‘Appendix B’

AMENDMENT NO. __

TO THE

OFFICIAL PLAN

OF THE

CITY OF NORTH BAY

(TROUT LAKE INFLUENCE AREA)

June 2025

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STATEMENT OF COMPONENTS

PART ONE - INTRODUCTION is included for information purposes and is not an operative part of this Official Plan Amendment.

PART TWO - THE AMENDMENT, consisting of the text and schedules attached hereto, is an operative part of this Official Plan Amendment.

PART ONE - INTRODUCTION

1. PURPOSE

The purpose of Amendment No. __ to the Official Plan of the City of North Bay is to reflect in the Official Plan the outcome of the *Trout Lake Watershed and Management Study* (Trout Lake Study) undertaken by the City of North Bay, the Municipality of East Ferris and the North Bay-Mattawa Conservation Authority.

2. LOCATION

This Amendment applies all lands within 300 metres of the shoreline of Trout Lake, its islands, major inflowing streams and Four Mile Lake.

3. BASIS

In 2021, the City of North Bay, the Municipality of East Ferris and North Bay-Mattawa Conservation Authority initiated the Trout Lake Study.

The Trout Lake Study was initiated as a comprehensive review of lake quality and the review of current policies and provisions around the protection and management of the lake. The last, similar, comprehensive study was conducted in 1992.

Generally, the Trout Lake Study found that a limited amount of new residential development could be permitted within 300 metres of the shoreline of the lake, its major inflowing streams and Four Mile Lake, subject to best management practices, to protect and enhance lake water quality. The Study included 28 recommendations to protect the lake, including 13 land use planning recommendations.

On November 28, 2023, Council passed Resolution No. 2023-425(a) to direct staff to initiate an Official Plan Amendment and Zoning By-law Amendment based on the general direction of the “Directions Report, Trout Lake Watershed and Management Study” by J.L. Richards dated June 29, 2022, and Addendum # 2 (November 2, 2023) and Hutchinson’s “Trout Lake Watershed Study and Management Plan – Existing Conditions, Issues, Opportunities and Constraints (October 23, 2023).

PART TWO - THE AMENDMENT

1. PURPOSE

The purpose of Amendment No. __ to the Official Plan of the City of North Bay is to include Trout Lake Influence Area policies.

This amendment applies to all lands within 300 metres of the Trout Lake shoreline, its islands, major inflowing streams and Four Mile Lake.

2. THE AMENDMENT

The Official Plan of the City of North Bay is hereby amended:

1. By deleting and replacing Section 3.5 with the following:

"3.5 Trout Lake

Trout Lake is an important resource for the City of North Bay and the Municipality of East Ferris. For the purpose of this Official Plan, Trout Lake refers to the lake itself, its islands, and all major inflowing streams, as indicated on Schedule x.

Trout Lake serves as the drinking water source for residents in North Bay that have municipal water services and residents in North Bay and East Ferris that have private water services. Policies regarding source water protection are found in Section x.

Trout Lake is an oligotrophic lake, that is, a lake that has low levels of nutrients, high dissolved oxygen levels and typically deep areas with very cold water. Lake trout is the only major, indigenous sport fish species in Ontario that is adapted to oligotrophic lakes. Only approximately one percent of Ontario's lakes contain lake trout, but this represents approximately 25 percent of all lakes in the world.

Trout Lake also has important recreational value. People that live on and visit the lake come to relax, swim, boat, canoe, cross country ski, snowshoe and snowmobile.

Historical and more recent data indicates that Trout Lake's water quality is excellent and that nutrient concentrations are low. The intent of this Plan is to protect, improve and enhance Trout Lake's water quality through good land use planning practices.

There are many stressors that can impact Trout Lake's water quality. Generally, any activity on the land within the Trout Lake watershed that is not properly managed or mitigated could affect the lake's water quality. Lands within 300 metres of Trout Lake are regarded as those lands most sensitive to land use-based impacts on water quality, in particular phosphorous loading which can impact water quality and reduce dissolved oxygen levels.

Phosphorus as a natural element, is a building block for living systems and a required component for both plant and animal growth. Limited quantities of phosphorus occur naturally in the environment. An abundance of phosphorus can significantly increase the rate of growth of plants and algae. Uncontrolled stormwater runoff and effluent from older and/or poorly designed, installed and maintained septic systems can contribute to increased phosphorous loading.

In addition, the changing climate has the potential to impact lake water quality through a variety of processes that could increase nutrient concentrations, decrease dissolved oxygen concentrations and promote algal growth due to increases in water temperature, thermal stratification and water column stability. The policies of this section are informed by these considerations.

For many years, North Bay, East Ferris and the North Bay-Mattawa Conservation Authority have implemented a variety of policies and programs to protect, improve and enhance Trout Lake's water quality. Most recently, North Bay, East Ferris and the North Bay-Mattawa Conservation Authority undertook the Trout Lake Watershed Study and Management Plan (2023). Generally, this study found that Trout Lake's water quality was excellent and that nutrient concentrations remain low. The study also found that a limited amount of residential development could be accommodated along Trout Lake if best management practices are followed to protect the lake's water quality and character.

The intent of this Plan is to protect, improve and enhance the water quality, visual and aesthetic character of Trout Lake. The Plan permits a limited amount of residential development, subject to the policies below and all other applicable policies of this Plan.

3.5.1. Trout Lake Influence Area

The Trout Lake Influence Area overlay is established to protect water quality in Trout Lake from the impacts of development. The Trout Lake Influence Area includes all lands within 300 metres of the shoreline of Trout Lake, its islands, inflowing streams and Four Mile Lake, as shown in Schedule x. The policies of this section apply to development within the Trout Lake Influence Area, together with all other applicable policies of this Plan.

3.5.2 Municipal Water Quality Objectives

Given the importance of Trout Lake, this Plan establishes municipal water quality objectives that are more conservative than required by the Province of Ontario. The objectives are designed to protect water quality, avoid nuisance concentrations of algae, provide a high level of protection against aesthetic deterioration and support lake trout.

The minimum water quality objectives for Trout Lake are as follows:

- maintain a measured average long-term ice free total phosphorous concentration at, or below 5.64 ug/L, except in Four Mile Bay, where the measured average long-term ice free total phosphorous concentration will be below 7.0 ug/L.
- maintain a measured mean, volume-weighted, hypolimnetic dissolved oxygen concentration above 8 mg/L in the later summer.

These minimum water quality objectives will remain in effect until the Provincial Lakeshore Capacity Assessment Model for Trout Lake is updated.

3.5.3 Permitted Uses

The land uses permitted in the Trout Lake Influence Area include those permitted in the underlying land use designations established in this Plan and implemented through the Zoning By-law and shall include single detached dwellings and accessory uses.

3.5.4 Limited Residential Lot Creation

The minimum water quality objectives established in Section 3.5.2 can be achieved while permitting limited lot creation in the Trout Lake Influence Area. Accordingly, the maximum number of new lots that can be created in the Trout Lake Influence Area are as follows:

- Main Basin: 50 new lots;
- Four Mile Bay: 20 new lots.

Proposed lot creation in the Trout Lake Influence Area will follow the policies of Section 3.4. In addition, severed and retained waterfront lots in the Trout Lake Influence Area must have a minimum lot area of 0.8 hectares, a minimum lot frontage of 60 metres, and are subject to the best management practices of Section 3.5.11.Proposals for lots less than 0.8 hectares in area may be permitted, if supported by a Hydrogeological Study, and provided that it conforms to all other applicable policies of this Plan.

These policies do not apply to any new lots created in the Trout Lake Influence Area if the septic system is outside of the Trout Lake Influence Area or drains into another watershed.

Once the maximum number of lots are created, no further new lot creation will be permitted until the Provincial Lakeshore Capacity Assessment Model for Trout Lake and this Plan are updated.

3.5.5 Setbacks and Vegetative Buffers

In order to protect water quality in Trout Lake, development will be set back from the lake and vegetative buffers will be established between the development and Trout Lake. Vegetative buffers are essential to maintaining and improving water quality. They stabilize the shoreline, prevent erosion, provide habitat for flora and fauna, maintain shoreline character and appearance, and minimize the visual impact of development. They also protect water quality by preventing siltation, nutrient migration and runoff of other debris that may otherwise enter the water.

Development on new lots, including septic systems, will be set back at least 32 metres from the water's edge of Trout Lake. Development on new lots, including septic systems, will maintain a vegetative buffer in a natural state to a minimum depth of 30 metres from the water's edge. Notwithstanding, a 5-metre-wide cleared area may be permitted to provide access to the water. Development on new lots will be subject to the best management practices in Section 3.5.11. The minimum setback and vegetative buffer standards will be implemented through the Zoning By-law and Site Plan Control. The best management practices will be implemented through Site Plan Control.

3.5.6 Existing, Vacant Legal Lots of Record

This Plan recognizes that there are existing lots within the Trout Lake Influence Area that were created before the policies of this Plan came into effect. Development of these lots is permitted, subject to the following policies:

- Development on existing lots, including septic systems, will be setback at least 32 metres from the water's edge of Trout Lake;
- Development on existing lots will maintain a vegetative buffer in a natural state to a minimum depth of 30 metres from the water's edge of lake. Notwithstanding, a 5-metre-wide cleared area may be permitted to provide access to the water; and,
- Development on existing lots will be subject to the best management practices in Section 3.5.11.

These standards will be implemented in the Zoning By-law and through Site Plan Control. The best management practices will be implemented through Site Plan Control.

Development on existing lots that are unable to meet the minimum setback and vegetative buffer depth may be permitted through a minor variance or rezoning provided that the intent of this Plan is maintained.

3.5.7 Non-Conforming Land Uses

This Plan recognizes that there may be non-conforming land uses within the Trout Lake Influence Area. In general, such uses should cease in the long-term and the lands should revert to a use that conforms with this Plan. However, it is recognized that such uses may be extended or enlarged on the same parcel or lot through an application to the Committee of Adjustment. Proposed enlargements or extensions that would further reduce the water's edge setback or increase the width or height of the structure beyond the Zoning By-law standards may be permitted provided the proposed extension or enlargement is desirable for the appropriate development of the land, maintains the existing and planned character of the area, and maintains Trout Lake's water quality. Expansions or enlargements of non-conforming uses will be subject to the best management practices in Section 3.5.11, which will be implemented through Site Plan Control.

3.5.8 Non-Complying Buildings and Structures

This Plan also recognizes that many buildings and structures within the Trout Lake Influence Area were constructed prior to this Plan coming into effect and may not meet the policies of this Plan and development standards of the Zoning By-law. Non-complying buildings and structures may be enlarged or extended provided the Zoning By-law standards are met.

Proposed enlargements or extensions that would further reduce the water's edge setback or increase the width or height of the non-complying building or structure beyond the Zoning By-law standards may be permitted through an application to the Committee of Adjustment provided the proposed extension or enlargement is desirable for the appropriate development of the land, maintains the existing and planned character of the area, and maintains Trout Lake's water quality.

The Zoning By-law will set out standards for limited expansions and enlargements of non-complying buildings and structures as of a right. Expansions or enlargements of non-

complying buildings and structures will be subject to the best management practices in Section 3.5.11, which will be implemented through Site Plan Control.

Proposals that do not meet the limited expansion or enlargement policies will be required to apply for a Minor Variance.

3.5.9 Official Plan or Zoning By-law Amendment

Where an application is received that would result in the development or redevelopment of a parcel or lot of record for a more intense use within the Trout Lake Influence Area, as identified as Schedule X to this Plan, the application may, where required by the City of the appropriate regulatory agency, by accompanied by:

a) An erosion control and drainage plan which indicates how stormwater management principles will be incorporated into the lot and/or plan design;

b) A report which states how existing vegetation will be protected or enhanced for the purpose of runoff and nutrient control.

c) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to water table and mitigation measures for any soil deficiency related to a proposed use. This report shall be verified by a soils analyst or consultant with demonstrated competence in soils analysis;

d) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized. This study should be sent to the appropriate regulatory agency for review and comment;

e) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced. This report shall be sent to the appropriate regulatory agency for review and comment;

f)A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved; and

g) Any additional technical studies or analyses to identify or mitigate potential air, soil or water pollution risks arising from the proposed industrial, commercial or institutional use of such lands, where requested by the appropriate regulatory authority.

3.5.10 Site Plan Control

All lands within the Trout Lake Influence Area are subject to Site Plan Control. This includes new development, redevelopment, additions and/or expansions and septic system installations and/or replacements.

All applications for Site Plan Control will, at a minimum, include the following:

a) A Site Plan, prepared by an Ontario Land Surveyor and acceptable to the City, which will provide City and agency staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following:

i) the siting of sewage disposal systems and their individual components;

ii) the siting of water supplies, particularly drilled or dug wells;

iii) proposed site drainage;

iv) dwelling and building siting, including accessory buildings, docks and similar structures;

v) parking areas and walkways and the surfacing thereof;

vi) vegetative buffer, including requirements for protection of natural vegetation and/or re-vegetation (including trees and shrubs appropriate to this climatic zone);

vii) the approximate location of all natural and artificial features on the subject land including but not limited to, roads, drainage ditches, wells, watercourses, banks, slopes, swamps, wooded areas, and large bedrock outcrops; and

viii) all easements and utility corridors.

b) A cross-section plan which shows proposed final grade elevations from the water's edge to the back lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

c) A Lot Grading and Drainage Plan and landscaping plan which shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations; all areas to be vegetated, including a description of the vegetation to be planted; the location of all site erosion control features, and an indication of final site drainage with details of specific drainage features.

d) When deemed necessary due to steepness, terrain conditions, or the nature of the proposal, Council or its designate may also require additional site information prepared by a professional, with appropriate, demonstrated expertise, to the satisfaction of the City, for a lot within the Trout Lake Site Plan Control Area, which may include:

i) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to watertable, and mitigation measures for any soil deficiency related to a proposed use;

ii) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized;

iii) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

iv) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved.

e) All applications for Site Plan Control will be accompanied by a monetary security to be held by the municipality and returned upon completion of the work. The value of the security shall be defined in the Site Plan Control By-law.

3.5.11 Best Management Practices

Development on a new lot or existing vacant legal lot of record within the Trout Lake Influence Area will, at a minimum, be subject to the following best management practices:

- The use of mineral rich soils (iron and aluminum) for septic tile field and mantle, or tertiary treatments, or the use of phosphorous removing septic systems; and,
- Septic system monitoring and maintenance requirements.

In addition, development on a new lot or existing vacant legal lot of record within the Trout Lake Influence Area may be subject to the following best management practices:

- Eavestroughs installed on the building shall outlet into infiltration trenches and soakaway pits on the corner of the dwelling farthest from the lake or inflowing stream;
- Retain all existing natural vegetation and mature tree growth where possible (dead, diseased or hazardous trees may be removed at any time);
- Slow down and retain runoff to promote settling;
- Installation of silt fences, check dams and straw bales during construction;
- Minimize land disturbance area;
- Minimize slope and gradient of disturbed areas; and,
- Other considerations as deemed necessary during the submission and based on the site and nature of the proposed development.

Redevelopment on an existing lot, or expansions or enlargements of existing buildings or structures may be subject to all of the above best management practices.

3.5.12 Boathouses, Boat ports and Floatplane hangars

The appropriateness of boathouses, boat ports and floatplane hangars should be based on lake character and resource use of the littoral zone, including fish habitat.

Boathouses, boat ports and floatplane hangars on the shoreline or in the littoral zone shall permitted subject to the following policies:

a) shoreline structures, including single-storey boathouses, boat ports or floatplane hangars shall be limited to a maximum width as regulated in the Comprehensive Zoning By-law;

b) a roof deck shall not be permitted;

c) a second storey addition for any purpose shall not be permitted; and

d) interior finishing or occupancy of any portion of a boathouse, boat port or floatplane hangar as a dwelling unit or sleep cabin shall not be permitted.

3.5.13 Floating Structures, Cribs and Docks

Floating structures, cribs and docks also have a potential for impact on fish habitat and the visual amenity of Trout Lake. Floating structures, cribs and docks are permitted subject to approvals from the appropriate regulatory authority and where the crib and/or dock structure is constructed to minimize the disturbance to the lake bottom and that construction work shall follow best management practices.

3.5.14 Extension of Services

In the event that a decline in the water quality of Trout Lake suggests the failure of individual on-site sewage services, it is the intent of this Plan to allow for the extension of piped sanitary sewer services to areas of existing development with frontage on the un-serviced shoreline of Trout Lake within the rural area in order to reduce existing nutrient loading to Trout Lake. The provision of this sanitary sewer service is intended to reduce nutrient loading from existing shoreline development and is not intended to encourage the creation of urban scale second-tier development. Therefore, urban scale second tier development will be restricted. It is not the intention of Council to upgrade roads to urban standards or to provide any other urban service which may encourage further year-round development within the Trout Lake Watershed. Council will implement an annual mandatory septic tank pump out program for all lots which front on Trout Lake or on a watercourse that flows into Trout Lake that have septic systems. Council will encourage the development and implementation of new sub-surface sewage disposal technologies subject to the approval of the Provincial Ministry of the Environment.

3.5.15 Monitoring

The City of North Bay, Municipality of East Ferris and North Bay-Mattawa Conservation Authority will update the Lakeshore Capacity Assessment Model for Trout Lake at least every five years to ensure that the municipal water quality objectives are being met.

The City of North Bay will continue to support the North Bay-Mattawa Conservation Authority's (and Ministry of Environment, Conservation and Parks, as applicable) annual water quality monitoring of Trout Lake.

The City of North Bay, in partnership with the North Bay-Mattawa Conservation Authority, will continue to support and promote the Trout Lake Septic Re-inspection Program as an ongoing strategy to monitor private septic systems."

2. Section 3.4.3 is deleted in its entirety.

3. Sections 3.4.4 - 3.4.10 are renumbered to 3.4.3 - 3.4.9.

4. That Schedule 3C – "Trout Lake Inflowing Streams" be deleted and replaced by a new Schedule XX – "Trout Lake Influence Area" included as Attachment 1.

5. That Schedule 3A – “Development Constraint Area” be deleted and replaced with a new Schedule 3A – Development Constraint Area” included as Attachment 2.

*********Amend Section that requires 28 day notice for Minor Variance**********

3. IMPLEMENTATION AND INTERPRETATION

This Official Plan Amendment shall be implemented and interpreted in accordance with the implementation and interpretation provisions set out in the Amendment and the Official Plan.

Attachment 1 – Trout Lake Influence Area Overlay