to be 'at capacity' by the ministry of environment or its designates.

Development adjacent to the Township's water bodies in any land use designation is subject to the following policies. The policies of this section apply to two different types of lake types based on their sensitivity to development. Section 4.12.1 applies to all waterbodies in the Township, while Section 4.12.2 applies to development to "at-capacity" lakes such as Lauzon Lake. See also Section 4.1 - Land Division.

4.13.1 Policies for all Development Adjacent to Waterbodies

- a) Lots shall be properly proportioned (i.e., have sufficient depth to accommodate a sewage disposal system).
- b) New buildings or structures, including individual on-site sewage disposal septic systems, shall be set back a minimum of 30 metres from the high water mark of all water bodies. Minor variances from the minimum setback may be considered where supported by a report from a qualified professional knowledgeable about the science and design of subsurface sewage disposal systems, that indicates that the variance is justified;
- c) Only those buildings, structures and uses requiring proximity to water, such as docks, boat houses or similar accessory uses may be located within 30 metres of the high water mark, provided there is no storage of hazardous materials.
- d) A notice shall be registered on title of all new lots created within 100 metres of a water body which states that an environmental impact assessment is required prior to any development within 30 metres of a water body;
- e) Measures to maintain the shoreline in its natural state include:
 - i. It is the intent of Council to require the establishment and/or retention of a natural vegetation buffer on lands within 30 metres of the shoreline of a lake or tributary in order to protect the riparian and littoral zones and associated habitat, to prevent erosion, siltation and nutrient mitigation, to maintain shoreline character and appearance, and to minimize the visual impact of development. In situations where the natural vegetation buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than the area required for the expansion will be required. Within the natural vegetation buffer, trimming of trees and shrubs for safety purposes is permitted, and the construction of an access path to the shoreline activity area is permitted provided it is constructed of permeable materials.
 - ii. Within the above mentioned natural vegetation buffer, a shoreline activity area is permitted. This is the cumulative portion of a shoreline frontage of a lot located within the required setback from the normal or controlled high water mark, where

accessory shoreline structures (e.g., boathouses, docks) are located, and where there is access to the water for activities such as swimming or boat launching. The shoreline activity area should be focused within a defined area of the shoreline frontage of a lot and limited in its extent. The extent of a shoreline activity area will be based on the following targets where possible:

- a) 25% of the shoreline frontage or up to 23 metres, whichever is the lesser;
 - b) The shoreline frontage buffer policies for all non-residential uses shall be subject to site plan control.
- f) Council supports and encourages the use of Lake Management Plans (LMPs) as an essential tool in planning for the stewardship of lakes and rivers in the Township. Council supports the efforts of local stakeholders (i.e., property owners, cottage associations, environmental partnerships, agencies and the municipality itself) in planning for the future of the Township's water bodies. Lake Management Plans may include a number of components geared at building conservation practices into the daily living habits of shoreline residents including:
- i. A lake capacity assessment to determine the carrying capacity for existing and new development and the opportunities to improve or enhance water quality;
 - ii. An inventory of existing and proposed development by type, characteristics of sewage and water services;
 - iii. A shoreline capability assessment to determine lands which are suitable for development given such features as slope, vegetation cover, depth of overburden, the presence of sensitive natural features and areas;
 - iv. A resource inventory;
 - v. An assessment of fish habitat;
 - vi. The nature of public access to and use of the lake for aquatic and boating activities;
 - vii. Road access to shoreline development;
 - viii. Flood plain management;
 - ix. Shoreline management principles that provide for appropriate development setbacks and the retention/conservation of natural features;
 - x. Criteria for septic tank (sewage disposal system) reinspection;
 - xi. Criteria for controlling conversions of seasonal dwellings to permanent residential, commercial to residential conversions and the use, changes of use, large scale redevelopments and upgrades to commercial and/or residential properties to the carrying capacity of a body of water;

xii. Implementation and monitoring in an environment of shared responsibilities by the various stakeholders; and

xiii. Public education.

Lake management plans will be prepared as a partnership initiative with preference placed on lakes and rivers experiencing development pressures.

- g) The Official Plan recognizes the potential of the Township's water bodies to contain archaeological resources. Therefore the policies of Section 4.26 - Cultural Heritage and Archaeological Resources shall apply.

4.13.2 Policies for Development Adjacent to 'At-Capacity' Lakes

- a) Lake Lauzon is an at-capacity lake trout lake, while Hastie Lake and Laderoute Lakes are considered lake trout lakes. As such the policies of this section apply to these three lakes as well as any other water bodies which become designated as at-capacity or where there are concerns that the lake may be at-capacity. On an at-capacity water body, there shall generally be no new lot creation through consent or plan of subdivision.

i. Development is only permitted on existing lots of records and under strict conditions where a proponent can demonstrate that there will be no impacts on lake water quality. This requires consultation with the Ministry of the Environment and the Ministry of Natural Resources. The following conditions must be met for any development including lot creation within 300 metres of an 'at-capacity' water body:

- a. The severance is to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorous loading to the lake;
- b. All new septic system tile fields are located such that they would drain into a drainage basin which is not at capacity; or
- c. All new tile fields are set back at least 300 metres from the shoreline of a lake or permanently flowing tributary to this lake; or
- d. The effluent pathway from a tile field would flow in a manner for a distance of at least 300 metres to the lake. This must be supported by a report prepared by a qualified professional that is a licensed member of the Association of Professional Geoscientists of Ontario or a licensed member of the Professional Engineers of Ontario who is qualified to practice geoscience.

- b) Future development along shores of inland water bodies that are considered lake trout lakes shall be assessed using the Ontario Ministry of the Environment's Lakeshore Capacity Model which is based on phosphorous levels. The MNR's Trout Lake Development Policy should also be addressed. Where determined capacity is met or exceeded, new development will not be supported and existing development will be encouraged to act to manage phosphorous contributions to maintain, or to reduce such levels.

(See the Ministry of the Environment's Lake Capacity Assessment Handbook, May 2010, for more information on development adjacent to at-capacity lakes.)

BLIND RIVER OP POLICIES

4.12 Consent Policies

4.12.1 General Policies

It is intended that, wherever possible, the creation of new lots shall occur by plan of subdivision. However, there are circumstances, particularly for single lot development or in the defined Urban Service Area, where a plan of subdivision is not necessary for proper and orderly development of the subject lands. Therefore, an application for consent to sever a parcel of land may be approved where it is clearly evident that a plan of subdivision is not necessary and there is compliance with the policies of this Plan and the relevant provisions of the Planning Act. Generally, the creation of more than 3 lots shall occur only by plan of subdivision.

To assist the Committee and Council in their evaluation of applications for consent, the following policies serve to define the circumstances in which approval of consent application may be considered. In making a decision on specific applications for consent, Council shall consider the policies of this Section and all other relevant policies in this Plan as well as the matters set out in 51(24) of the Planning Act and the provisions of the Zoning By-law.

4.12.1 Policies Applicable to all Land Use Designations

The proposed lot and the lot to be retained shall be of an appropriate size and have adequate lot frontage for the existing and proposed uses, and the severed and retained lots shall comply with the provisions of the implementing zoning by-law.

The creation of new lots shall have regard for the servicing hierarchy and policies of Section 7 of this Plan.

Where development is proposed on individual on-site sewage disposal or water services, and the subject lands are less than one hectare in area or where Council is concerned about water quality and quantity (e.g., due to lack of soil cover or other conditions on the subject lands), the Municipality shall require that a hydrogeological report prepared by a qualified professional be submitted with the application. The report shall confirm that the proposed new lot is suitable for the long-term provision of groundwater services to the subject lands. The report must also address any potential off-site impacts from the proposed development including but not limited to ground water quality and quantity, storm water quality and quantity, and impacts on and from adjacent land uses. Reference shall be made to Ministry of the Environment Guidelines D-5-4 and D-5-5 in evaluating individual on-site water and sewage services, and in the review of development proposed on hydrogeologically sensitive sites.

All lots created by consent shall front on and have access to an improved public street. Consents shall not be permitted where a traffic hazard would be created due to the curve, grade and/or traffic volumes on the road upon which the lot fronts.

New residential lots created by consent shall only have access from local or collector roads.

Direct access to Provincial Highways shall not be permitted unless the proposed land uses qualify it for an access permit issued by the Ministry of Transportation.

The creation of non-residential lots with access onto Provincial Highways and Arterial Roads shall be restricted. Where such a severance is proposed on a Provincial Highway, the applicant must submit evidence that an access permit will be issued. It shall be noted, however, that the ability to obtain an access permit does not guarantee the granting of a severance.

The creation of strip or linear residential development, shall be prevented wherever possible. However, the creation of infilling lots may be permitted between two existing residential lots on local or collector roads where the distance between the lots is approximately 55 metres or less. Also, existing strip or linear residential areas may be extended to a physical feature such as a river, side road, or major slope where such feature is approximately 55 metres or less from the residential area. Notwithstanding the above, no lot shall be created which would restrict proper access to rear lands.

A consent may be permitted for technical or legal reasons such as boundary adjustments, easements, right-of-ways or other similar purposes that do not result in the creation of a new lot. Consents for non-agricultural uses shall comply with the Minimum Distance Separation requirements as they relate to any nearby agricultural uses.

Consents shall not be granted where the proposed use would adversely affect existing or proposed agricultural operations. See also Section 4.1.8 for requirements for Minimum Distance Separation.

A consent may be granted for any permitted use except accessory uses in any land use designation providing there is compliance with all the relevant policies of this Plan.

Scattered rural development by consent shall be discouraged in order to minimize the overall impact on the environment and natural resources, to allow for the more efficient delivery of services, and to protect the rural character of the Town. Non-agricultural development should be located in or adjacent to the defined Urban Service Area of the Town unless that development has the potential to hinder the future expansion of the Town's urban area. It is anticipated that the number of new lots created by consent in the Rural Area shall be no more than 20 over the life of this Plan.

4.15 Lake Development Capacity

4.15.2 Lake Development Criteria on Lakes at Capacity

No new lots may be created within 300 metres of the shores of lakes which have been identified as being at its biological carrying capacity. Exceptions may be made for the following circumstances:

1. To separate existing habitable dwellings each of which is capable of supporting a Class 4 sewage disposal system, provided the land use would not change and there would be no net increase in phosphorous loading; or
2. Where all new septic tile fields are located so that they drain into a drainage basin that is not at capacity; or
3. Where all new tile fields would be set back at least 300 metres from the shoreline;
4. Where the natural drainage from the tile field would flow at least 300 metre to the lake, or
5. Where there are deep soils native to the site (undisturbed and over 3 metres depth), meeting a specified chemical composition and hydrologic conditions acceptable to the Ministry of the Environment and Climate Change as outlined on page 38 of the Lakeshore Capacity Assessment Handbook. This approach requires site-specific soils investigations by a qualified professional and, if implemented, long-term monitoring and use of planning tools that would ensure long-term maintenance of specified conditions.

In the above circumstances, a report by a qualified geoscientist may be required to justify that these criteria can be complied with. In addition, the Town may impose conditions on land division or the application of site plan control for waterfront development. These conditions may pertain to the establishment of vegetative buffers.

After several discussions with Blind River staff and their consulting planners (Tulloch), it is expected that a similar municipally directed Official Plan amendment application will be initiated shortly. Although nothing formal has been presented to their Council/Committee and the public, the consulting planner has suggested a simple approach to specifically remove the 'at-capacity' designation and leave the other policies in place. This means that new lot creation applications on Lake Lauzon could be considered where the lots have frontage on a municipally owned and year round maintained road. Unlike the North Shore Policies that would permit new lot creation on municipal and private roads and through water access (marina) use.

3. Options for Consideration

The following three policy options are provided to the Committee for consideration. Regardless of the Committee's decision, it is expected that when the municipality conducts its next Official Plan review, the Ministry of Municipal Affairs (approval agency for North Shore's Official Plan) will require the removal of the at-capacity status.

OPTION 1 - Maintain Current New Lot Creation Policies (e.g. access, area and frontage)

The North Shore Official Plan (Section 4.1.2 i.) currently allows severances for recreational residential lots on private roads as well as those with water-only access, provided there is a public access point with adequate parking in reasonable proximity. In addition, Section 4.1.2 t.) requires a new lot to be 0.6

hectares in size with a minimum lot frontage of 61 metres for all lots within 300 metres of the shorelines of water bodies. Smaller lots may be considered when supported by a hydrogeological study.

OPTION 2 – Consider Changing the access requirements to be consistent with Blind River and maintain current minimum area and frontage requirements.

Restricting new lot creation to properties with public road access, similar to the Blind River Official Plan direction. This would have the effect of significantly reducing new lot creation on Lake Lauzon as most access around Lake Lauzon is via private roads and water (marina access). Under this option, only properties along Highway 17, Lauzon Village Road, part of Lau Camp Road, Pronto Road, and Cookhouse Road would qualify for severances.

Although this approach would be consistent with the policies of the Blind River Official Plan, Blind River does not prescribe a minimum lot area or frontage for new lots within their Plan, it does require that both the proposed lot and the retained lot be of an appropriate size, have adequate frontage to support existing and proposed uses, and comply with the minimum requirements of the Zoning By-law. The Zoning By-law has zoned most properties fronting on Lake Lauzon as “Rural”, while some existing lots of record or undersized lots are zoned “Limited Service Residential”.

The North Shore currently zones privately owned properties fronting on Lake Lauzon as “Rural”, with some existing lots of record zoned “Recreational Residential (R4)”. Rural lots used for residential purposes have a minimum area of 0.8 ha with 45 m of frontage while Recreational Residential lots have a minimum lot area of 0.8 ha and frontage of 61 metres, minorly above the Official Plan requirements.

A policy change to restrict lot creation on private roads would substantially limit future development on Lake Lauzon, unless the private roads are assumed by the Township. Nevertheless, such a policy shift would mirror the approach used by Blind River, resulting in a more consistent and uniform policy framework around the lake. However, this would be a departure from the current direction of the North Shore Official Plan. It would create new “lake specific” policies that is not consistent with other lakes within the municipality. This approach is not recommended.

OPTION 3 – Maintain current access requirements, enhance the water access policies and increase existing minimum area and frontage.

This approach would maintain the current intent of waterfront lot creation within North Shore, but by increasing the minimum lot size and frontage requirements would reduce the total number of available lot creation. This would have the effect of reducing development activity on the Lake. A formal technical analysis of the potential for new lot creation has not been completed. As an example, the minimum lot size could increase from 1 ha to 1.5 or 2 ha, with frontage requirements increasing from 61 metres to 92 metres (300 feet), or more.

New lots could be created via public or private roads and water access would also be permitted. To provide clarity on the use of marinas or public landings, the Official Plan could require formal lease agreements or use arrangements, or require an easement for parking. Parking standards would be established in the zoning by-law (e.g. one parking space per boat slip at the public access point or marina).

4. Additional Public Consultation

Several written comments were received during the public meetings. All of the public comments received either objected to the proposed application or raised concerns. In general the following comments/concerns are noted below along with a response. Providing additional opportunities for public comments would likely not raise any other issues than those noted below. Hosting two statutory public meetings goes above and beyond the requirements of the Planning Act and maintains a high level of transparency with this Committee.

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

Response: MNR 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 MNR 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 MNR provided a summary of the water temperature and dissolved oxygen profiles for Lake Lauzon in their second letter to the Township.

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 MNR. 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 MNR 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 MNR 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 MNR 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 MNR 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 MNR 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 MECP. The Township lacks the required knowledge and experience to understand the appropriate level of monitoring and testing and should defer to the MECP and MNR 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 MNR 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. Planning Analysis

The planning analysis contained in the staff report dated May 15, 2023 (attached) remains the same. After reviewing the concerns/questions expressed by the public, our recommendation remains unchanged.

7. Recommendation

The proposed amendment to the Township Official Plan has been reviewed against the applicable policies and direction of the *Provincial Planning Statement, 2024* and is found to be consistent. It is recommended that the Township proceed with **Policy Option 1**, which maintains the current new lot creation policies related to access, lot area, and frontage, and approve Official Plan Amendment (OPA #4). New waterfront lot creation will only serve to increase the tax base of the Township and encourage new growth and economic development. This is the mandate of the current government.

Respectfully Submitted,

PLANSCAPE INC.



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