

DECISION

With respect to the Official Plan for the Municipality of East Ferris Subsection 17(34) of the Planning Act

I hereby approve the repeal of the Official Plan for the Municipality of East Ferris and all subsequent amendments thereto, as adopted by By-law 2015-30 insofar as this Official Plan is in effect;

I hereby approve the Official Plan for the Municipality of East Ferris, adopted by the Municipality of East Ferris by By-law 2015-30, and subject to the decision-in-part by the Minister of Municipal Affairs and Housing dated March 29, 2016 identifying a total of sixteen (16) modifications:

Further to the decision-in-part dated March 29, 2016, regarding the Official Plan for the Municipality of East Ferris, adopted by the Municipality of East Ferris by By-law 2015-30, I hereby modify and approve, as modified, the outstanding sections:

[Land Use Policies for Community Development]

5.2.4 Rural – Residential Uses

5.3.3 Waterfront – Permitted Uses

5.3.5 Waterfront – Commercial

5.3.7 Waterfront – Lake Specific Protection Policy

[Natural Heritage Features]

6.2.7 Shoreline Alteration

Schedules A, B, C, E, F – the delineation and description of waterbodies.

Schedule D

1. **PAGE 38, SECTION 5.2.4.2 RURAL – RESIDENTIAL USES, DEVELOPMENT CRITERIA**, is hereby modified by inserting the following subsection after subsection '5':

“6. Lot Creation in proximity to waterbodies

Lot creation within 300 metres (984.3 feet) of the shoreline of Trout Lake and the West Basin of Lake Nosbonsing, and the associated watercourses and wetlands flowing into these lakes will be permitted in accordance with the policies of this plan provided there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the shoreline of the water feature; a Site Plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located.

2. **PAGE 53, SECTION 5.3.7.1.1 LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, GENERAL**, is hereby modified by:

- a) adding the word “**and**” in front of the phrase “development along watercourses”, and a period after the third occurrence of the word “Lake” in the seventh paragraph;
- b) deleting the word “**and**” (preceded by a period) in front of the phrase “development in the Trout Lake watershed” in the seventh paragraph;
- c) capitalizing the word “development” in front of the words “in the Trout Lake watershed” in the seventh paragraph;
- d) deleting the words “in general” at the end of the seventh paragraph and substituting the following words: “**should be limited and will not result in phosphorus or dissolved oxygen levels outside of acceptable standards on lakes downstream of the proposed development regardless of the municipality in which the lake is situated.**”
- e) Deleting the last two sentences at the end of the eighth paragraph.

3. **PAGE 55, SECTION 5.3.7.1(2)(A)- LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – WATER QUALITY OBJECTIVES**, is hereby modified by:

- a) replacing the first paragraph in its entirety with the following text:

“The creation of new lots within 300 metres (984.3 feet) of Trout Lake or the bank of a designated watercourse flowing into Trout Lake as identified on Schedule “D”, will be permitted provided there is sufficient space for the on-site sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the shoreline of Trout Lake and the designated watercourses; a site plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located.”

- b) adding the word “**total**” in front of the word “phosphorus” in the second paragraph;
- c) substituting “**µg/L**” for the text “mg/L” in the second paragraph.

4. **PAGE 55, SECTION 5.3.7.1(2)(B) – LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – MONITORING** is hereby modified by:

- a) adding the word “, **annual**” in front of the word “basis” in the first sentence;
- b) adding the words “, **including the North Bay-Mattawa Conservation Authority and the Ministry of the Environment, Conservation and Parks, as applicable**” after the word “protection” in the first sentence; and

- c) adding the following sentence to end the paragraph: **"The portion of the Mattawa River, located immediately downstream of Trout Lake, and Turtle Lake (located immediately east of the Mattawa River), shall be sampled and monitored in tandem with Trout Lake in order to determine if changes to Trout Lake are having an effect further downstream."**

5. **PAGE 55, SECTION 5.3.7.1(2)(C) – LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – Lot Creation Quota** is hereby deleted in its entirety.

6. **PAGE 56, SECTION 5.3.7.1(2)(E) – LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – SETBACKS**, is hereby modified by:

- a) Replacing the words "60 metres (196.8 feet)" with the words "300 metres (984.3 feet)", in the first paragraph.

7. **PAGE 56, SECTION 5.3.7.1(2)(F) – LAKE SPECIFIC PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – Non-Residential Uses**, is hereby modified by deleting the second paragraph in its entirety.

8. **PAGE 57, SECTION 5.3.7.1(2)(I) – LAKE PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – PLANS OF SUBDIVISION AND CONDOMINIUM**, is hereby modified by replacing the last paragraph in its entirety with the following:

"The proposed creation of these new lots or condominium units may be permitted provided there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the shoreline of Trout Lake; a Site Plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located. (See also Sections 4.19, 5.3.7.1(2)(A) and 9.15)"

9. **PAGE 57, SECTION 5.3.7.1(2)(J) – LAKE PROTECTION POLICY – TROUT LAKE, DEVELOPMENT POLICIES FOR TROUT LAKE – VEGETATIVE BUFFER**, is hereby modified by deleting the first sentence of this paragraph and replacing it with:

"Notwithstanding the Site Plan policies in Section 5.3.8.4 of this plan, it is the intent of Council to generally require the establishment and/or retention of a natural vegetative buffer on lands within 30 metres (98.4 feet) of the shoreline of Trout Lake and the designated water courses flowing into the Lake, across the width of the lot, except for an area up to 9 metres (29.5

feet) in width to provide an access corridor to the shoreline. Vegetation may also be removed immediately around any existing dwelling and proposed addition to a dwelling.”

10. PAGE 59, SECTION 5.3.7.2(2)(A), LAKE PROTECTION POLICY – LAKE NOSBONSING, DEVELOPMENT POLICIES FOR LAKE NOSBONSING – LOT CREATION, is hereby modified by:

- a) Replacing the first paragraph beginning with the words “On the West Basin”, in its entirety with the following paragraph:

“The creation of new lots within 300 metres (984.3 feet) of the shoreline of the Lake Nosbonsing will be permitted in accordance with the policies of this plan provided there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the shoreline of Lake Nosbonsing; a Site Plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located.”

- b) Replacing the second paragraph beginning with the words “On the East Basin”, in its entirety with the following paragraph:

“On the East Basin of Lake Nosbonsing, east of Shield’s Point, new lots will be permitted in accordance with the policies of this plan where there is sufficient space for the on-site subsurface sewage disposal tile beds to be located outside of a minimum setback of 60 metres (196.8 feet) from the shoreline of the East Basin, provided that it can be demonstrated through modelling using the latest version of the Provincial Lakeshore Capacity Handbook that there will be no negative effects downstream including lakes that are located outside of the municipality; a Site Plan agreement will be required as described above.”

11. PAGE 61, SECTION 5.3.7.2(2)(G), LAKESHORE PROTECTION POLICY – LAKE NOSBONSING, DEVELOPMENT POLICIES FOR LAKE NOSBONSING – PLANS OF SUBDIVISION AND CONDOMINIUM, is hereby modified by:

- a) deleting the words “The proposed creation of these new lots will only be considered where there is no adverse effect on the water quality and where the net increase in potential phosphorous export from the existing land use is less than 0.75 kg (1.6 lbs) per lot or dwelling unit per year” and the words “(see also Sections 4.19, 5.3.7.2(2)(A) and 9.16.1)” in the second paragraph; and

- b) inserting a new third and fourth paragraph to the section which shall read as follows:

“The creation of new lots or condominium units on Lake Nosbonsing will be considered only if there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the shoreline of the Lake and designated inflowing watercourses; a Site Plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located.

The creation of new lots or condominium units on the East Basin of Lake Nosbonsing will also be considered if there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 60 metres (196.8 feet) from the shoreline of the East Basin and designated inflowing watercourses, provided that it can be demonstrated through modelling using the latest version of the Provincial Lakeshore Capacity Handbook that there will be no negative effects downstream including lakes that are located outside of the municipality; a Site Plan agreement will be required as described above.

(See also Sections 4.19, 5.3.7.2(2)(A) and 9.16.1)”

12. **PAGE 62, SECTION 5.3.7.2(2)(H), LAKE PROTECTION POLICY – LAKE NOSBONSING, DEVELOPMENT POLICIES FOR LAKE NOSBONSING – VEGETATIVE BUFFER**, is hereby modified by deleting the first sentence of this paragraph and replacing it with:

“Notwithstanding the Site Plan policies in Section 5.3.8.4 of this plan, it is the intent of Council to generally require the establishment and/or retention of a natural vegetative buffer on lands within 30 metres (98.4 feet) of the shoreline of Lake Nosbonsing and the designated water courses flowing into the Lake, across the width of the lot, except for an area up to 9 metres (29.5 feet) in width to provide an access corridor to the shoreline. Vegetation may also be removed immediately around any existing dwelling and proposed addition to a dwelling.”

13. **PAGE 62, SECTION 5.3.7.3(2), LAKE SPECIFIC PROTECTION POLICY – LAKE NOSBONSING WETLANDS – DEVELOPMENT POLICIES**, is hereby modified by deleting this section in its entirety and replacing it with the following two new paragraphs:

“Development shall be located a minimum of 120 linear meters from the edge of a Lake Nosbonsing wetland unless it can be demonstrated there will be no negative impacts on the wetland or its function. (See also Section 6). The creation of new lots located within 300 metres (984.3 feet) of the edge of a Lake Nosbonsing wetland will be permitted provided there is sufficient space for the on-site subsurface sewage disposal tile bed to be located outside of a minimum setback of 300 metres (984.3 feet) from the wetland; a Site Plan agreement will be required prior to development to ensure the on-site subsurface sewage disposal tile bed is so located.

The above policy regarding the setback of sewage disposal tile beds will also apply to the development of new non-residential uses within 300 metres (984.3 feet) of the edge of the wetland.

14. PAGE 93, SECTION 6.2.7, SHORELINE ALTERATION, is hereby modified by:

- a) inserting the following new sentence to commence the policy:

“Notwithstanding the Site Plan policies in Section 5.3.8.4 of this plan, it is a policy to generally maintain or enhance the natural vegetation along the shoreline of Lake Nosbonsing, Trout Lake, and the designated water courses flowing into these lakes, to a target depth of 30 metres along the entire frontage of the lot, except for an area 9 metres in width for purposes of a boat launch, pathway and amenity area.”

- b) deleting the first sentence in its entirety and replacing it with: **“On all other lakes, the target depth will be 15 metres.”**

15. SCHEDULES A, B, C, E, F, are hereby modified by:

- a) delineating Trout Lake and the Mattawa River by adding the words **“Trout Lake”** and **“Mattawa River (part of the Mattawa River system)”** atop the respective waterbodies; and
- b) adding the words **“dividing point between the two lakes”**, directly north of Lot 3 Concession 14, Township of East Ferris, as illustrated on Figure 3, pp 9 of the *Lake Capacity Assessment: Trout Lake, 2018*.
- c) adding the words **“the Stepping Stones”** located immediately northeast of Lot 3 Concession 14, Township of East Ferris” as illustrated on Figure 3, pp 9 of the *Lake Capacity Assessment: Trout Lake, 2018*.

16. **SCHEDULE 'D'**, is hereby modified by replacing it with a new Schedule 'D' attached hereto, and further modifying it by:

- a) delineating Trout Lake and the Mattawa River by adding the words "**Trout Lake**" and "**Mattawa River (part of the Mattawa River system)**" atop the respective waterbodies; and
- b) adding the words "**dividing point between the two lakes**", directly north of Lot 3 Concession 14, Township of East Ferris, as described in Modification 15 b).
- c) revising the "Trout Lake Setback From Significant Watercourses" red line to represent a distance of 300 m from Trout Lake and Significant Watercourses;
- d) adding the words "**the Stepping Stones**" located immediately northeast of Lot 3 Concession 14, Township of East Ferris" as described in modification 15 c).
- e) Adding "**Lake Nosbonsing Setback From Designated Watercourses**" to the legend; and
- f) Adding a red line to represents a distance of 300 m from Lake Nosbonsing and designated Watercourses.

Dated at Toronto this 12th day of January , 2023



Hannah Evans
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

SCHEDULE D - NATURAL HERITAGE FEATURES

