

PLANNING JUSTIFICATION REPORT

2389 LAKESHORE DRIVE, MUNICIPALITY OF SHUNIAH

**PROPOSED
OFFICIAL PLAN AMENDMENT
ZONING BY-LAW AMENDMENT
CONSENT**



Aerial view of Subject Property

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1. INTRODUCTION

Vera McDonald Planning Consultant has been retained by the landowners of 2389 Lakeshore Drive, Municipality of Shuniah (the Subject Property), to assist with the planning approval requirements for a proposed development to create one new lot through consent.

The following proposed Planning Act applications are submitted concurrently:

1. One Consent for one new lot creation;
2. One site-specific Zoning By-Law amendment: for the retained lot and new lot to allow for reduced lot size from 4 hectares to 2.03 hectares each; and
3. One site-specific Official Plan amendment: for the retained lot and new lot to allow for reduced lot size from 4 hectares to 2.03 hectares each.

2. SITE DESCRIPTION

The Subject Property is legally described as Part 5, Plan 55R-1378, Part of Mining Location 14, Township of McGregor, Municipality of Shuniah and municipally known as 2389 Lakeshore Drive. It is located on the south side of Lakeshore Drive, between Amethyst Harbour Road and Birch Beach Road.

The Subject Property has a total lot area of 4.06 hectares with a frontage of 415.5 metres along Lakeshore Drive.

The current Official Plan Designation for the Subject Property is Rural (RU) and zoned as Rural (RU) in the Zoning By-Law (minimum lot size 4.0 hectares).

One existing main single-detached residential dwelling is located on the east/central section of the Subject Property (Figure 1), accessible by a paved driveway from Lakeshore Drive (Figure 2) and serviced by existing private on-site services. An accessory building (garage) is located beside the main dwelling, and a second accessory building (shed) is located south of the main dwelling. The remainder of the property is vacant and vegetated, with a relatively level topography.

No Protected Area or hydrological features are present on the Subject Property. The Official Plan identifies a Protected Area designation (wetland) approximately 150 metres south of the Subject Property and a Protected Area Designation (LRCA Approximate Regulated Area) approximately 500 metres east of the Subject Property.

A CNR decommissioned rail line right of way runs along the southern boundary; the tracks have been removed.

Two Hydro One high voltage overhead electric transmission lines run parallel along the north side of Lakeshore Drive, approximately 30 metres and 250 metres from Subject Property. An electric overhead distribution line runs along the MTO right of way abutting the Subject Property frontage, providing access to electricity and communication utilities to the Subject Property.

The Subject Property is well connected to the surrounding road network; It is located on Lakeshore Drive, a regional road, which connects to Provincial Highway 11/17. The nearest intersections are Amethyst

Harbour Road (approximately 1200 metres from north west property line) and Birch Beach Road (approximately 700 metres from north east property line).

3. NEIGHBOURHOOD CHARACTER

The lots abutting the Subject Property are designated and zoned Rural with residential uses or vacant, and one Highway Commercial zoned section on the opposite side of Lakeshore Drive.

The Subject Property is located within a neighbourhood of rural residential uses on wooded lots. The predominant built form in the neighbourhood is single-detached dwellings with a building height ranging between 1-2 storeys. Community institutional, highway and local commercial uses are scattered along Lakeshore Drive. Lot sizes in the neighbourhood vary, with some below and some above 4 hectares.

Figure 1 - Aerial view of the Subject Property



Source: Ministry of Natural Resource and Forestry

Figure 2 - Subject Property frontage onto Lakeshore Drive



4. PROPOSED DEVELOPMENT AND REQUIRED PLANNING APPLICATIONS

The landowners propose to create one new lot for a new single-detached dwelling for residential use. Below is a description of the proposed development and proposed planning applications.

4.1 Proposed Consent

Retained Lot

The retained lot is proposed to be 2.03 hectares (5.02 acres), with a lot frontage of 166.7 metres on Lakeshore Drive, as shown in Appendix A. The retained lot will maintain its existing residential use, its single-detached dwelling, accessory buildings, driveway access to Lakeshore Drive, and existing private on-site services.

Severed Lot

The new, severed lot is proposed to be 2.03 hectares (5.02 acres), with a lot frontage of 248.8 metres on Lakeshore Drive, as shown in Appendix A. This portion of the Subject Property will be used to build a new residential single-detached dwelling, with driveway access to Lakeshore Drive, on-site private services, and will preserve most of the vegetation on the lot.

4.2 Proposed Official Plan Amendment

Both the retained and severed lots will retain the Rural designation. The suggested lot size of the retained and severed lots (2.03 hectares) does not conform with the minimum lot size of 4.0 hectares for new lots (Official Plan, Section 4.2g). The purpose of the Official Plan Amendment is to apply for a site-specific amendment to the Official Plan for both lots to allow the reduced lot size of 2.03 hectares each.

The proposed retained and new lots will conform with the permitted uses (residential) and other requirements set out in Section 2.3 of the Official Plan.

4.3 Proposed Zoning By-Law Amendment

Both the retained and severed lots will retain the Rural zone. The suggested lot size of the retained lot and new lot (2.03 hectares) does not conform with the minimum lot size of 4.0 hectares of the Rural zone, (Zoning By-Law, Section 22). The purpose of the Zoning By-Law Amendment is to apply for site-specific amendment to the Zoning By-Law for both lots to allow for a reduced lot area of 2.03 hectares each.

The proposed retained and new lots will conform with the permitted uses, lot widths and other standard regulations set out in Section 22 of the Zoning By-law.

5. POLICY CONTEXT AND PLANNING ANALYSIS

The Planning Act requires all municipal decisions to conform to the Official Plan, be consistent with the Provincial Policy Statement and conform to or not conflict with the Growth Plan for Northern Ontario. All documents have been read in their entirety. The most relevant policies excerpts are included and discussed below.

5.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) is issued under Section 3(1) of the Ontario Planning Act and provides direction on matters of provincial interest regarding land use planning. All applications considered under the Planning Act “shall be consistent with” the PPS.

The Subject Property is located in rural lands, as defined by the PPS.

In addition to the Part IV Vision of supporting the viability of rural areas, while protecting social well-being and human health and safety, the PPS states that:

1.1.1 Healthy, livable and safe communities are sustained by a) promoting efficient development and land use patterns which sustain the financial well-being of both the Province and municipalities over the long term; b) avoiding development and land use patterns which may cause environmental or public health and safety concerns.

1.1.5.2 On rural lands located in municipalities, permitted uses are a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

Planning Comment: the proposed development and use are locally appropriate, while avoiding land use patterns which may cause environmental or public health and safety concerns. The access to Lakeshore Drive will ensure the most efficient use of local infrastructure and will be sustained by appropriate private on-site services.

2.1.1 Natural features and areas shall be protected for the long term.

2.1.5 Development and site alteration shall not be permitted in: d) significant wildlife habitat; e) significant areas of natural and scientific interest; unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Planning Comment: No Protected Area is identified on the Subject Property. The Official Plan identifies a Protected Area designation (wetland) approximately 150 metres south of the Subject Property and a Protected Area Designation (LRCA Approximate Regulated Area) approximately 500 metres east of the

Subject Property. The distance of both Protected Areas are more than 120 metres from the Subject Property. As per Appendix C, the LRCA has no objections to the proposed development.

2.4.2.2 Known mineral deposits, known petroleum resources and significant areas of mineral potential shall be identified and development and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.

Planning Comment: As per Appendix D, the Subject Property is located within a high mineral potential. The portion of the Subject Property closest to Lakeshore Drive appears to overlap a mining patent with both mining and surface rights. There are no mining claims, no known or recorded Ontario Mineral Inventory (OMI) records, and no known or recorded Abandoned Mines Information System (AMIS) site(s) within 1 kilometre of the Subject Property.

It is in my opinion that the creation of a new lot for a residential use serve a greater long-term public interest; it will not hinder any existing mining operations, and the shortage of housing within Ontario/Canada and interest in rural residential lifestyle will serve a greater public interest.

2.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.

Planning Comment: The Subject Property is within a defined Aggregate Resource Area (Official Plan Map B1). It is in my opinion that the creation of a new lot for a residential use serve a greater long-term public interest due to a shortage of housing within Ontario/Canada and interest in rural residential lifestyle.

5.2 Growth Plan for Northern Ontario, 2011

4.1 Preamble: How communities are planned and designed has far-reaching impacts. Well-planned and thoughtfully designed communities will attract investment and support economic development, attract and retain skilled workers, strengthen cultural identity and heritage, and maintain a clean and healthy environment. The policies in this section of this Plan support community planning in Northern Ontario that balances the equally important priorities of human, economic and environmental health.

Planning Comment: The proposed development supports well-planned and thoughtfully designed communities by keeping in character with the surrounding neighbourhood uses.

5.3 Official Plan, 2021

Section 1.2 Development Challenges

The most recent driving force governing development in Shuniah has been retirement and permanent residential interest, largely focused on the significant shoreline resources of Lake Superior. A more general interest in a rural residential lifestyle has also supported intensification along Lakeshore Drive.

Shoreline development has included limited residential lot creation and demolition/rebuilding of existing dwellings. Council expects this to continue, including along Lakeshore Drive, but only where lots can be safely serviced with individual on-site water and septic.

Planning Comment: The residential use of the proposed development and its location on Lakeshore Drive, a regional road that connects to TransCanada, addresses the development challenges. The Consent review and decision process will address safe private on-site services.

Section 1.5 Planning Objectives

To promote efficient development and land use patterns which sustain efficient operation and financial well-being of the Municipality and the Province of Ontario over the long term, consistent with Ontario's Provincial Policy Statement (PPS) and conforming to the Growth Plan for Northern Ontario;

To advance the process of concentrating development within the municipality in order to maximize efficient use of resources, mitigate climate change; and to achieve local development densities at levels that can support the expansion of local commercial, institutional activity and other employment opportunities.

Planning Comment: The proposed development will sustain efficient operation and financial well-being of the Municipality and conforms with the PPS and Growth Plan. The Subject Property is located on Lakeshore Drive, a regional road with existing commercial and industrial activity.

Section 2.3 Rural Designation (RU)

2.3.1 Intent of the Designation: The intent of the RU Rural designation is to recognize the low density, multi-purpose area in which a variety of land uses can be accommodated.

2.3.2 Goal: To support economic development with compatible uses while protecting the environment and existing uses and resources from incompatible uses.

2.3.3 Permitted Uses: Permitted uses include: limited residential, which may include accessory uses and home occupations, additional residential units, garden suites, and private individual energy facilities; highway, tourist, and local commercial; agricultural, agricultural-related, on-farm diversified; and normal farm practices; forestry; aggregate exploration and/or aggregate extraction operation; mineral exploration and/or mining operation; industrial; institutional; recreational; resource-based recreational (including recreational dwellings), portable asphalt plant; alternative energy; cemetery; kennel; and existing remote cottage use.

2.3.4 Implementation: All proposed development, including new lot creation (see section 4.2) must be serviced by private, on-site servicing in accordance with the Ministry of Environment, Conservation and Parks (MECP) or Thunder Bay District Health Unit (TBDHU) (see section 3.13).

Approval shall be required from the Lakehead Region Conservation Authority (LRCA) for all regulated areas described in the Protected Areas designation on Schedule A1 and A2 and shown on Schedule B1 and B2 as a development constraint.

Planning Comment: The proposed development complies with the intent, goal, and permitted uses of the Residential designation: the retained lot is residential use and the new lot is proposed residential use

(landowners have specified that they plan on building a single-detached dwelling for their retirement home).

The proposed lots are located along Lakeshore Drive, a public road containing primarily residential lots.

Through the consent application process, the retained and new lot must show adequate private, on-site servicing. There are no LRCA regulated areas located on the property; the closest LRCA regulated area is approximately 500 metres east of the Subject Property.

Section 3.1 Lot creation

To achieve efficient land use, lot creation to accommodate residential development shall be directed to the vicinity of existing concentrations of residential development and be separated from uses that may have an adverse effect (see section 3.20). Due to the over-supply of residential lots in the Municipality residential lots shall generally be created by consent subject to implementation criteria in section 4.2. Land division by consent is governed by section 53 of the Planning Act.

Planning Comment: The proposed consent application complies with Section 3.1 of the Official Plan for the preference of lots created by consent, and is located within an area of rural lots used for residential purposes and is thus separated from uses that may have an adverse effect.

Section 3.4 Natural Heritage

3.4.3 Significant Wetlands and Significant Coastal Wetlands. Significant Wetlands: Wetlands are areas where the land is wet either permanently or seasonally; and result in water-logged soils and the growth of water tolerant or water favouring plants. Wetlands typically occur along the edges of lakes and watercourses, or in areas where water pools for at least a part of the year. Adjacent lands are defined to be lands within 120 metres of the boundary of a significant wetland.

No wetlands occurring in the Municipality have been evaluated using Ontario's Wetland Evaluation System. Where development is proposed within 120m of a wetland feature, a preliminary or full evaluation will be required depending on the scale of the project and the proximity of the wetland in question.

Planning Comment: No Protected Area is identified on the Subject Property. The Official Plan identifies a Protected Area designation (wetland) approximately 150 metres south of the Subject Property and a Protected Area Designation (LRCA Approximate Regulated Area) approximately 500 metres east of the Subject Property. The distance of both Protected Areas are more than 120 metres from the Subject Property, thus a Preliminary Ecological Site Assessment should not be required, unless the pre-consultation stage identifies a need for an evaluation.

Section 3.5 Cultural Heritage and Archaeology

Cultural heritage resources include archaeological resources, built heritage resources and heritage landscapes. Where applicable, planning justification for all new development must show that the project preserves and enhances the context in which any significant cultural heritage resources are situated; and in doing so, has considered the interests of Indigenous communities.

Criteria for determining whether a cultural heritage resource is significant are recommended by the province, but municipal approaches that achieve or exceed the same objective may also be used.

Provincial Criteria for determining archaeological potential:

- *known archaeological sites within 300 m;*
- *water source (primary, secondary, ancient) within 300 m;*
- *elevated topography (e.g., knolls, drumlins, eskers, plateaux);*
- *unusual land formations (e.g., mounds, caverns, waterfalls);*
- ***resource-rich area (concentrations of animal, vegetable or mineral resources);***
- *non-aboriginal settlement (monuments, cemeteries);*
- *historic transportation (e.g., road, rail, portage);*
- *property protected under the Ontario Heritage Act;*
- *local knowledge; and,*
- *recent disturbance (extensive and intensive)*

Planning Comment: The property is in a potentially mineral resource-rich area (as per Official Plan Development Constraints Map B-1 and Section 3.8.1), which is a Provincial criterion. However, this development proposal for one new lot creation for residential development is small-scale (one new single-detached dwelling). Therefore, in my opinion, there is no potential adverse effects, or trigger for a Stage 1 Archaeological Assessment, unless the Municipal screening process reveals a known site.

Section 3.8.1 Mineral Aggregate Resources

Mineral aggregate resources are defined under the Aggregate Resources Act, suitable for construction, industrial, manufacturing and maintenance purposes. Areas of known mineral aggregate deposits are shown on Schedule B1 and B2 - Development Constraints map.

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment or continued use or access to the resources shall only be permitted if: resource use would not be feasible; or the proposed land uses or development serve a greater long-term public interest; and, issues of public health and well-being, public safety and environmental impact are addressed.

Section 3.8.2 Mineral Resources

Significant areas of mineral deposits have been identified on Schedule B1 and B2 – Development Constraints map. Mineral resources include all minerals not regulated under the Aggregate Resources Act.

Known mineral deposits and areas of significant mineral deposits shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

Development and activities which would preclude or hinder the establishment of new operations or access to the resources in areas of known mineral deposits and significant areas of mineral potential or adjacent lands shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use of development services a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.

The ENDM shall be consulted with regards to development in or adjacent to the areas of mineral potential.

Planning Comment: As per Official Plan Development Constraints Map B-1, the Property is located within an area of known mineral aggregate deposit. As per Appendix D, the Property is located within a high mineral potential. It is in my opinion that this development application serves a greater long-term public interest; the development proposal does not hinder existing aggregate or mining operations and Ontario (and Canada) is currently experiencing a housing shortage; therefore, creating a new residential lot serves a greater long-term public interest.

Section 3.13.1 Wastewater

All new development including new lots shall be serviced with a Class IV leaching system. The TBDHU is the approval authority where the lot is serviced by individual on-site sewage services.

Planning Comment: The TBDHU will review the proposed Official Plan and Zoning By-law amendments to ensure lot size requirements are met. As part of the condition of a new lot approval, the TBDHU must inspect and provide proof of the suitability for a proposed new lot from an in-ground sewage treatment and dispersal viewpoint.

Section 3.13.2 Protection of Water Resources

Potable and domestic water in Shuniah is obtained exclusively from private individual wells and surface water drawn from lake sources. It shall be a condition of new lot approvals that a minimum quantity of 18 litres per minute for a one-hour period and water quality meeting MOHLTC standards be demonstrated for well water sources. Where such a volume is not readily available from a well, the proponent may have a report prepared by a qualified person detailing how the standard can be achieved.

Planning Comment: A private well must be installed on site as part of the condition of new lot approval.

Relevant excerpts from Section 4.2 Subdivision of Land

a. the number of new residential lots to be created by consent for a parcel of land existing under unity of ownership at January 15th, 1979 shall not exceed three new lots and a residual lot, except for the purposes of lot adjustment, lot enlargement, or other such consideration that does not result in the creation of a new buildable lot including the conversion of existing Association "sites" to lots in accordance with the policies of this plan;

Planning Comment: The Municipality of Shuniah confirmed, per email communication with the property owner on July 5, 2023, that there have been no severances from this property after January 15, 1979; thus, a severance is possible.

c. the retained and the newly created lot(s) shall have practical and useable frontage on a travelled and publicly maintained public road;

Planning Comment: Both lots will have a large section of frontage onto Lakeshore Drive. The retained lot contains an existing driveway onto Lakeshore Drive. The relatively level topography will provide easy access for a new driveway for the new lot, in my opinion.

d. the creation of a new lot is generally compatible with the surrounding lot fabric; and does not result in adverse effect or negative impact upon abutting or nearby lands or land uses in accordance with the policies of this plan; for areas that have the potential to be rendered inaccessible to people and vehicles during times of flooding hazards erosion hazards and/ or dynamic beach hazard shall receive LRCA

approval to confirm that the site has safe access appropriate for the nature of the development and the natural hazard which shall be demonstrated by the applicant;

Planning Comment: The existing residential use on the retained lot and a proposed residential use on the new lot will be compatible with the surrounding lot fabric. The lot is vegetated and new development can provide vegetated buffers to abutting neighbours for privacy purposes. Section 5.5 of this report provides more details and discussion on potential adverse effects or impacts.

g. each proposed lot in the Rural designation will be 4 ha in size;

Planning Comment: This is addressed by the proposed site-specific Official Plan amendment.

r. not adversely affect the economy or financial position of the Municipality; and the infrastructure and/or public service facilities are integrated and coordinated with land use and asset management planning so that they are financially viable over their life cycle; and,

Planning Comment: In my opinion, this small-scale development application does not affect the economy or financial position of the Municipality.

5.4 Zoning By-Law, 2038-00

Section 22 Rural Zone (RU)

22.1 Permitted uses: No use of land building, building, or structure shall be permitted within this zone except as follows; agriculture, which may include one only permanent dwelling; conservation use; forestry harvesting; park; one only permanent dwelling; wayside pit, quarry; home occupation; accessory sale of fish baits; buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include a kennel, riding academy or stable; and on properties that front onto Highway 527 only, up to three pulp trucks, or other such large commercial vehicles shall be permitted to be maintained and operated in association with a permitted residence.

22.2 Lot requirements: Minimum lot width 120.0 metres; minimum lot area 4.0 hectares (9.88 acres).

22.3 other standard regulations and requirements

- *Front Yard for a Main Building: 15.0 m*
- *Rear Yard for a Main Building: 15.0 m*
- *Side Yards for a Main Building: Exterior: 7.5 | Interior 7.5 m*
- *Minimum Separation Distance: Main N/A | Accessory 3.0 m*
- *Maximum Height for a Main Building: 10.0 m*
- *Maximum Lot Coverage Total: N/A | Accessory 10%*
- *Maximum Number of Main Uses One*
- *Maximum Number of Main Buildings: One*

Planning Comment: The proposed development complies with the intent, goal, permitted uses and standard regulations of the Residential zone: the retained lot is residential use and the new lot is proposed residential use (landowners have specified that they plan on building a single-detached dwelling for their retirement home), and the lots are located along Lakeshore Drive, a public road containing primarily

residential lots. The lot area requirements are addressed by the proposed site-specific Zoning By-Law amendment.

5.5 Potential Adverse Effects or Impacts

Section 3.20 Compatible Development

In order to proceed, all new development requiring a Planning Act approval shall be compatible with existing uses in the vicinity by avoiding adverse effects or minimizing adverse effects to acceptable or negligible levels, and where applicable, in accordance with Provincial guidelines.

Where a development initiative has the potential to be incompatible with or cause adverse effects to other land uses/users in the vicinity, appropriate technical studies evaluating compatibility; and mitigation using avoidance, buffering, separation distances or other measures, shall be part of the planning justification in a complete application (see section 4).

Potential Adverse Effects: Common potential adverse effects of a proposed development relate to, but are not limited to pattern, scale, massing, design of development, servicing levels of existing and future development; visual impacts relating to outdoor storage; shadowing and/or lighting and/or visual impacts on surrounding land uses including privacy of adjacent residential uses; traffic volume and safety; vehicle access and parking; hydrological and hydrogeological functions; surrounding natural heritage features and cultural heritage resources; and, noise, vibration, odour, dust and other contaminants or emissions.

Potential adverse effects as defined in the Environmental Protection Act, means one or more of a) impairment of the quality of the natural environment for any use that can be made of it; b) injury or damage to property or plant or animal life; c) harm or material discomfort to any person; d) an adverse effect on the health of any person; e) impairment of the safety of any person; f) rendering any property or plant or animal life unfit for human use; g) loss of enjoyment of normal use of property; and h) interference with normal conduct of business.

Planning Comment: In my opinion, the residential use of the proposed retained and new lots will have no impact to the surrounding neighbourhood:

- The retained and proposed new lots are located within an area of rural lots used for residential purposes and are thus separated from uses that may have an adverse effect;
- The existing and proposed development consist of single-detached dwellings, which are typical in the neighbourhood;
- Final consent approval will be subject to the standard conditions of access and safe servicing;
- Existing thick vegetation for screening and privacy is present;
- The proposed new lot will have one new driveway onto Lakeshore Drive. There is no intersection close by; therefore, there will be no impact on traffic flow, in my opinion;
- As per Appendix B, Hydro One has no objection in principle to the proposed severance that is located adjacent to a Hydro One high voltage power line (opposite side/north side of Lakeshore Drive, within 500m of the Subject Property), provided Hydro One's easement rights are protected and maintained. Therefore, the proposed new lot has no negative impact on the high voltage transmission line;

- No Protected Area designation or hydrological feature identified on the Subject Property. Therefore, in addition to the relatively level topography, the development of a new residential use, the proposed development will not cause any adverse effects to any neighbouring hydrological features, in my opinion. As per Appendix C, the LRCA does not have any objections to the development proposal;
- Due to the size of the retained and proposed lots (greater than 1.0 hectare), no hydrogeological study is triggered (i.e., there is no potential adverse effect);
- There is no Protected Area designation/natural heritage feature present on the Subject Property; the nearest Protected Area Designation (a wetland) is approximately 150 metres south of the Subject Property. In my opinion, the large size of the lots, relatively level topography, the distance from the Protected Area Designation, no hydrological features on the Subject Property, the standards of private, on-site servicing requirements, and the limited development of one single-detached dwelling and drainage requirements (as per Ontario Building Code), will not have any adverse effects on the neighbouring wetland and will not require any supporting studies (e.g., preliminary ecological site assessment), and, as per Appendix C, the LRCA does not have any objections to the development proposal;
- The proposed retained and new lots are within a resource-rich mineral area (as per Official Plan Development Constraints Map B1), which is a trigger for a potential Stage 1 Archaeological Assessment. However, this development proposal for one new lot creation for residential development is small-scale (one new single-detached dwelling). Therefore, in my opinion, there is no potential adverse effects, or trigger for a Stage 1 Archaeological Assessment, unless the Municipal screening process reveals a known site.

6. PUBLIC CONSULTATION STRATEGY

Section 4.5 of the Shuniah Official Plan contains policies for public engagement and notification. The policy requires a public engagement strategy as part of a complete application.

Once the application has been deemed complete by Shuniah, a Notice of Complete Application will be circulated to abutting property owners.

A notice sign will be posted on the Subject Property once the Notice of Complete Application is issued.

The applications for Official Plan and Zoning By-Law amendment will be scheduled for a Statutory Public Meeting. Municipal Staff are required to circulate notices of the Statutory Public Meeting to all abutting owners.

All comments received from the public will be documented and responded to, where possible and applicable.

7. SUMMARY, PLANNING OPINION AND JUSTIFICATION

This Planning Justification Report has provided a thorough analysis of the proposed development in regards to applicable Provincial and local planning policy.

The proposed Consent, Official Plan site-specific amendment, and Zoning By-law site-specific amendment applications:

- are consistent with the Provincial Policy Statement 2020: they are locally appropriate, ensure the most efficient use of local infrastructure, safe servicing, while avoiding land use patterns which may cause environmental or public health and safety concerns.
- Conform with the Growth Plan for Northern Ontario: they support well-planned and thoughtfully designed communities by keeping in character with the surrounding neighbourhood uses.

In addition, the applications for the proposed development conform to and implement the Official Plan and Zoning By-Law:

- The Official Plan was updated in 2021, and represents the most current preferred designation and use (Rural) of the Property and surrounding neighbourhood.
- The proposed development will sustain efficient operation and financial well-being of the Municipality and conforms with the PPS and Growth Plan.
- The residential use of the proposed development is permitted in the existing Rural designation, and complies with the permitted uses, lot width, and standard regulations set out in Rural zone.
- There is no Protected Area designation/natural heritage feature present on the Subject Property; the nearest Protected Area Designation (a wetland) is approximately 150 metres south and a LRCA Approximate Regulated Area is located approximately 500 metre east of the Subject Property. As per Appendix C, the LRCA does not have any objections to the development proposal;
- The proposed retained and new lots are within a resource-rich mineral area (as per Official Plan Development Constraints Map B1), which is a trigger for a potential Stage 1 Archaeological Assessment. However, this development proposal for one new lot creation for residential development is small-scale (one new single-detached dwelling). Therefore, in my opinion, there is no potential adverse effects, or trigger for a Stage 1 Archaeological Assessment, unless the Municipal screening process reveals a known site.
- The Subject Property is within a defined Aggregate Resource Area (Official Plan Development Constraints Map B1) and has a high mineral potential (Appendix D). In my opinion, the proposed land use (residential) serves a greater long-term public interest, due to a shortage of housing within Ontario/Canada and does not hinder existing aggregate or mining operations .

The development proposal and the residential use will have no negative impact or adverse effect on the surrounding neighbourhood or lot fabric:

- Final consent approval will be subject to the standard conditions of access (road/driveway) and safe servicing (water and wastewater).

- The retained and proposed new lots are located within an area of rural lots used for residential purposes and is thus separated from uses that may have an adverse effect.
- Existing and proposed development consist of a single-detached dwelling, which is typical in the neighbourhood;
- The proposed new lot will have driveway access onto Lakeshore Drive, a regional road, and provides easy access to TransCanada Highway. No intersection is located close by, therefore, in my opinion, a new driveway will not have an impact on traffic flow.
- If necessary, existing vegetation can be used for screening and privacy.

8. CONCLUSION

This Planning Justification Report has been prepared in support of the application for Consent, Official Plan and Zoning By-Law amendments for 2389 Lakeshore Drive, Municipality of Shuniah. The applications are consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for Northern Ontario, Official Plan, and the Zoning By-law. Furthermore, with the standard conditions of consent development, it is my opinion that the proposed applications are appropriate and are based on good land use planning principles.

Respectfully submitted this January 3, 2024

VERA McDONALD PLANNING CONSULTANT

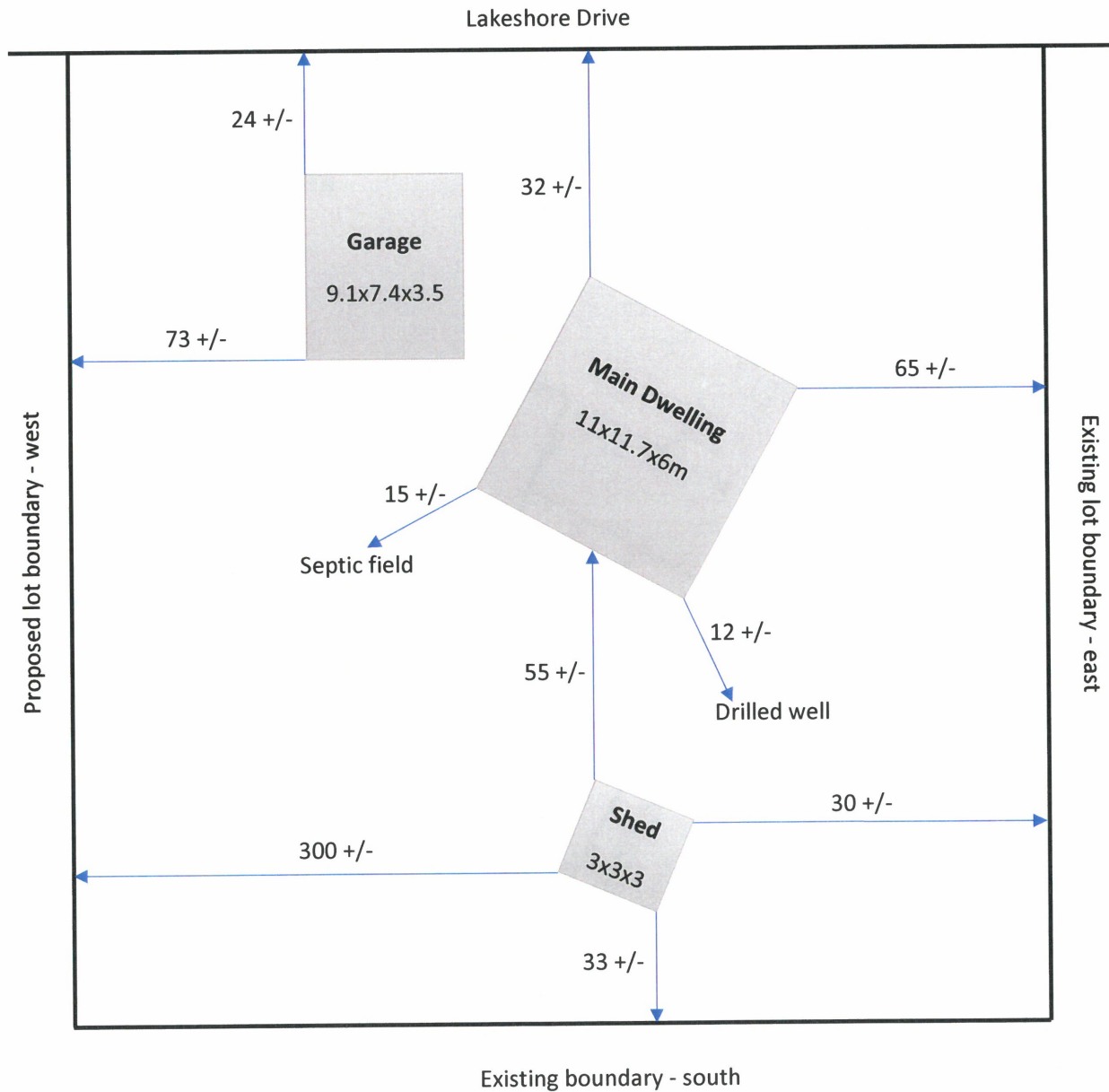


Vera McDonald, MES, RPP, MCIP

Principal

Building and setback details

Distances and measurements shown in metric. Not to scale; for illustrative purposes only.



APPENDIX B

Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, Ontario L3R 5Z5
www.HydroOne.com

Courier:
185 Clegg Road
Markham, Ontario L6G 1B7



VIA E-MAIL ONLY TO vmcdonaldplanning@gmail.com

December 16, 2023

186 Clegg Road

Dear Vera McDonald:

**Re: Proposed Application for Consent,
2389 Lakeshore Drive
Municipality of Shuniah
File: B23-6**

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection *in principle* to the proposed severance, provided HONI's easement rights are protected and maintained.

Please be advised that any placement of permanent structures, facilities or landscaping within the transmission corridor is **prohibited** without the prior written approval of HONI.

If in the future the owner proceeds with a site plan, plan of subdivision and/or plan of condominium application, the owner must make arrangements satisfactory to HONI for lot grading and drainage, and any proposed uses on the transmission corridor. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this proposal will become the responsibility of the developer.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at dennis.derango@hydroone.com or at 905-946-6237.

Yours truly,

A handwritten signature in black ink that reads "Dennis De Rango".

Dennis De Rango
Specialized Services Team Lead, Real Estate
Hydro One Networks Inc.

APPENDIX C

Clerk Department

From: Kerry Bellamy
Sent: Wednesday, November 29, 2023 9:14 AM
To: Clerk Department
Subject: FW: Pre-Consultation Circulation of Applications Z23-2 & OP23-2 for 2389 Lakeshore Drive
Attachments: 2389 Lakeshore Drive.pdf

Kerry Bellamy (she/her)
Clerk
Municipality of Shuniah
clerk@shuniah.org
420 Leslie Ave, Thunder Bay, ON P7A 1X8
Phone: (807)683-4540 Fax: (807)683-6982

PS: My working hours may be different than yours. Please do not feel obligated to reply outside of your normal work schedule.

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From: Scott Drebit <scott@lakeheadca.com>
Sent: Tuesday, November 28, 2023 4:08 PM
To: Kerry Bellamy <clerk@shuniah.org>
Cc: Melissa Hughson <melissa@lakeheadca.com>; Michelle Sixsmith <michelle@lakeheadca.com>; Clerk Department <clerkdept@shuniah.org>
Subject: RE: Pre-Consultation Circulation of Applications Z23-2 & OP23-2 for 2389 Lakeshore Drive

Hello Kerry,

The LRCA has no objection to the proposed planning applications (Z23-2 & OP23-2) as the property is not regulated. Attached is a map of the property.

Scott Drebit

GIS/Water Resources Technologist
Lakehead Region Conservation Authority
130 Conservation Road P.O. Box 10427
Thunder Bay, ON P7B 6T8
Telephone (807) 344-5857 ext. 227
Fax (807) 345-9156



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From: Clerk Department <clerkdept@shuniah.org>
Sent: Friday, November 24, 2023 4:14 PM
Cc: Clerk Department <clerkdept@shuniah.org>
Subject: Pre-Consultation Circulation of Applications Z23-2 & OP23-2 for 2389 Lakeshore Drive

Hello,

Attached please find the following for 2389 Lakeshore Drive:

Pre-Consultation Circulation letter for Z23-2
Draft Zoning Amendment Application Z23-2 (Redacted)
Pre-consultation Circulation Letter for OP23-2
Draft Official Plan Amendment Application OP23-2
Planning Justification Report

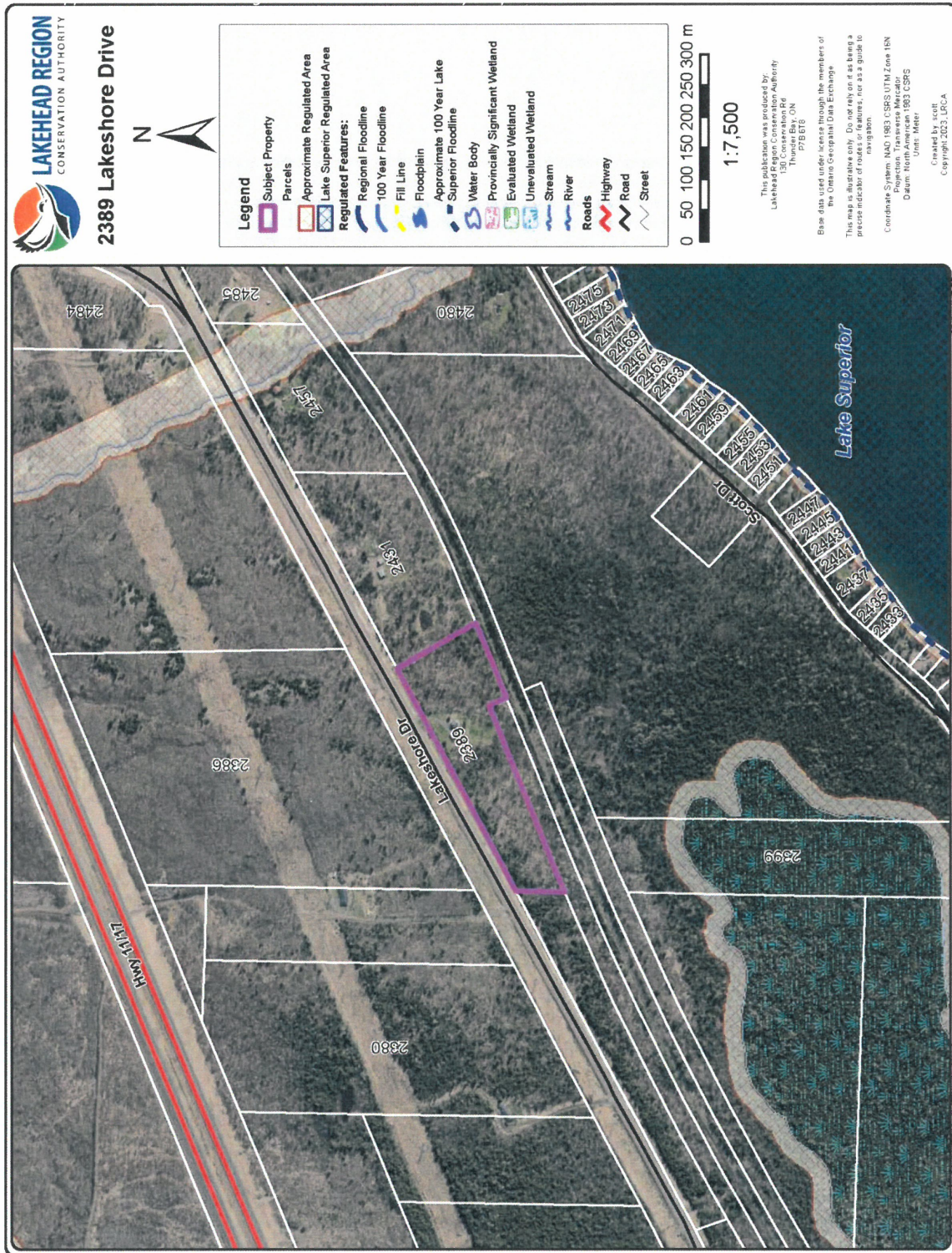
Thank you,

Jennifer Kruzick

Jennifer Kruzick (she/her)
Assistant to the Clerk
Secretary - Treasurer of Committee of Adjustment
Municipality of Shuniah
clerkdept@shuniah.org
420 Leslie Ave, Thunder Bay, ON P7A 1X8
Phone: (807)683-4548 Fax: (807)683-6982
My office hours are 8:30-4:30, Monday-Wednesday

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APPENDIX D



Ministry of Mines

Ontario Geological Survey

435 James St. S., Suite B002
Thunder Bay, ON P7E 6S7
Tel.: 807-475-1332
Fax.: 807-475-1112

Ministère des Mines

Commission géologique de l'Ontario

435 James St. S., Suite B002
Thunder Bay, ON P7E 6S7
Tél. : 807-475-1332
Télééc. : 807-475-1112

Jennifer Kruzick, Assistant to the Clerk
Municipality of Shuniah
420 Leslie Avenue
Thunder Bay, ON P7A 1X8
clerkdept@shuniah.org

December 4, 2023

Dear Ms. Kruzick:

Subject: Z23-2 & OP23-2 – Zoning By-law amendment and Official Plan amendment – 2389 Lakeshore Drive (Mining Location 14 Francis Survey, 55R1378 Part 5), MacGregor Township, Municipality of Shuniah

Thank you for the opportunity for the Ministry of Mines (MINES) to provide input on the proposed zoning by-law amendment and Official Plan amendment at 2389 Lakeshore Drive in the Municipality of Shuniah.

The purpose of the zoning by-law amendment is to amend zoning bylaw 2038-00 to allow for a reduced lot size for retained and new lots from 4 ha to 2.03 ha each. The Official Plan amendment is similar to the zoning bylaw - to amend s. 4.2 of the Official Plan to allow for a reduced lot size for retained and new lots from 4 ha to 2.03 ha each.

The MINES Regional Land Use Geologist's planning interests are related to the wise use and management of resources (Section 2.4, PPS 2020) and the protection of public health and safety (Section 3.2, PPS 2020).

The subject property was checked for mining land tenure, geology, mineral deposits, mineral potential, and abandoned mine site hazards, with the following results:

- The subject property is of non-mining land tenure with surface rights only. The portion of the property closest to the road appears to overlap a mining patent with both mining and surface rights (PAT-17527). There are no mining claims within 1 km of the subject property. Information obtained from the Mining Lands Administration System (MLAS). See the attached MLAS map.

- The subject property is predominantly underlain by Archean massive granodiorite to granite (Type 15). Proterozoic sedimentary rocks of the Rove Formation (Type 24a) lie within 1 km to the south of the property and Archean meta sedimentary rocks (Type 7) lie within 1 km to the north of the property. Bedrock geology information is taken from MINES Dataset MRD 126-Rev 1, 1:250,000 scale Bedrock Geology of Ontario, OGS, 2011.
- There are no known or recorded Ontario Mineral Inventory (OMI) records within 1 km of the subject property. See attached MLAS map.
- There are no known or recorded Abandoned Mines Information System (AMIS) site(s) within 1 km of the subject property. See the attached MLAS map and AMIS disclaimer. The abandoned mines information system (AMIS) dataset is current to April 2022. As always, the information provided in the AMIS database has been compiled from various sources and the Ministry of Mines (MINES) makes no representation and takes no responsibility that such information is accurate, current or complete. The user is warned to undertake his or her own independent investigation to validate the information.
- The mineral potential was determined from data shown on the MMPET Index map for this area. MMPET is based on a GIS application that provides a high-level, regional scale illustration of the likelihood of any given parcel of land to be prospective for a metallic mineral resource. A score of 65 or more indicates significant mineral potential. The estimated metallic mineral potential index for the subject property is high (90.1-100), with a max value of 100 out of 100.

Bedrock geology maps, Ontario Mineral Inventory, and Abandoned Mines records are available for viewing or free download through GeologyOntario at <https://www.hub.geologyontario.mines.gov.on.ca/>. Official mining claim information is available through the MLAS Map Viewer application which is updated daily, and can be found at: <https://www.mndm.gov.on.ca/en/mines-and-minerals/applications/mlas-map-viewer>.

MINES has no further comments regarding this application. Let me know if you have any further questions.

Sincerely,

Colleen Kurcinka, M.Sc.
Regional Land Use Geologist - NW Region
Resident Geologist Program
Phone: 807-632-1860
colleen.kurcinka@ontario.ca

Attachments:

- MLAS map, AMIS disclaimer

Ministry of Mines

Mineral Development and Lands
Branch

933 Ramsey Lake Road, B6
Sudbury ON P3E 6B5
Tel.: (705) 670-5798
Fax: (705) 670-5803
Toll Free: 1-888-415-9845, Ext 5798

Ministère des Mines

Direction de l'exploitation des minéraux et de
la gestion des terrains minier

933, chemin du lac Ramsey, étage B6
Sudbury ON P3E 6B5
Tél. : 705 670-5798
Télééc. : 705 670-5803
Sans frais : 1 888 415-9845, poste 5798



Please be aware of the following regarding the Abandoned Mines Information System (AMIS) data:

The information herein is provided by MINES free of charge and for information purposes only. All information is provided "as is" without warranties or conditions of any kind either expressed or implied. In providing the AMIS database information, MINES and the Government of Ontario accept no liability and make no warranty or any representation regarding the use, accuracy, applicability, completeness, performance, availability, security or reliability of the information, through field measurements or otherwise. It is the sole responsibility of the person choosing to receive and use this information to verify the accuracy of any information obtained from this data package. The reader is warned to undertake his or her own independent investigation to validate this information. Reports provided within are not compliant with CSA standards.

The maps and/or coordinates provided are not intended for navigational, survey, or land title determination purposes. Maps included may not show unregistered land tenure and interests in land including certain patents, leases, easements, right of ways, flooding rights, licences, or other forms of disposition of rights and interest from the Crown. Land tenure and land uses that restrict or prohibit free entry to stake mining claims may not be illustrated.

Ministry Contact Information

Abandoned Mines Program

Willet Green Miller Center – Level B6
933 Ramsey Lake Road
Sudbury ON P3E 6B5

Emilie Trottier
Telephone: (705)280-8658
Email: emilie.trottier@ontario.ca
Mine Hazards Technical Specialist

