

BYLAW NO.94-341

The Council of the Corporation of the Township of Temagami, in accordance with the provisions of the Planning Act, R.S.O., 1990, hereby enacts as follows:

1. The attached text and Schedule 'A', which constitutes Amendment No. 5 to the Official Plan for the Temagami Planning Area is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the aforementioned Amendment No. 5 to the Official Plan for the Temagami Planning Area.
3. This Bylaw shall come into force and take effect on the day of final passing thereof.

Enacted and passed this 10th day of MAY 1994.


REEVE


CLERK

OFFICIAL PLAN AMENDMENT
NO. 5
TEMAGAMI PLANNING AREA

OFFICIAL PLAN
FOR THE
TEMAGAMI PLANNING AREA
AMENDMENT NO. 5

I, John Hodgson, Clerk of the Township of Temagami, do hereby certify this to be a true copy of Amendment No. 5 to the Official Plan of the Temagami Planning Area as approved by the Minister of Municipal Affairs on the day of, _____ 1994.

Clerk of the Municipality

BY-LAW NO. _____

The Council of the Corporation of the Township of Temagami, in accordance with the provisions of The Planning Act, R.S.O.1990, hereby enacts as follows:

1. The attached text and Schedule 'A', which constitutes Amendment No. 5 to the Official Plan for the Temagami Planning Area is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the aforementioned Amendment No. 5 to the Official Plan for the Temagami Planning Area.
3. This By-law shall come into force and take effect on the day of final passing thereof.

Enacted and passed this _____ day of _____, 1994.

REEVE



CLERK

CERTIFIED that the above is a true copy of By-law No. _____ as enacted and passed by the Council of the Township of Temagami on the day of, 1994.

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Appendix A Planning Report prepared by Lehman &
Associates, December 1993.

Appendix B Minutes of the formal public meeting.

CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan of the Temagami Planning Area consists of three parts.

Part A - The Preamble, consisting of the purpose, location and basis of the Amendment, does not constitute part of this Amendment.

Part B - The Amendment consisting of the following text and map constitutes Amendment No. 5 to the Official Plan for the Temagami Planning Area.

Part C - The Appendices, consisting of the background data and planning considerations associated with this Amendment, does not constitute part of this Amendment.

PART A - THE PREAMBLE

PURPOSE

The purpose of this Amendment is to change the land use designation applying to lands known as the 'Busby' property, located on the northwest corner of Lakeshore Drive and Fourth Street, from 'Low Density Residential' and 'Special Development Area' to a site-specific 'Special Development Area - Phase 2' designation to permit the development of tourist commercial uses. A further purpose of this Amendment is to add policies to the Official Plan which deal with the use of Holding Provisions under Section 36 of the Planning Act.

LOCATION

This Amendment affects a property having an area of approximately .63 hectares on Lakeshore Drive as shown on Schedule 'A' attached. The policies dealing with the Holding Provisions apply to the entire Planning Area.

BASIS

A Planning Report prepared by Lehman & Associates which describes the property, adjacent land uses and discusses the development's conformity with the Temagami Planning Area Official Plan is attached to this Amendment as Appendix A.

Existing Land Uses

In the 1940's, the property was the site of a rental cabin establishment and a single detached dwelling. The rental cabin establishment closed in the early 1950's and the property has not been used for commercial uses since that time. At the present time, the single detached dwelling located at the southwestern corner of the property is rented out by the Township.

Institutional uses are located to the west of the property. Commercial docking facilities are located to the south of the property. A 20 unit non-profit apartment building is being built to the east of the property, across Fourth Street. Lands to the east of the property, on the south side of Lakeshore Drive, are the site of the Welcome Centre and the Municipal offices. Both of these facilities were built in the late 1980's.

Proposed Development

It is proposed to redesignate and rezone the property to permit tourist commercial uses such as motels, hotels, retail facilities, restaurants and

parking areas. Any development* Dh the property will be subject to Site Plan Control.

Conformity with the Official Plan

In order for development to proceed on the Property, it is proposed that the Property be redesignated from 'Low Density Residential' to a designation that permits tourist commercial uses.

One of the major objectives of the Official Plan is to increase the level of tourism activity in the Township. The Official Plan also states that the major focus of commercial activity in the Township should be in Temagami South. Within Temagami South, tourist commercial uses have historically located along the waterfront and in 1985, the waterfront area was designated 'Special Development Area' to take advantage of its location adjacent to both Highway 11 and Lake Temagami.

Within the 'Special Development Area', public and private sector investment has transformed the area into the gateway to the 'Take Temagami experience'. Although some redevelopment opportunities remain in the 'Special Development Area', there is no vacant land available for new tourist commercial uses. It is therefore considered appropriate to extend the limits of the 'Special Development Area' designation westwards to the property.

HOLDING PROVISIONS

Council has decided that it wishes to have the option of utilizing a Holding Provision to ensure that it has some control over the form and timing of development in the Planning Area. The Holding Provision policies in this Amendment will permit Council to utilize a Holding provision when a Plan of Subdivision has been Draft Approved or when a development that is subject to Site Plan Control has been approved by Council.

PART B - THE AMENDMENT

All of this part of the document entitled Part B - The Amendment, consisting of the following text and Schedule 'A', constitutes Amendment No. 5 to the Official Plan of the Temagami Planning Area.

Details of the Amendment

The Official Plan of the Temagami Planning Area is amended as follows:

Item 1:

Schedule 'A' of the Official Plan of the Temagami Planning Area is hereby amended by redesignating those lands shown on Schedule 'A' to this Amendment from the 'Low Density Residential' and 'Special Development Area' designations to the 'Special Development Area - Phase 2' designation.

Item 2:

Section 12 of the Official Plan of the Temagami Planning Area is hereby amended by adding the following sub-section after sub-section 12.2:

12.3 Special Development Area - Phase 2

12.3.1 Permitted Uses

On lands designated Special Development Area - Phase 2, tourist commercial uses such as motels, hotels, restaurants and retail stores are permitted. In addition, tourist related uses such as a park/picnic area and a parking area may be permitted. Institutional uses are also permitted.

12.3.2 Site Plan Control

Any development proposal on the site will be subject to Site Plan Control to ensure that items such as parking, access, drainage and landscaping are considered before development takes place.

Item 3:

Section 22 of the Official Plan of the Temagami Planning Area is hereby amended by adding the following sub-section after sub-section 22.9:

22.10 Holding Provisions

Lands may be zoned utilizing a Holding Provision as provided for in Section 36 of the Planning Act (R.S.O. 1990) where any of the following conditions exist:

- a) where a Plan of Subdivision has received Draft Approval; or,
- b) where a development that is subject to Site Plan Control has been approved by Council.

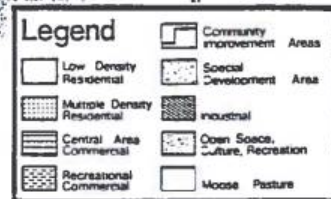
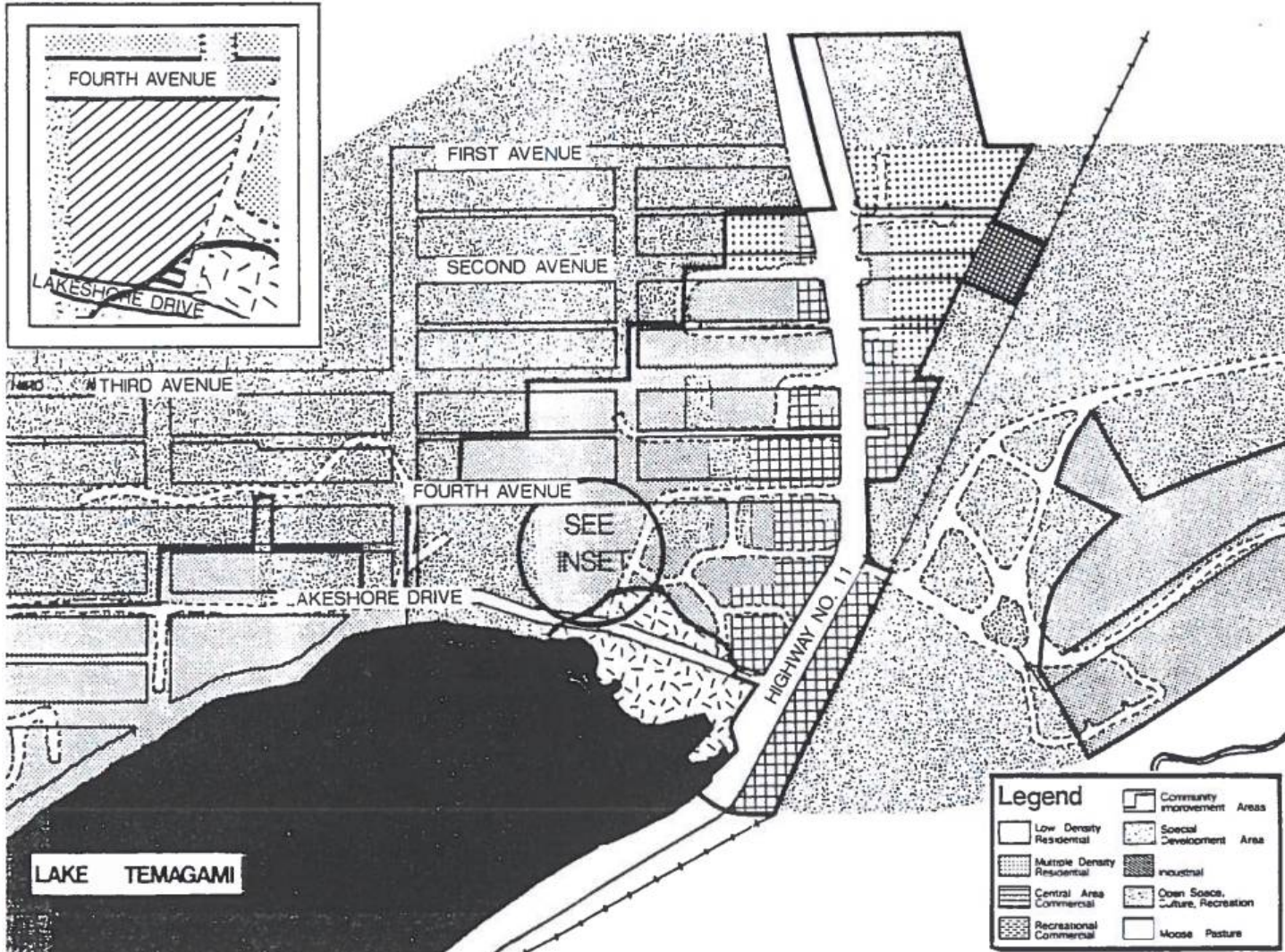
Council may pass a By-law to remove a Holding Provision when the necessary agreements, servicing and financial requirements of the municipality are satisfied. The use of lands which are zoned using a Holding Provision shall be restricted to existing uses until the Holding Provision is removed.

SCHEDULE 'A'

Official Plan Amendment No. _____

Township of Temagami

INSET



Legend

- Area to be redesignated from the 'Low Density Residential' designation to the 'Special Development Area - Phase Two' designation.
- Area to be redesignated from the 'Special Development Area' designation to the 'Special Development Area - Phase Two' designation.



This Schedule 'A' is part of Amendment No. 5
to the Official Plan for the Township of Temagami.

LEHMAN
& Associates

PART C - THE APPENDICES

Appendix A Planning Report prepared by Lehman & Associates,
December 1993.

Appendix B Minutes of Public Meeting held on _____,
-----.

APPENDIX A
Planning Report Prepared by
Lehman & Associates

**PLANNING REPORT
THE 'BUSBY' PROPERTY
LAKESHORE DRIVE
TOWNSHIP OF TEMAGAMI**

Prepared by Lehman & Associates
December 1, 1993
Our File No. 1037

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Figure 2:	Adjacent Land Uses

1.0 PURPOSE

The purpose of this Planning Report is to review the appropriateness of amending the Official Plan to permit tourist commercial uses on a property in Temagami South owned by the Township of Temagami. The property was donated to the Township in March 1993 by Dofasco Inc. and the Tetapaga Mining Company Limited. It is the intent of the Township to redesignate and rezone the property and then sell the property to a purchaser willing to develop the Property for tourist commercial purposes. The lands subject to the proposed Amendment to the Official Plan ("the Property") comprise approximately .63 hectares (1.56 acres) and are known locally as the 'Busby' property. The location of the Property is shown on Figure 1.

2 .0 SITE CHARACTERISTICS

2.1 LOCATION, SIZE AND ACCESS

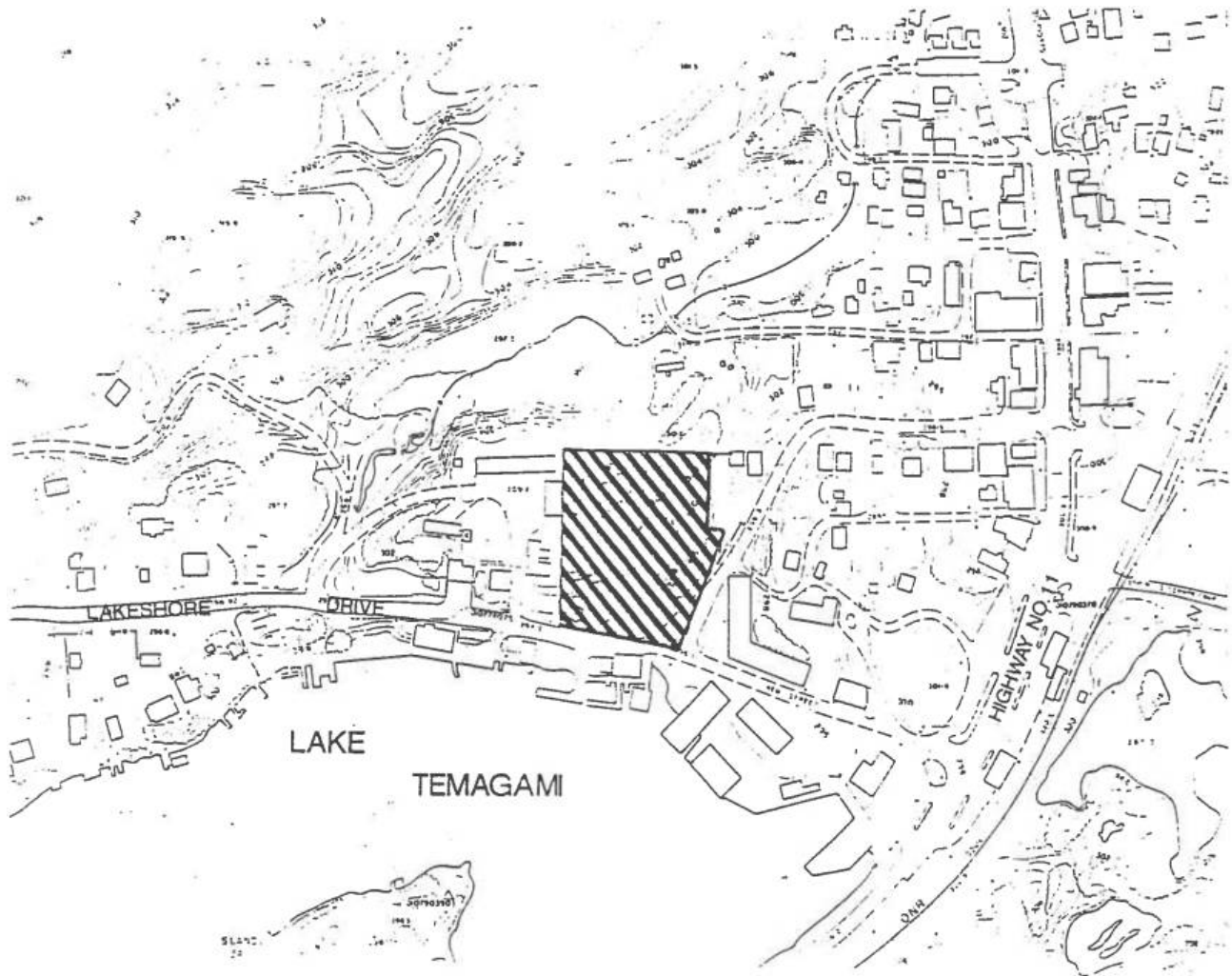
The Property is comprised of Parcels 14330, 13936 and 6986, Part Block A of Plan M66 and Parcel 21284 and Parts 3 and 6 of Plan NR781. The square shaped property has a total area of approximately .6 hectares and has a frontage of approximately 78 metres on Lakeshore Drive.

2.2 EXISTING LAND USE

In the 1940's, the Property was the site of a rental cabin establishment (White Top Cabins) and a single detached dwelling. The rental cabin establishment closed in the early 1950's and the Property has not been used for commercial uses since that time. At the present time, the single detached dwelling located at the southwestern corner of the property is rented out by the Township.

An agreement between Lakeland Airways and the former owner of the Property allows Lakeland Airways to store 10 houseboats on the southern portion of the Property. Patrons of Lakeland Airways also use the Property to park their cars while renting houseboats from Lakeland Airways. However, the parking of cars on the Property is not the subject of a formal agreement. The remainder of the Property is vacant.

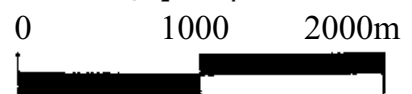
Figure 1
Location of Property



LEGEND



Location of Subject Property



LEHMAN
& Associates

2.3 ADJACENT LAND USES*

Adjacent land uses are shown on Figure 2. Institutional land uses, such as the District Office of the Ministry of Natural Resources, the offices of the Ontario Provincial Police and the Provincial Offences Court are located to the west of the Property. The Lakeland Airways buildings and dock are located to the south of the Property on Lake Temagami.

Lands to the east of the Property, on the north side of Lakeshore Drive were formerly the site of the Ontario Northern Railway garage and a Brewers Retail Store. The Ontario Northern Railway garage was demolished in the late 1980's and a 20 unit non-profit apartment building is presently being built on the site. The Brewers Retail Store closed in 1992 and is now being used as an empty beer bottle collection depot. Lands to the east of the Property, on the south side of Lakeshore Drive, were the site of a number of buildings which have since been demolished. At the present time, this area is the site of the Welcome Centre and the Municipal offices. Both of these facilities were built in the late 1980's.

2.4 TOPOGRAPHY AND VEGETATION

The highest point on the property is located midway between the side lot lines on Fourth Avenue where the elevation is 309 metres. The property slopes down towards the southeast and the elevation decreases to 295 metres at the southeast corner. The slopes on the property are more steep on the northern half of the property.

The southern part of the property is cleared of vegetation and has a relatively thin mantle of soil over the bedrock. The northern part of the property is forested with birch, maple and pine.

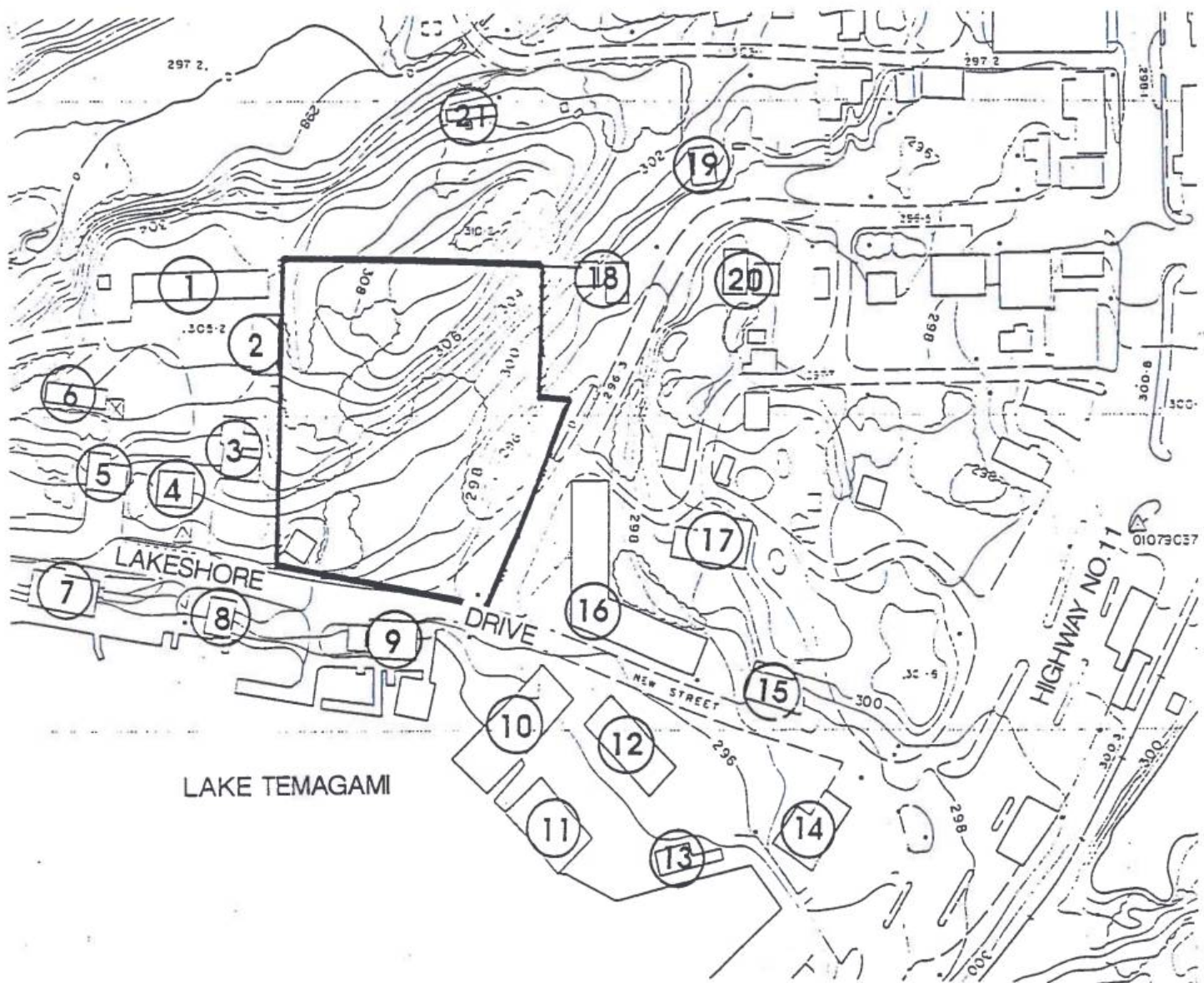
2.5 SERVICES

The single detached dwelling on the Property is serviced by the municipal water and sewer systems. Any new uses on the Property will be connected to these systems. At the present time, there is enough capacity in the systems to accommodate additional development on the Property.

2.6 OFFICIAL PLAN AND ZONING BY-LAW

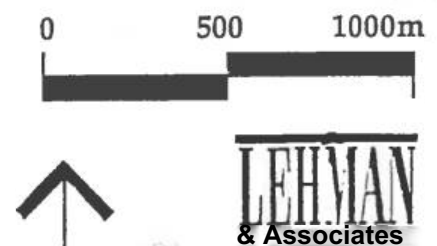
The Official Plan was approved by the Minister of Municipal Affairs on August 26, 1986. The majority of the Property is designated 'Low Density Residential'. The southeastern corner of the Property is designated 'Special

Figure 2
Adjacent Land Uses



LEGEND

- | | | | |
|----|------------------------|----|--------------------------------|
| 1 | MNR Garage | 12 | ONR Garage (demolished) |
| 2 | MNR Storage shed | 13 | Restaurant (demolished) |
| 3 | Courthouse | 14 | Gas Station |
| 4 | OPP Building | 15 | Former Brewers Retail Building |
| 5 | MNR Garage | 16 | ONR Garage (demolished) |
| 6 | MNR Storage shed | 17 | Dwelling (demolished) |
| 7 | MNR Offices | 18 | Dwelling |
| 8 | OPP Garage | 19 | Dwelling |
| 9 | Lakeland Airways | 20 | United Church |
| 10 | Township Pavilion | 21 | Dwelling |
| 11 | Boathouse (demolished) | | |



Development Area⁷. The Property is zoned Residential Urban First Density (RI) and General Commercial (CI) according to By-law 81-62.

3 .0 THE OFFICIAL PLAN

It is proposed that the Property be redesignated from 'Low Density Residential' to a designation that permits tourist commercial uses. The purpose of this section of the Report is to discuss whether permitting tourist commercial uses on the Property will conform to the policies in the Official Plan.

3.1 TOURIST COMMERCIAL USES AND THE ECONOMY

The Official Plan recognizes that the area's economy will not be as dependent on mining and forestry activities in the future as has been in the past. It is stated in Section 1.1 of the Official Plan that as a result of the decline of forestry and mining activities, *'it is desired that the economic base of the area be broadened. As a first step in diversifying the Temagami economy, efforts are now being undertaken to further develop the existing tourism industry.'* These efforts included the preparation of the *'Waterfront Development Plan'* and the redevelopment of the waterfront, both of which are discussed later in this section.

The Sherman Mine, an iron ore mine located in Temagami South, closed in 1989. The Sherman Mine was formerly the largest employer in the Township with 455 employees in the early 1980's. The second largest employer, the Wm. Milne and Sons Ltd. Mill employed 150 people in the early 1980's and closed in 1991. Although the Official Plan did not anticipate the shutting down of the two largest employers in the Township, the Plan does recognize that a new focus of economic activity is required in the Township. Section 4.5 states that *'commercial uses will be encouraged to develop and expand to provide both for local needs and for the tourist and every effort will be made to increase economic activity in the tourism sector.'* The proposed redesignation of the Property will help to increase the level of tourism activity.

Section 20 of the Official Plan deals specifically with tourism in the Township of Temagami. One of the tourism objectives of the Township, as stated in Section 21.1.1 of the Plan, is to *'increase the level of tourism activity in the Planning Area'*. Another objective is to *'assist the private sector in efforts to*

improve and increase the range of tourist services, events and attractions.' The redesignation of the Property will implement the above noted objectives.

3.2 COMMERCIAL USES IN THE TOWNSHIP

The preferred location for commercial development, according to the Official Plan, is in Temagami South. Section 4.4 states that *'it is intended that the village of Temagami will retain its role as the focus of commercial activity.'* Section 4.6 states that *'the village of Temagami shall continue to be the central location of retail and service uses for the general population and for the travelling public.'* A tourist commercial designation on the Property would conform with the above noted locational requirement.

3.3 COMMERCIAL USES IN TEMAGAMI SOUTH

Given that Temagami South is the preferred location for commercial development in the Township, it is important to consider the impact of redesignating additional lands for tourist commercial uses on other commercial uses in Temagami South. Section 6.2.4 of the Official Plan states that *"for commercial developments requiring an Official Plan or Zoning By-law Amendment, Council may authorize and require an economic analysis to be carried out at the expense of the applicant to justify a proposed commercial development and to evaluate the potential impact on existing development."* At the present time, there are three commercial areas in Temagami South. These three areas are the business district on Highway 11, the recreation commercial area on Snake Lake and the tourist commercial area on Lakeshore Drive.

3.3.1 The Business District

One of the objectives of the Official Plan is to *'ensure the continuation of the village of Temagami business district as the centre for commercial facilities in the Planning Area.'* The majority of the Temagami South business district is designated 'Central Commercial' in the Official Plan and is located on both sides of Highway 11. The business district currently contains the following commercial uses:

- | | |
|-------------------------------|----------------------------|
| - Three restaurants | - A liquor store |
| - A hairdresser | - A post office |
| - A grocery store | - A bank |
| - A car garage | - A catalogue store |
| - A laundromat | - A building supply outlet |
| - An inn | - A train station |
| - A boat rental establishment | |

A number of residential uses are also located in the business district.

The Property is not located in the business district. Given that tourist commercial uses are proposed on the Property, it is not anticipated that the proposed uses will interfere with the function of the business district as the centre for commercial facilities in the Township. Rather, the proposed uses on the Property will serve to enhance the role of Temagami South as the focus of retail, service and tourist commercial activity in the Township and attract more people to the business district.

3.3.2 Snake Lake Commercial Development

At the present time, a motel and rental cottages (Northland Paradise) are located on Snake Lake on lands designated 'Recreation Commercial'. These lands, located on the east side of Temagami South, are not adjacent to either Lake Temagami or Highway 11. Although a motel on the Property, if constructed, would compete with this existing motel, there are no policies in the Official Plan that require the protection of the market for recreational commercial uses.

3.3.3 Lakeshore Drive

The Lakeshore Drive area has historically been an important tourist area and departure and arrival point for Lake Temagami visitors. During the course of the Official Plan Review in 1984, the Township decided to review the potential of attracting people to the waterfront since the area serves as the gateway to Lake Temagami and the 'Lake Temagami experience' from Highway 11. In late 1984, the Township prepared a document entitled the *'Waterfront Development Plan'*. It was concluded in the *'Waterfront Development Plan'* that the *"Temagami waterfront has considerable potential to be better used and to provide a variety of benefits to local residents, the business community and tourist facility operators."*

Major objectives of the *'Waterfront Development Plan'* included the completion of physical improvements in the area to stimulate new tourism and business ventures and increasing the extent of public access to Lake Temagami. Subsequent to the preparation of the Waterfront Development Plan, the new Official Plan placed the area in the 'Special Development Area' designation. The major objectives of the 'Special Development Area' designation are contained in Section 12.1 of the Official Plan and are reproduced below:

"12.1.1 To establish a central node of tourism related development in an area visible and readily accessible from Highway 11.

12.1.2 To take advantage of the waterfront location of the Village of Temagami through the enhancement of its attractive waterfront landscape.

12.1.3 To create an attraction to encourage tourist traffic from Highway 11 to stop and visit Temagami."

The above noted objectives have been implemented, in part, by public and private sector investment in the area since the Official Plan was approved in 1985. A number of older buildings on the waterfront were demolished, the municipal offices were relocated and the Welcome Centre was developed. In addition, improvements to the infrastructure in the area were made with the aid of funding from the Provincial government. Infrastructure improvements included replacing the streetlights, curbing and pavement and adding walkways, parking areas and stormwater management works.

The docking capacity at the Lakelands Airways facility, located to the south of the Property, was also expanded. On the north side of Lakeshore Drive, the Ontario Northland garage was demolished and a 20 unit non-profit apartment building is currently being built.

The only properties which have yet to be redeveloped are the old Brewers Retail property and the gas station property. It is anticipated that as the economy improves, both of the properties will be redeveloped and/or used for tourist commercial uses. At the present time, there is no other vacant land located within the 'Special Development Area' designation.

3.4 ANALYSIS

One of the major objectives of the Official Plan is to increase the level of tourism activity in the Township. The Official Plan also states that the major focus of commercial activity in the Township should be in Temagami South. Within Temagami South, tourist commercial uses have historically located along the waterfront and in 1985, the waterfront area was designated 'Special Development Area' to take advantage of its location adjacent to both Highway 11 and Lake Temagami. Within the 'Special Development Area', public and private sector investment has transformed the area into the gateway to the 'Lake Temagami experience'.

Although some redevelopment opportunities remain in the 'Special Development Area', the opportunities for attracting additional tourist commercial uses to the area is somewhat limited by the absence of additional

lands which are appropriately designated and zoned to permit tourist commercial uses. It is therefore considered appropriate to extend the limits of the 'Special Development Area' designation westwards to the Property to further implement the objectives of the Official Plan.

4.0 RECOMMENDATIONS

Based on the findings contained in this Report, we recommend the following:

1. It is recommended that the Property be designated 'Special Development Area - Phase 2'.
2. It is recommended that the majority of the uses permitted in the 'Special Development Area' designation be permitted on the Property. Uses permitted on the Property would be restricted to hotels, motels, restaurants, retail facilities, institutional uses, park/picnic areas and tourist service commercial uses. In addition to permitting the above uses, a parking area for houseboats/trailers would be permitted provided the parking area is landscaped and properly treated.
3. Given that the topography of the Property may pose some constraints to development, it is recommended that any development on the Property be subject to Site Plan Control under Section 41 of the Planning Act. When a Site Plan Application is submitted to the Township, it is recommended that adjacent Property owners be notified and given an opportunity to review the site plan before Council enters into the Site Plan Agreement.
4. It is recommended that the Property be placed in a General Commercial (C1) Holding Zone under Section 37 of the Planning Act. The hold would only be lifted when a Site Plan Agreement is registered on title.
5. It is recommended that a public meeting under Section 17 of the Planning Act be held to solicit the views of the public on the proposed redesignation.

APPENDIX B
Minutes of Public Meeting

NOTICE OF A PUBLIC MEETING
regarding a proposed
AMENDMENT to the OFFICIAL PLAN

TAKE NOTICE that the Council of the Corporation of the Township of Temagami will hold a formal Public Meeting in accordance with Section 17 of the Planning Act R.S.O., 1990, on March 3, 1994. The meeting will be held at the 7:00 pm in Temagami South in the Council Chambers of the municipal offices on Lakeshore Drive.

THIS MEETING is being held for the purpose of informing the public and affording the public to comment and to otherwise consider an Amendment to the Official Plan for the Temagami Planning Area.

THE PURPOSE of the Official Plan Amendment is to redesignate lands known as the 'Busby' property, located at the northwest corner of Lakeshore Drive and Fourth Street in Temagami South, from 'Low Density Residential' and 'Special Development Area' to a site-specific 'Special Development Area-Phase Two' designation to permit tourist commercial uses. A key map showing the property is found below.

A FURTHER PURPOSE of the Official Plan Amendment is to add policies to the Official Plan which deal with the use of Holding Provisions under Section 36 of the Planning Act. The proposed Amendment will permit Council to utilize a Holding provision when a Plan of Subdivision has been Draft Approved or when a development that is subject to Site Plan Control has been approved by Council.

ANY PERSON may attend this public meeting to request additional information and/or make written verbal representation either in support of or in opposition to the Amendment. A Planning Report prepared by the Township planner and a draft of the Official Plan Amendment is available for review during regular business hours in the Municipal Office.

John Hodgson, CAO
Township of Temagami
(705)569-3421

