

**TOWNSHIP OF MACHAR**

**STAFF REPORT**

TO: Angela Loney  
Treasurer/Deputy Clerk, Township of Machar

FROM: Jamie Robinson, BES, MCIP, RPP  
Patrick Townes, BA, BEd  
MHBC Planning Limited

DATE: November 12, 2024

SUBJECT Information Planning Report  
Official Plan Amendment and Zoning By-law Amendment  
517 Jim Young Road, 1968792 Ontario Inc.  
(c/o Stephanie Apollonio and Bob Hoang)

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**RECOMMENDATION**

THAT Council receive the Information Planning Report dated November 12, 2024 regarding the proposed Official Plan Amendment and Zoning By-law Amendment applications for the subject property located at 517 Jim Young Road, owned by 1968792 Ontario Inc.; and,

THAT Council direct Township staff and MHBC Planning Limited to prepare a Recommendation Planning Report following the Statutory Public Meeting, to be presented to Council at a subsequent meeting of Council, that considers the following:

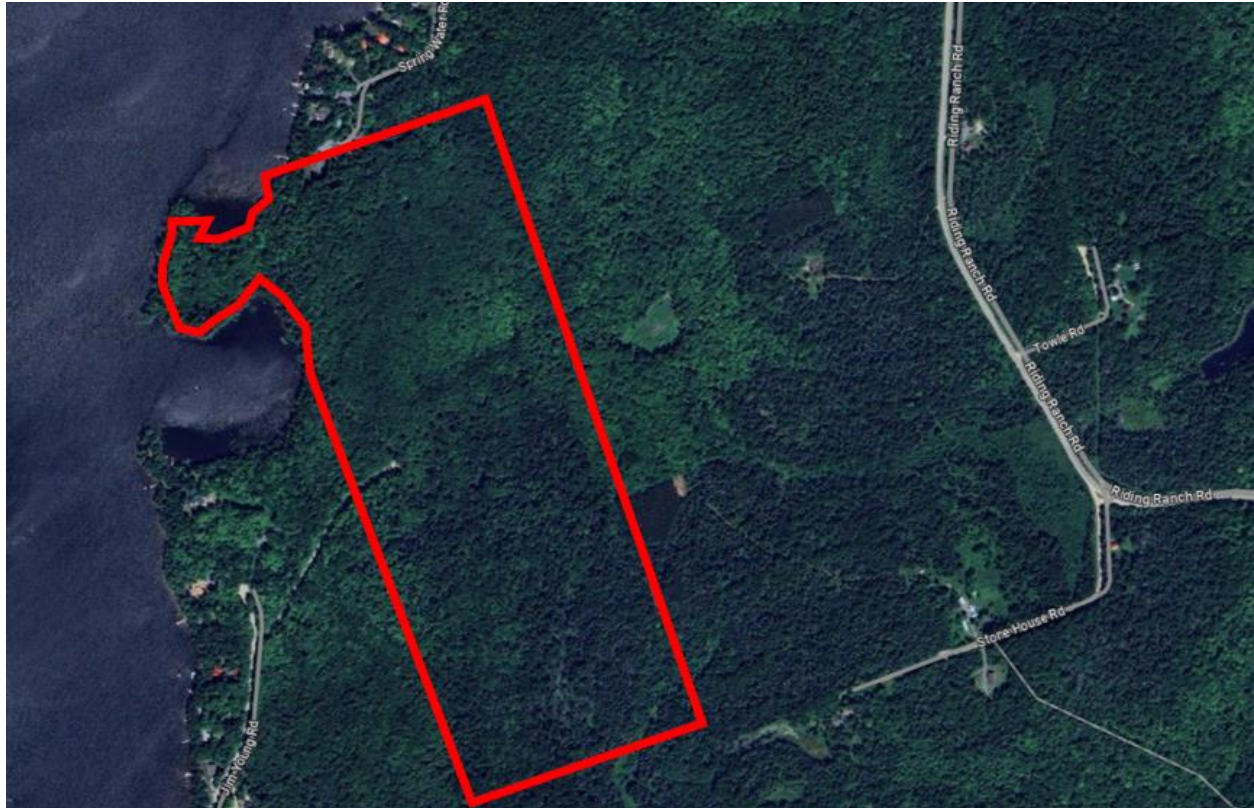
- 1) Review of pending comments from the Minister of Municipal Affairs and Housing (MMAH) who have approval authority for the Official Plan Amendment application;
- 2) Review and consideration of all agency, Township staff, and public comments that have been received on the Official Plan Amendment and Zoning By-law Amendment applications; and,
- 3) Review and analysis of relevant land use policy.

**PROPOSAL / BACKGROUND**

The Township of Machar has received an Official Plan Amendment and a Zoning By-law Amendment application for the subject lands located at 517 Jim Young Road. The owner of the subject lands is listed as 1968792 Ontario Inc. (c/o Stephanie Apollonio and Bob Hoang) and the application has been submitted by their agent, Mallory Nieves of the Biglieri Group Ltd.

A portion of the subject lands are located on the shoreline of Eagle Lake and is accessed from Jim Young Road to the south, through a private driveway (via access easement) over the adjacent property. The boundary of the subject lands is outlined on Figure 1.

Figure 1: Subject Lands



The subject lands have a lot area of approximately 41 hectares (101 acres) and have a lot frontage of approximately 300 metres on the shoreline portion of the subject lands, measured in accordance with the definitions of the Zoning By-law.

In accordance with the Township's Official Plan and Zoning By-law, the following applies to the subject lands:

- The subject lands are designated Shoreline, Rural and Natural Heritage Protection on Schedule A of the Official Plan. An excerpt of Schedule A is included in Figure 2.
- Portions of the shoreline on the subject lands contain Type 1 Fish Habitat on Eagle Lake on Schedule B of the Official Plan. There is also a portion of an unevaluated wetland on the southern portion of the subject lands. An excerpt of Schedule B is shown in Figure 3.
- There is an easement that provides access on the south end of the subject lands, off of Jim Young Road which is a Year Round Maintained Road.

- The subject lands are located within the Shoreline Residential (SR) Zone, the Backlot Residential (BR) Zone, the Rural (RU) Zone and the Environmental Protection (EP) Zone. An excerpt of the Zoning By-law schedule is shown in Figure 4.
- The lands identified as Type 1 Fish Habitat on the shoreline are located within the Environmental Protection (EP) Zone.

Figure 2: Excerpt of Schedule A, Official Plan



Figure 3: Excerpt of Schedule B, Official Plan

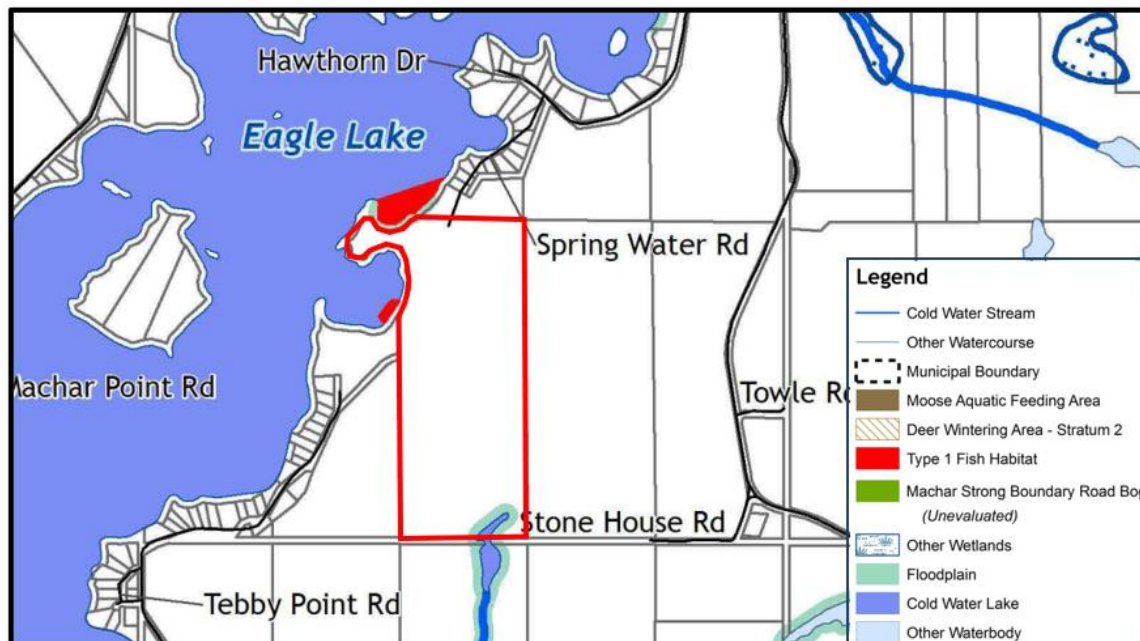
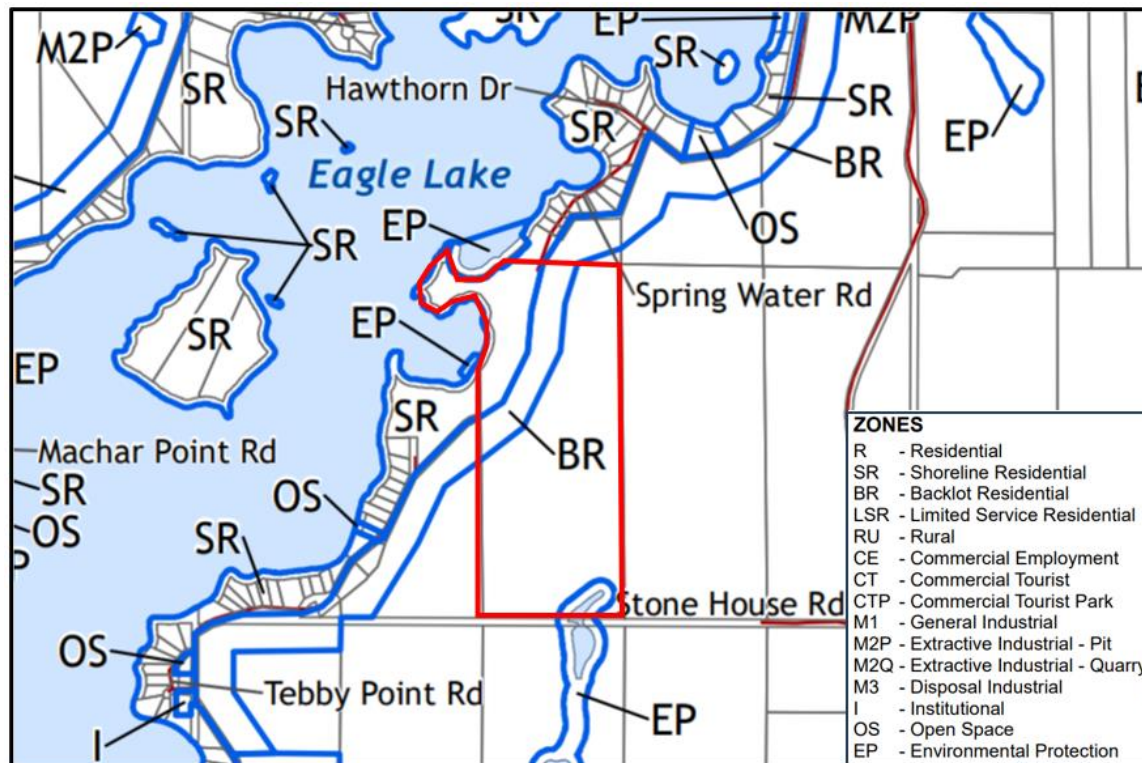




Figure 4: Excerpt of Zoning By-law Schedule



The surrounding land uses and features are predominantly woodland and include the following:

- North: Eagle Lake and low density residential uses
- East: Woodland and rural land uses
- South: Woodland, rural land uses and shoreline residential uses
- West: Shoreline residential uses

The proposed development on the subject lands is located within the area that is designated as Shoreline in the Official Plan. As indicated in the application submission, the proposed development includes the following: The application seeks to facilitate the development of a Tourist Commercial Camp. On the western portion of the site, the proposed development includes 12 camp sites (3.66 metre by 3.66 metre tent platforms), a kitchen area located in a shipping container structure, a proposed camp centre located in two shipping container structures that are connected by a pitched roof, a seating area, four outdoor toilets, two outdoor showers, and a utility room. There is also an existing firepit, existing sauna, an existing dock accessing a beach area, a parking area with 16 parking spaces and additional outdoor toilets near the parking lot. On the eastern portion of the site, there is a proposed Maintenance Office (also comprised of a shipping container structure), a proposed overnight shelter and a proposed outhouse. A

septic system and a gray water pit is proposed to manage water from the kitchen sink. The proposed concept plan is included as Appendix 1. The proposed concept plan shows the locations of the proposed and existing development, as well as the internal trails that are proposed.

In support of the applications, the agent has submitted a Planning Rationale Report which has been included as Appendix 2. An Environmental Impact Study has also been submitted, which was prepared by Oakridge Environmental Ltd. and this document has been included as Appendix 3.

## **OVERVIEW OF REQUIRED APPLICATIONS**

Following pre-consultation with the owners and their agent, it was confirmed that the proposed development is not specifically permitted in the Shoreline designation in the Official Plan nor permitted within the Shoreline Residential (SR) Zone in the Zoning By-law. The proposed development generally fits under the category of a tourist commercial use or a small scale (shoreline) commercial use. Pre-consultation identified that site specific amendments would be necessary to permit a tourist commercial use and to establish a definition to define the proposed use.

The owner and their agent were to demonstrate that the required Official Plan Amendment is consistent with the Provincial Planning Statement and conforms to the relevant policies in the Official Plan, in order to permit the new shoreline commercial development. A Planning Rationale Report and an Environmental Impact Report (Including Fish Habitat Assessment) was required.

**The purpose of the Official Plan Amendment is to permit a tourist commercial use in the Shoreline designation. The Official Plan only permits existing tourist commercial uses that are in existence on the date the Official Plan was approved. The proposed development is new development and therefore an amendment is required.**

**The purpose of the Zoning By-law Amendment is to permit the proposed development and to establish a site specific zone in the Zoning By-law that recognizes the proposed uses. The owner and their agent are seeking a site specific zone and definition of the proposed use.**

A copy of the draft Official Plan Amendment submitted by the owner and their agent is included in Appendix 4. A copy of the draft Zoning By-law Amendment submitted by the owner and their agent is included in Appendix 5. These are draft documents for review purposes only at the present time. These documents are subject to revisions throughout the review process. This process is further outlined in the next section.

## **OVERVIEW OF REVIEW AND APPROVAL PROCESS**

The Official Plan Amendment and Zoning By-law Amendment applications are being processed in accordance with the legislative requirements of the Planning Act. The Statutory Public Meeting held under the Planning Act is being held on November 12, 2024. Notice for the Statutory Public Meeting was circulated in accordance with the requirements of the Planning Act.

The purpose of the Statutory Public Meeting is to provide Council and the members of the public an opportunity to review the application and to provide comments on the public record. **Due to the community interest of the proposed applications and the proposed development, staff are not recommending that a decision be made by Council at the November 12, 2024 Council meeting.** It is understood that there have been a number of comments and concerns submitted to the Township at the time this Information Planning Report was prepared. It is important to note that all the comments that have been received will be reviewed and considered. By not making a recommendation to Council on the proposed applications at the present time, it provides staff, agencies and members of the public to review the material. **Although members of the public are provided an opportunity to speak at the Statutory Public Meeting, written comments are strongly encouraged so that the owner, their agent and Township staff can review and understand the concerns.**

Members of the public are able to submit comments up until the date Council makes a decision on the applications. The content in this Information Planning Report is intended to provide a fulsome background of the application so that all information provided to members of the public is accurate. **If members of the public wish to provide further comments, it is encouraged that comments be provided shortly after the Statutory Public Meeting to enable staff to consider the comments in their review.**

The Official Plan Amendment is an elevated application in comparison to a Zoning By-law Amendment application that reaches the Council table. Council does not have the approval authority for the Official Plan Amendment. The Ministry of Municipal Affairs and Housing (MMAH) has approval authority for Official Plan Amendments in the Township of Machar. In terms of processing, although the application was submitted generally at the start of the summer, the Township is not able to hold a Statutory Public Meeting for the Official Plan Amendment until at least 110 days after the application and supporting material is submitted to MMAH for review. **This is a unique process specific to an Official Plan Amendment where MMAH has approval authority. It is standard process for MMAH to provide their comments back to the Township within the 90 day review period, however these comments from MMAH and the member Ministries, i.e. the Ministry of Natural Resources and the Ministry of the**

**Environment, Conservation and Parks remain outstanding.** The applications were provided to MMAH in May of 2024. Council remains the approval authority for the Zoning By-law Amendment application, but a decision on the Zoning By-law Amendment should not be made by Council until the Official Plan Amendment is considered by MMAH. A Zoning By-law Amendment must conform to the Official Plan.

In addition to the Official Plan Amendment and Zoning By-law Amendment applications, should the Official Plan Amendment and Zoning By-law Amendment be approved, the owner would also be required to enter into a Site Plan Agreement with the Township. This is an Agreement between the two parties that implements the mitigations measures outlined in the Environmental Impact Study, and would include, if approved, a drawing showing the exact locations of buildings and structures.

**Township staff want to make it clear that there is no decision recommended for the Official Plan Amendment and Zoning By-law Amendment application at present time. Further review of the applications is required with Township staff/departments, agencies and MMAH.**

## **PUBLIC COMMENTS**

A record has been compiled of all the public comments that have been provided on the proposed development and the applications. In general, the comments that have been received by the Township are not in support of the proposed development.

A package of the comments has been provided to Council, the owner and their agent, and Township staff for review and consideration.

In an effort to summarize the comments that have been provided, we have included the following main concerns:

- Concerns with noise as a result of the proposed development.
- Concern with the transparency of the application and process.
- Statements that the current Official Plan should remain as is and the proposed development is not in the spirit of the current policy framework.
- Need to review the Lake Capacity Study that was completed for Eagle Lake.
- Concerns with impacts to environmentally sensitive areas.
- Concerns with new septic systems on Eagle Lake.
- Scale of use not accurately portrayed.
- Concerns with previous uses on subject lands.
- General concerns with commercial uses in shoreline areas.

## **POLICY REVIEW**

This section has been included in this Information Planning Report to provide an overview and summary of some of the relevant land use planning policies and regulations that apply to the proposed development and the subject lands. ***This Report does not include an analysis of these policies and are only being provided for information purposes only.***

The agent who is a land use planner has provided a Planning Rationale Report which has been included as Appendix 2. A fulsome analysis of the information report has not been completed to date.

## **PROVINCIAL PLANNING STATEMENT**

All applications made under the *Planning Act*, must be consistent with the Provincial Planning Statement (PPS). The Provincial Planning Statement (PPS) was released by the Province on August 20, 2024 and came into effect on October 20, 2024. The PPS, replaced the Provincial Policy Statement which had been in effect since 2020. The PPS is the statement of the government's policies on land use planning and provides policy direction on land use matters which are in the Provincial interest. All land use decisions are required to be consistent with the PPS.

In general, the PPS identifies that complete communities are achieved by, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, along with other uses to meet long-term needs and improving accessibility with improving social equity and overall quality of life.

The subject lands are considered Rural Lands in the context of the PPS. Chapter 2.6 of the PPS establishes the policies pertaining to Rural Lands, where in accordance with Chapter 2.6.1, resource-based recreational uses are permitted uses. Due to the location of the subject lands being located on the shoreline of Eagle Lake, the proposed development fits into this category of land uses in the PPS.

Chapter 3.1 of the PPS provides policies concerning infrastructure and public service facilities. Chapter 3.6.4 states that individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Approvals regarding septic systems are carried out by the North Bay – Mattawa Conservation Authority and the Chief Building Official. Further review of the proposed water supply and sewage services are required.



Chapter 4.1 of the PPS provides for the long-term protection of Ontario's natural heritage features, including wetlands, significant woodland, significant wildlife habitat, significant areas of natural and scientific interest, fish habitat and habitat of endangered and threatened species. An Environmental Impact Study was prepared by Oakridge Environmental Ltd, to investigate the potential for natural heritage features and areas on the subject lands and within adjacent lands.

Chapter 4.2 of the PPS includes policies regarding Water. These policies include the consideration of environmental lake capacity where applicable.

Chapter 5.2 of the PPS addresses matters concerning the protection of hazardous lands and hazardous sites. There are no identified hazardous lands or sites on the subject property or within adjacent lands.

#### TOWNSHIP OF MACHAR OFFICIAL PLAN

**The purpose of the Official Plan Amendment is to permit a tourist commercial use in the shoreline designation. Tourist commercial uses are only permitted when they existed on the date the Official Plan was approved. The proposed development is new development and therefore an amendment is required.**

The Township of Machar Official Plan provides direction pertaining to growth within the Township. The policies in the Plan address the environment, cultural and built heritage, natural resources and servicing and transportation.

The subject lands are designated Shoreline, Rural and Natural Heritage Protection on Schedule A of the Official Plan. Portions of shoreline on the subject lands contain Type 1 Fish Habitat on Eagle Lake on Schedule B of the Official Plan. There is also a portion of an unevaluated wetland on the southern portion of the subject lands.

The majority of the subject lands is located within the Rural designation. Permitted uses in the Rural designation include agricultural production, forest management, conservation works, parkland, fishery resource management, mineral exploration and mining, wayside pits and quarries, golf courses, small scale hunt camps, residential dwellings, commercial tourist camps, small scale commercial industrial or institutional developments, waste disposal sites, pits and quarries and portable asphalt plants and portable concrete plants.

The proposed development on the subject lands is located within the area that is designated as Shoreline in the Official Plan. The permitted uses within the Shoreline designation are single dwellings, tourist commercial uses, marinas and recreational uses which existed on the date of approval of this Plan.

Section B4.6 of the Official Plan includes policies regarding shoreline commercial development stating that:

*“The development of new commercial uses may be permitted subject to a site specific amendment to the Official Plan and the Zoning By-law. The development shall also be subject to Site Plan Control. In considering such applications, Council shall also require that an Environmental Impact Report be prepared in accordance with Section B4.13 -- [B5.6].”*

Tourist commercial camps and small scale commercial uses are permitted within the Rural designation in the Official Plan, however the permitted uses within the Shoreline designation are more restrictive, and tourist commercial uses are only permitted when they existed on the date the Official Plan was approved. In order to permit the proposed development, an Official Plan Amendment is required.

It was suggested at the pre-consultation stage that the agent demonstrate how the proposed use is limited in scale, preserves the character of the area, and does not impact environmental features and functions. It is also recommended that site specific regulations be implemented through a site specific draft Zoning By-law Amendment. There should also be a focus on why the subject lands is appropriate for the proposed use and why it is appropriate for this property to permit a new tourist commercial use which is a departure from the land use concept of the Official Plan.

The additional policies apply to the proposed development in the Official Plan:

#### **B4.4 GENERAL DEVELOPMENT POLICIES**

All development on lands designated Shoreline and within 300 metres of the high water mark of the lake shall be deemed to have an impact on the lake unless it can be demonstrated otherwise.

Development may be subject to a Tree Cutting By-law passed by Council in accordance with Section 4 of the Trees Act. Council may also require that an Environmental Impact Report be prepared in accordance with Section B5.14.

The use of privately owned land for the purpose of providing communal access to the water shall require an Official Plan Amendment before the use commences. Lands used for communal access shall also be subject to provisions in the Zoning By-law and Site Plan control to restrict the intensity of the recreational use.

#### **B4.4.1 Preservation of Vegetation**

New development in the shoreline shall be sensitive to the preservation of tree cover and vegetation wherever possible so as to prevent erosion, siltation and possible nutrient migration and help maintain wildlife habitat. Development shall be set back a minimum of 23 metres from the high water mark. A greater setback may be required where necessary to address water quality, wetland, fish habitat or similar issues.

Natural features shall dominate the shoreline, with the Township generally requiring that up to 90 percent of the front 15 metres of a lot be maintained in a natural vegetative buffer. Site alteration and disturbance of vegetation within 15 metres of the shoreline shall be limited to minor alterations to accommodate access trails, docks, water pumping equipment or restoration work. Performance standards respecting the protection of the vegetative buffer and the amount and type of development permitted to encroach within the buffer shall be set out in the implementing Zoning By-law and through Site Plan Control. Approvals for new development or re-development will include requirements for landscape naturalization, improved on-site retention and treatment of wastewater and stormwater and improved compatibility with the natural environment.

#### **B4.4.2 Maintaining Character**

Buildings in the **Shoreline Area** will be designed and constructed to blend in to the natural environment and preserve the historic architectural characteristics of the area. The Zoning By-law implementing this Official Plan will include regulations that will:

- a) limit lot coverage up to a maximum of 10 percent of the lot area within the front 60 metres of the lot, and impose total coverage regulations which may be less than permissible lot coverage;
- b) limit the size of the waterfront dwellings based on the gross floor area and height of the dwelling;
- c) limit the expansion and additions to existing dwellings where the building does not comply with the By-law performance standards including shoreline setbacks;
- d) limit the height of buildings within the front 60 metres of a lot to ensure that the building height does not intercept the natural tree line when viewed from the water;
- e) limit the size of docks and other shoreline structures to a maximum percent of the shoreline frontage of the lot or a defined size, whichever is greater; and,
- f) prohibit boathouses from extending beyond the shoreline.

#### **B4.4.4 Sewage Systems**

New sewage systems are encouraged to be located as far back from the shoreline as possible, and shall be located a minimum of 30 metres from the shoreline, unless it is not physically possible (due to terrain features or lot depth) to locate the sewage system at such a distance, in which case the system shall be located as far back as possible and in accordance with current legislated minimum setback requirements. Where sewage systems cannot be set back 30 metres from the shoreline tertiary treatment systems shall be utilized. Tertiary treatment systems shall not be used as a means through which to permit new development on any at-capacity lake.

#### **B4.6 SHORELINE COMMERCIAL DEVELOPMENT POLICIES**

New commercial uses within the Shoreline designation will require an Official Plan Amendment.

The expansion of the existing commercial uses which provide accommodation may be permitted on the basis of 6 metres frontage per unit on the waterbody and a maximum density that does not exceed 10 units per hectare where a unit is defined as a rental cottage or a camp site, or a room in a hotel or lodge.

In instances where the accommodation is provided in sleeping cabins or dormitories, the expansion or development of such commercial developments may be permitted on the basis of 2 metres per person frontage on a waterbody.

Notwithstanding any other policy of this Plan to the contrary, the commercial development located in Part of Lots 31 and 32, Concession 1, shall be permitted on the basis of 0.86 metres per person frontage on Eagle Lake.

#### **B4.8 LAKE CAPACITY**

The four lakes in the Township, Eagle Lake, Bray Lake, Hamilton Lake and King Lake are considered by Council to have unique characteristics and limited carrying capacities with respect to amount of shoreline development they can accommodate. To ensure that the basic objectives of the *Shoreline* designation are met, policies specific to each of the lakes have been formulated and are to be considered concurrently with the General Development Standards contained in Subsections B4.5, B4.7 and B4.8. For these four lakes, in addition to the requirement that new development shall not raise the phosphorus levels by greater than 50% above its natural level, development shall not cause the level of phosphorus in any of the lakes to exceed 20mg/L over the lifetime of this plan, even if such a level would be less than a 50% increase to the natural level of the lake.

#### **B4.9 EAGLE LAKE**

##### **B.4.9.1**

No new lots for residential use shall be created in the *Shoreline* designation surrounding both basins of Eagle Lake, unless the creation of the lot was allowed by the passage of a By-law prior to the date of the adoption of the Official Plan by Council or in accordance with Section B5.10. However, a limited amount of second tier development in accordance with the frontage and area requirements of Sub-section B4.7.2 may be permitted.

##### **B.4.9.2**

Council may apply Site Plan Control for residential developments that do not meet the minimum lot size or areas outlined in this Plan where the waterbody is considered to be sensitive to redevelopment and redevelopment by Council and the Ministry of the Environment.

#### **B4.10 NON IMPACT DEVELOPMENT**

New development may be permitted within 300 metres of Eagle Lake only under one of the following special circumstances:

- a) The tile fields on each new lot are set back at least 300 metres from the highwater mark of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake;
- b) The tile fields on each new lot are located such that they would drain into the drainage basin of another waterbody, which is not at capacity;
- c) To separate existing, habitable dwellings, each having a separate sewage system, provided that the land use would not change; or
- d) The proposed new use, has a scale and density that is less than or equal to that which currently exists on site, and shall demonstrate a net reduction of the phosphorus loading on the lake.

#### B5.4.2 Adjacent Lands

Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- a) 120 metres of the boundary of a Provincially significant wetland that has been evaluated by the Ministry of Natural Resources.
- b) 120 metres of a significant habitat of any endangered or threatened species and where scientific data has determined a different setback the greater of the two will be required; and,
- c) 120 metres from the boundary of a fish habitat area.

No development or site alteration shall be permitted on these adjacent lands without Council approval of a zoning by-law amendment, site plan, or other appropriate planning approval. Council may require an Environmental Impact Study and/or a subwatershed study and/or a geotechnical study is completed and approved by Council, subject to the comments of the appropriate agencies. The requirements for an Environmental Impact Study are contained in Section B6.6 of this Plan.

The scale and the contents of the required studies shall be determined at the time the development is proposed. The width of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies following the review of the EIS at the time the development is proposed.

#### C1.2.2 Fish Habitat

Fish habitat means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. New development may be permitted within fish habitat if it can be demonstrated through an EIS that such development will have no negative impact on the feature and the Department of Fisheries has authorized such development or works in accordance with the Fisheries Act. Type 1 Fish Habitat is identified on the Schedules to this Official Plan, areas that are not identified as Type 1 fish habitat are of "unknown" significance; therefore applicants must consult with the appropriate authority (the Federal Department of Fisheries and Oceans) when proposing any development on lands adjacent to water. For the purpose of this section, lands adjacent to fish habitat are defined, as being within 150 metres of a fish habitat area.

Any new shoreline structures will be located outside areas mapped as "Unknown" or "Type 1" fish habitat, unless a study shows that they would be located in Type 2 habitat.

A copy of the draft Official Plan Amendment submitted by the owner and their agent is included in Appendix 4.

### TOWNSHIP OF MACHAR ZONING BY-LAW

**The purpose of the Zoning By-law Amendment is to permit the proposed development and to establish a site specific zone in the Zoning By-law that recognizes the proposed uses. The owner and their agent are seeking a site specific zone and definition of the proposed use.**

The subject lands are located within the Shoreline Residential (SR) Zone, the Backlot Residential (BR) Zone, the Rural (RU) Zone and the Environmental Protection (EP) Zone.

The lands identified as Type 1 Fish Habitat on the shoreline are located within the Environmental Protection (EP) Zone.

The majority of the subject lands is located within the Rural (RU) Zone. Permitted uses in the Rural (RU) Zone include: an accessory apartment, a farm and a farm house, a farm produce sales outlet provided such produce is the product of the farm on which the outlet is situated, resource management uses, a home occupation, a home industry, a hunt camp, a riding school or boarding stables, a single detached dwelling, a specialized farm and a farm house, a veterinary hospital, and a wayside pit or a wayside quarry.

The proposed development on the subject lands is primarily located within the area that is located within the Shoreline Residential (SR) Zone. Permitted uses within the Shoreline Residential (SR) Zone only include a single detached dwelling.

Following a review of the proposed Zoning By-law Amendment, which is included as Appendix 5, a site specific zoning is proposed for the subject lands that includes a new permitted use and new definition of a Tourist Commercial Camp:

*“An establishment that is occupied on a temporary basis by tents, comprising land maintained as grounds for the camping of tents. Other permitted structures include a Camp Centre, Kitchen Area, and Maintenance Office made out of shipping containers that provides for sanitary and food preparation purposes, a sauna, outdoor toilets, parking areas, overnight shelter, outhouse and outdoor showers.”*

The Zoning By-law does include a definition of a Camping Establishment however this definition includes permissions for motorized mobile homes, therefore a new definition and use is being proposed for the proposed development. A Camping Establishment for example is a permitted use within the Commercial Tourist Park (CTP) Zone.

**Through a Zoning By-law Amendment application, the Township has the ability to establish site specific permitted uses and provisions that apply to a proposed development. Considerations for items that could be included in a site specific amendment include the following:**

- **Permitting or prohibiting specific land uses.**
- **Permitting or prohibiting certain buildings and structures.**
- **Applying a zone or area of land specific to the proposed development, i.e. area could be limited in size.**
- **Establish maximum number of campsites.**
- **Include minimum setbacks from lot lines or the shoreline.**



## **TECHNICAL REPORTS**

### **Lakeshore Capacity Assessment for Eagle Lake**

Through the comments that have been submitted on the applications, it was pointed out that there is a Lakeshore Capacity Assessment for Eagle Lake that was prepared by Hutchinson Environmental in May of 2013. Within this assessment it was determined that both basins of Eagle Lake are considered over capacity for shoreline development with respect to Total Phosphorus (TP) concentration in existing conditions.

It was recommended that no new lot creation is approved and that the development of vacant lots be done with close attention to minimize the potential for water quality degradation. These recommendations are implemented through the approved Township of Machar's Official Plan.

This document has been provided to the owner and their agent for further review. This Assessment was not commissioned by the owner as part of this application.

### **Environmental Impact Study – prepared by Oakridge Environmental Ltd.**

Oakridge Environmental Ltd. was retained by the owner of the subject lands to prepare a scoped Environmental Impact Study. The recommendations contained within are being reviewed and a copy of the report has been provided to MMAH for review. The report proposed the following construction mitigation measures associated with the proposed development:

- Proper erosion/sedimentation controls (ESC) will be required at all times while heavy equipment operates at the site. Heavy-duty silt fence (Appendix F) should be installed around each building envelope, as illustrated by Figure 6, provided the alterations are to occur during the seasons the turtles are active. Construction should not continue during heavy precipitation events. After these events, the fence should be checked to ensure their effectiveness.
- Silt fence provides a solution to mitigate sheet runoff, not concentrated flows. Therefore, if a concentrated flow results from construction (not anticipated), another type of erosion/sedimentation control, such as a rock check dam that incorporates stone and geotextile filter cloth to prevent sediment laden runoff from entering the sensitive watercourse features, should be utilized. The contractor or owner should illustrate any such interim or permanent ESC on their Site Plan. These types of concentrated flows ESC are likely unnecessary for this site due to the shallow grades. The only instance would be, if the property owner creates a concentrated flow condition due to fill placement and

grading. The property owner should try to maintain the existing grades as much as possible.

- Only clean fill should be imported to the site. The fill should not contain organic materials such as plant debris or topsoil that may contain exotic or invasive species that could out-compete native species along the lakeshore. If imported topsoil is required, screened topsoil should be the other material applied to top-dress the fill. Any imported materials that are stockpiled on-site should also be surrounded by silt fence until the materials are applied. According to the proponent's septic installer, the septic system can be constructed inground due to the sandy substrates and will not require fill materials being relocated to the site for the purpose of constructing the septic (unless a high water table is encountered). The fence will prevent species such as turtles from leaving the lakeshore to nest within the loose unconsolidated materials during construction.
- To reduce potential post-construction sedimentation, the site should be quickly seeded or sodded to re-establish the root structure within the upper soils where areas have been disturbed and soils are exposed. Once the seeding or sodding is determined to be a success and the soils are stable, the erosion/sedimentation controls can be removed.
- Absolutely no construction equipment should be operated beyond the silt fence limitation, nor should equipment grade any new swales or other drainage works on-site to direct water toward the lake. All equipment must remain within the area designated for construction (to be outlined by the silt fence).

## **SUMMARY**

Township staff understand that importance of these applications and continue to review the material that has been submitted for review. There has been a number of comments that have been received from members of the public and agencies on the proposed amendments that are being considered by Township staff. These comments have also been provided to the owner and their agent in an effort for them to provide clarification on the proposal and to address concerns where applicable.

**The intent of the Statutory Public Meeting on November 12, 2024 is to seek feedback on the proposed Official Plan Amendment and Zoning By-law, which many landowners have already done via their written comments. There is an opportunity for landowners to voice concerns at the Statutory Public Meeting, however written comments are encouraged.**

This Information Planning Report has been prepared for information purposes for the Statutory Public Meeting. Following the Public Meeting, comments provided will be reviewed and it is recommended that a subsequent Recommendation Planning Report be prepared for a Council decision, at a subsequent Council Meeting. The Recommendation Report will provide a summary of the comments received at the Public Meeting and the Ministry of Municipal Affairs and Housing's comments.

**Township staff want to make it clear that there is no decision recommended for the Official Plan Amendment and Zoning By-law Amendment application at the present time. Further review of the applications is required with Township staff/departments, agencies and MMAH.**

The process under the Planning Act is an open and transparent process, and the applications sit in the review stage. The Township will prepare a recommendation in the future but acknowledge there are items to address before a subsequent Recommendation Report can be brought back to Council for a decision. Council's decision for the Official Plan Amendment application will be to recommend their decision to MMAH who are the approval authority. Following a decision on the Official Plan Amendment, Council has approval authority on the Zoning By-law Amendment application.