

**AMENDMENT NO. 11 TO THE  
OFFICIAL PLAN FOR THE  
TEMAGAMI PLANNING AREA  
FOR THE CORPORATION OF THE  
MUNICIPALITY OF TEMAGAMI  
DON STEWART - RIB LAKE**

**N.E.L. 4498**

**AUGUST 2000**

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## **MINISTRY OF MUNICIPAL AFFAIRS APPROVAL PAGE**

This Amendment to the Official Plan for the Temagami Planning Area, which has been adopted by the Council of the Corporation of the Municipality of Temagami is hereby approved in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990 as Amendment No.H to the Official Plan for the Temagami Planning Area.

DATE \_\_\_\_\_

APPROVAL AUTHORITY

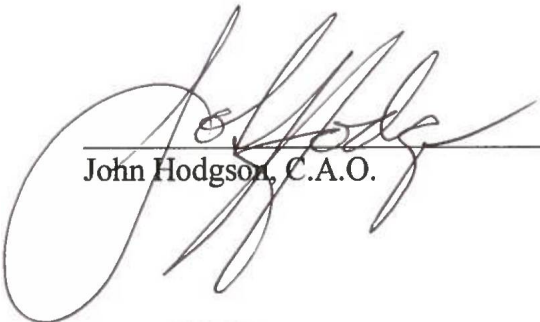
**ADOPTION BY-LAW FOR OFFICIAL PLAN AMENDMENT NO. 11**  
**BY-LAW NO. 01-506**

The Council of the Corporation of the Municipality of Temagami under Section 17 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. The Official Plan Amendment for the Temagami Planning Area, consisting of the attached explanatory text and map, is hereby adopted.
2. This By-Law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 14<sup>th</sup> day of June, 2001. \_\_\_\_\_

  
\_\_\_\_\_  
Wayne Adair, Mayor

  
\_\_\_\_\_  
John Hodgson, C.A.O.

I John Hodgson, do hereby certify that the above is a true copy of By-Law No. 01-506 as enacted  
and passed by the Council of the Municipality of Temagami on the 14th day of June, 2001. \_\_\_\_\_

  
\_\_\_\_\_  
John Hodgson, C.A.O.

CORPORATE SEAL OF MUNICIPALITY

**CERTIFICATE PAGE**  
**AMENDMENT NO. 11 TO THE OFFICIAL PLAN**  
**FOR THE**  
**TEMAGAMI PLANNING AREA**

I John Hodgson, do hereby certify that the enclosed document is a true copy of Amendment No. 11 \_\_\_\_\_  
to the Official Plan for the Temagami Planning Area as adopted by the Council of the Corporation  
of the Municipality of Temagami on the 14<sup>th</sup> day of June , 2001.\_\_\_\_\_

\_\_\_\_\_  
John Hodgson, C.A.O.

CORPORATE SEAL OF MUNICIPALITY

## **THE STATEMENT OF COMPONENTS**

### **AMENDMENT NO. 11 TO THE OFFICIAL PLAN OF THE TEMAGAMI PLANNING AREA**

#### **PART A - THE PREAMBLE**

- does not constitute part of this Amendment

#### **PART B - THE AMENDMENT**

- consisting of the following text and map, constitutes Amendment No. 11 to the Official Plan for the Temagami Planning Area

#### **PART C - THE APPENDICES**

- which are also attached, do not constitute part of this Amendment

#### **PART A - THE PREAMBLE**

##### **PURPOSE**

The purpose of this amendment is to change the land use designation of Part of Block XCVII (97) Gillies Limit and the Township of Best and which is more particularly described as Summer Resort Location HS 2194 as shown on Schedule X from “Moose Pasture” to “Waterfront” and to include an exemption from the road frontage requirements for lot severances in Section 15.1 (d). The exemption from the road frontage requirements of the Plan is to be included on a site specific basis to apply to the subject lands only and for the purposes of allowing a single lot severance for a water access cottage lot.

##### **LOCATION**

This amendment consists of two parts which shall be referred to as Items (1) and (2).

Item (1) The lands affected by the redesignation from “Moose Pasture” to “Waterfront” are more particularly described as Summer Resort Location HS 2194 in the Township of Best and Part of Block XCVII (97) Gillies Limit.

Item (2) The policy exemption from the road frontage requirements of Section 15.1 (d) is to be introduced as a new Section 15.1 (h) to the Official Plan.

## **BASIS**

### **Introduction**

The lands affected by this Amendment are presently designated Moose Pasture in the Official Plan for the Temagami Planning Area and are zoned Rural (MP) in the Township of Temagami Zoning By-law No. 81-62. The purpose of the amendment is to allow the creation of a water access seasonal residential lot from patented land with water frontage on Rib Lake and having Crown road access and boat launch facilities via the South Rib Lake Road Access. The amendment is being initiated by the owner for the purpose of allowing an intrafamily severance to Don and Lorna Stewart. The amendment is based on the submission that providing opportunities for small scale water access cottage development at suitable locations is desirable and consistent with the Plan’s general direction for seasonal residential waterfront development.

The current Moose Pasture land use designation does not provide for seasonal residential waterfront development and the Plan’s severance policies in Section 15 currently only allow new lots by consent where the property has frontage on a public road maintained year round. The proposed amendment would change the land use designation from “Moose Pasture” to “Waterfront” and provide a site specific exemption from the road frontage provision of the Plan’s severance policies in Section 15. The objectives of the “Waterfront” designation in Section 10.1 are:

“To conserve the quality of all waterbodies in the Planning Area with due regard for the protection of fish and wildlife habitats.

To permit residential development and limited commercial development in lakeshore areas while maintaining the quality of the lake environment throughout the Township.

To encourage and facilitate the use and enjoyment of waterbodies in the Township by residents and visitors.”

The servicing policies of the “Waterfront” designation stipulate that no additional municipal services shall be provided and describes the use of “Limited Service Residential” zoning to indicate this intent. The designation also establishes a minimum lake frontage of 45 metres for new lots and that sewage disposal systems are to be located away from the shoreline.

The appropriateness of the proposed redesignation to “Waterfront” and road frontage exemption has been considered in terms of the site’s suitability and the provision of existing Crown road access at Rib Lake.

### **Rib Lake**

Rib Lake is a waterbody of some 675 hectares in size predominantly situated outside of the corporate limits of the Municipality in Gillies Township. The south portion within the Municipality of Temagami in the geographic Township of Best comprises 70 hectares. This portion includes Murphy’s Bay and the outlet at Net Creek which flows to a small chain of lakes including Duncan Lake and Ferguson Lake which in turn flow into Net Lake. Shoreline development at the south end of Rib Lake consists of six private cottage lots including the subject property which is described as Summer Resort Location HS 2194 on the south west shore of the lake.

The Ontario Northland Railway main line flanks the westerly shoreline along the entire length of the lake. Rib Lake is a cold water lake with Lake Trout and Walleye. The nearest identified Lake Trout spawning habitat sites are situated 600 metres northeast at an island (Lake Trout) and 700 metres north at a shallow shoal area (Walleye). No spawning areas are located on or adjacent to the property. The following values were identified on Ministry of Natural Resources Resource Values Mapping for the Rib Lake area:

- cold water lake (Lake Trout) Rib Lake
- Walleye spawning area within 700 m



- canoe route adjacent to subject property
- snowmobile route adjacent to subject property
- high potential cultural heritage on subject property area

Water quality data for average total phosphorus concentrations are available for Rib Lake based on sampling by the Ministry of the Environment in 1984 and 1986. The average total phosphorus concentrations is 5.5 ug/L which indicates excellent water quality. It is not expected that there would be a development capacity constraint for one new lot based on available water quality information.

### **Rib Lake Access**

Access to Rib Lake is currently via three Crown access roads. All of the Crown access roads are from Highway 11. The north Rib Lake road access provides access to approximately seven mainland cottage lots just south of Freeman Station on the ONR main line. The second access road about 1 km to the south is the Bay-Lee-Mac Camp Road. It provides Crown road access to the Bay-Lee Mac Camp tourist commercial establishment and to five cottage dwellings also situated on the west shore of Rib Lake. Both the Bay-Lee-Mac Camp road and the north Rib Lake road access are in the unincorporated Township of Gillies and have no formalized Crown land boat launch facilities for water access properties which total about ten on the north central part of the lake on its east shore in the area of Pickerel Bay, Sans Souci Island and Babcock Island.

The South Rib Lake Access Road is a Crown access road entirely within the Municipality of Temagami. It provides mainland and water access to six seasonal residential lots at the south end of Rib Lake and to the ten water access lots to the north. The South Rib Lake Road Access is the only formal Crown land boat launch facility for water access properties on Rib Lake. In total, there are 14 existing private water access only properties that use the South Rib Lake Road Access for formal public access, parking and boat launching. The Ministry of Natural Resources has included Rib Lake as a candidate lake for the disposition of three existing vacant Crown cottage lots at Pickerel Bay in Registered Plan M-259.

The South Rib Lake Access Road is gravel surface and is 1.4 km in length from Highway 11 to Rib Lake. It crosses the Ontario Northland Railway at a private crossing which is provided and

maintained under private crossing agreements with the private land owners. The road is maintained by the South Rib Lake Road Maintenance Association which collects dues on an annual basis to fund road maintenance work. The Association has considered the Stewart's request at its annual meeting and has no objection to the proposed lot severance (See enclosed letter in Appendix V). The road also crosses Net Creek over a one lane bridge after the ONR crossing.

The access point at Rib Lake has an existing parking capacity for approximately 30 vehicles, one boat launch ramp and seven docks. If a parking standard of 1 space for residential development was used as contained in Zoning By-law 81-62 for the new proposed lot is applied, there is parking capacity at the landing.

### **Subject Property**

The amendment will apply only to a property having a total area of 1.18 hectares (2.92 acres) and lake frontage of 324.3 metres (1064 ft.). The property fronts on Rib Lake approximately 200 metres east of the ONR main line and 250 metres north of the road access point. The property was originally part of a 24 acre patent (See Appendix V) to the Temiscaming and Northern Ontario Railway in 1910 for a ballast pit at Mileage 83 (now the Rib Lake section stop). The southerly tip of the railway patent was surveyed and severed by the ONR in 1948 and sold to J. S. Taylor as a seasonal cottage lot.

The property and abutting railway land appears to be a glacial esker feature containing till that was used at one time for rail bed construction. Based on site visit observations, the property and adjacent lands leading to the railway have numerous old excavations including old excavations on the proposed new lot and to the north of the property which were dug below the ground water table and that now appear as pond - marsh areas on topographic mapping. An area north of the property adjacent to the railway right-of-way also appears to be a site where till material and ballast were likely sorted for track construction. These areas are no longer used by the railway and have since overgrown with vegetation. Overall, the property's soil and till provide suitable and well drained site conditions for building sites and septic systems.

The property was inspected by the Timiskaming and District Health Unit on June 1, 2000 and was found to contain suitable topography and soil conditions to support locations for conventional Class 4 Sewage Disposal Systems on both the proposed retained and severed portions (See Health Unit letter in Appendix VI).

The property is presently developed with a three bedroom dwelling which is serviced by a pit privy. A site sketch showing level areas, old excavation areas, buildings and existing vegetation is included in Appendix V. A sketch of the proposed severance is also included showing a severed and retained portion that would accommodate sites for buildings and conventional septic systems on both parts. The proposed severed part is some 5700 sq. metres whereas the proposed retained lot is some 6100 sq. metres in size.

### **Summary**

The proposed redesignation and policy exemption is proposed as it would facilitate the orderly development of the subject property by accommodating a water access lot severance from Summer Resort Location HS 2194 on Rib Lake. The proposed lot severance maintains the general intent of the Waterfront designation of the Official Plan and proposes development that is consistent with the existing pattern of remote seasonal cottage lot development on Rib Lake. The property is suitable for the intended use, has suitable soil conditions for the installation of conventional septic systems and has privately maintained Crown land road access via the South Rib Lake Access Road.

The proposal is small scale and as such is in keeping with the remote recreational cottaging character of Rib Lake.

## **PART B - THE AMENDMENT**

### **INTRODUCTORY STATEMENT**

All of this part of the document entitled Part B - The Amendment, consisting of the following text and map, constitutes Amendment No. 11 to the Official Plan for the Temagami Planning Area.

### **DETAILS OF AMENDMENT**

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

Item (1) The lands indicated on the attached Schedule “X” are hereby redesignated from  
“Moose Pasture” to “Waterfront”.

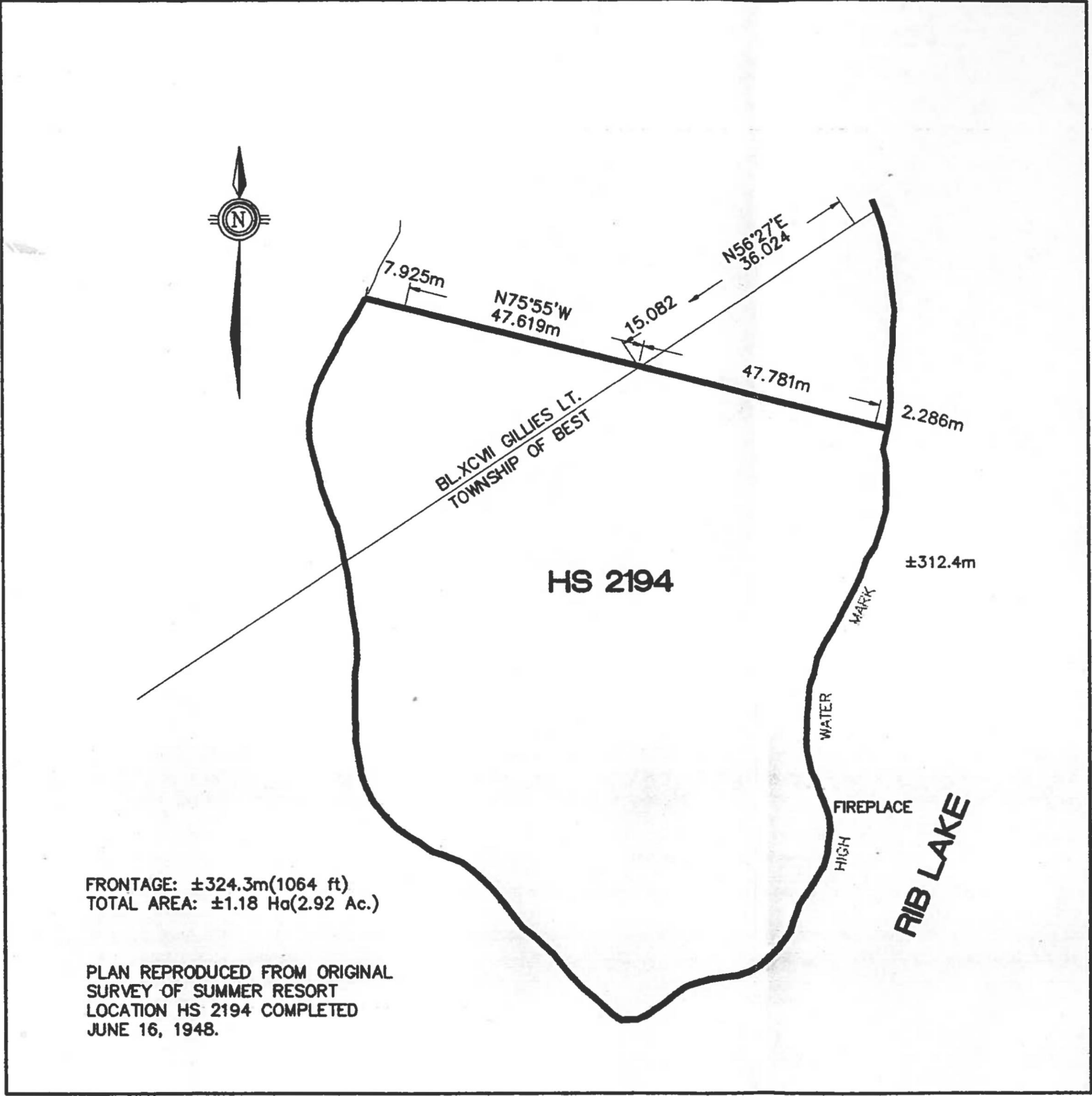
Item (2) Section 15 Severances is amended by adding the following new Section 15.1 (h):

“15.1(h) Exemption - Summer Resort Location HS 2194

Notwithstanding the road frontage requirements of Section 15.1 (d) to this Plan one new lot may be created from Summer Resort Location HS 2194 on Rib Lake which does not have frontage on a public road maintained year round but which has water access.

### **IMPLEMENTATION AND INTERPRETATION OF AMENDMENT**

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan for the Temagami Planning Area, an amendment to the Township of Temagami Zoning By-law and the consent provisions of Section 53 of the Planning Act, R.S.O., 1990.



SUMMER RESORT LOCATION HS 2194  
BLOCK XCVU GILLIES LIMIT  
AND THE TOWNSHIP OF BEST

MUNICIPALITY OF TEMAGAMI  
DISTRICT OF NIPISSING  
RIB LAKE -

THIS IS SCHEDULE 'X', /  
TO AMENDMENT No. II \_\_\_\_\_  
TO THE OFFICIAL PLAN FOR THE  
TEMAGAMI PLANNING AREA

SIGNATURES OF THE SIGNING OFFICERS

WAYNE ADAIR, MAYOR

JOHN HODGSON, C.A.O.

SCALE \* MOOO

northland  
engineering  
limited  
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