

THE CORPORATION OF THE  
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March 30, 2009

Email to:  
Phil Hall, Lands and Waters Technical Specialist  
North Bay District MNR  
[phil.hall@ontario.ca](mailto:phil.hall@ontario.ca)

Dear Phil:

**RE: Crown Land Disposition on Ferguson Point**

Further to your letter of January 22, 2009, the municipality has considered the request for disposition of the Crown Shore Reserve fronting parcel 16806, known locally as Ferguson Point, and believes that there is a strong case for denying the disposition. Disposing of the crown shore reserve on mainland Lake Temagami is inconsistent with the Provincial Policy Statement and the Land Use Plan for the Temagami Comprehensive Planning Area. Council requests that the Crown retain ownership in order to provide protection for this 1km long parcel of mainland Lake Temagami. The municipality's reasons are outlined below.

**Background:**

Our records indicate that the subject land is immediately adjacent to Strathcona Mining Location B Parcel 16806 - a 10.5 ha. (26 acre) patented mining claim, on the mainland, in the Northeast Arm of Lake Temagami. It is known locally as Ferguson Point.

The letter from your office advises that the owners would like to purchase the 20m (66') Crown Shore Reserve fronting Parcel 16806. The site inspection report states that the Crown Shore Reserve is a distance of 1 km. This would be a 2ha (4.9 acre) addition to the existing parcel.

The site inspection form dated June 11, 2008 indicates that there is an old mine shaft on the property. You confirmed in a teleconference call on March 2, 2009,

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that the Ministry of Northern Development and Mines (MNDM) have no concerns with the old mine shaft.

The site inspection form also discusses the camping area. In the telephone conversation you confirmed that MNR's intention is to retain the camping area for public use. I emailed you on March 10, 2009 and asked how much buffer MNR planned to retain around the campsite and you replied, "The area excluded would be the cleared frontage (plus a few metres on either side) and the full depth of the shore reserve from the upper regulated water level to the private backlot property."

The shore reserve is crown land, and the Ministry of Natural Resources has jurisdiction and controls the use. Once the shore reserve is sold to the adjacent landowner, it becomes patented land and falls under the jurisdiction of the municipality, and the municipality's Official Plan and Zoning By-law will then apply.

The 26 acre parcel does not front on the water and is not accessible by road; therefore it is currently a landlocked parcel with limited uses.

In the teleconference you indicated that the Ministry of Natural Resources has a mandate, under the Public Lands Act, to dispose of crown shore reserves to adjacent property owners, and that there are very few exceptions to the rule. The ministry does not request a development proposal or business plan before disposing of the crown shore allowance.

In preparing the municipality's comments, the following documents were consulted: PL 4.02.01 Application Review and Land Disposition Process; The Provincial Policy Statement; The Lakeshore Capacity Assessment Handbook; The Land Use Plan for the Temagami Comprehensive Planning Area, 1977; the Municipality of Temagami Official Plan; and the Tenets for Temagami.



## **1. Application Review and Land Disposition Process PL 4.02.01**

### **Section 2.0 Introduction**

*When requests for public land are received from individuals, private enterprise or government agencies, the merits of development initiatives are evaluated along with factors which might warrant the land's restricted use and/or retention by the province. Conversely, reasons to deny or limit disposition might include anticipated MNR land needs, projected land requirements of other government agencies, local community interests, compatibility with adjacent land uses and environmental risks.*

## **Appendix A – Crown Land Disposition and Lake Trout Lakes**

### **Section A.1 Background – Why are Lake Trout Lakes Important**

This section provides an argument for the need to protect lake trout lakes from the adverse impacts of lakeshore development.

### **Section A.3 Crown Land Disposition**

*The principle of this policy is that the Ministry will not dispose of vacant, undeveloped Crown land, where the disposition of Crown land could subsequently lead to impacts to habitat or lakeshore carrying capacity for lake trout.*

#### **Section A.3.2 All lake Trout Lakes**

*Crown land on all lake trout lakes (both naturally reproducing and put-grow-take lake trout lakes) may be disposed of in the following situations:*

- *Disposition of shore road allowances and Crown shoreline reserves as defined in PL 4.11.03 Road Allowances and Crown Shoreline Reserves - Disposition*

The Crown Land Disposition policy permits the disposition of crown shoreline reserves, however, in our experience, they are typically a small strip of property in front of an existing lot, that the property owners have been using for a number of years as an amenity area for their cottages. The crown shoreline reserve in front of Parcel 16806 is 1 km long x 66' deep which amounts to 2ha (4.9 ac) and is on the mainland of Lake Temagami. Parcel 16806 is not developed, there does not appear to have been any use of the shoreline road allowance by the owners, and the size of the crown shoreline reserve is much larger than is



typically disposed of. The local community interest has been historically documented in the Land Use Plan for the Temagami Comprehensive Planning Area, the Official Plan and Tenets for Temagami; which is the policy of no mainland development on Lake Temagami.

## **2. Provincial Policy Statement (PPS)**

*The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development.*

### **Section 2.0 Wise Use and Management of Resources**

#### **Section 2.1 Natural Heritage**

**Section 2.1.5** *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

**Section 2.1.6** *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4, and 2.1.5 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.*

#### **Section 6.0 Definitions**

*Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act.....*

The municipality recognizes that the Crown, in disposing of crown land is exempt from the requirements of a consent / lot addition under the Planning Act. However, the principle of severing a parcel of crown land from the remaining crown land and adding it to a parcel of patented land, is the same as a consent /lot addition that would be required for patented land under the Planning Act. If this application came before the Committee of Adjustment it would no doubt be refused on the basis that the proposal is not consistent with the Provincial Policy Statement (the Lake Trout Capacity Assessment Handbook); and the Official Plan Policies.



Council believes that selling the shore reserve is indeed "development" as defined by the PPS as it includes "creation of a new lot" and "change in land use." At this time, the existing parcel 16806 has no access and is landlocked, thereby limiting the use of the property. By disposing of the crown shore reserve, the property will have access, and the end result will be the creation of a new lot. The disposition of the shore reserve also creates a change in land use. Currently the land is vacant land owned by the crown for the enjoyment of the public. The land is protected by the Crown under Land Use Plan for the Temagami Comprehensive Planning Area. Once disposed of, it will become patented land, and the public will be excluded from using it. It will no longer have the protection of the Crown.

Section 2.0 of the PPS provides protection for fish habitat by limiting development on the lands adjacent to fish habitat. Lake Temagami is designated by the province as a naturally producing lake trout lake. As such, the guidelines of the Lakeshore Capacity Assessment Handbook would apply.

### **3. The Lakeshore Capacity Assessment Handbook**

#### **Preface**

*This Lakeshore Capacity Assessment Handbook has been prepared by the Ministry of the Environment in partnership with the ministries of Natural Resources ) and Municipal Affairs and Housing... While municipalities are not required to carry out lakeshore capacity assessment, this planning tool is strongly recommended by the Ontario government as an effective way of complying with the Planning Act, the Provincial Policy Statement (2005), the Ontario Water Resources Act and the federal Fisheries Act.*

#### **Section 1.1 Purpose of the handbook.**

*The Lakeshore Capacity Assessment Handbook is a guide and resource for municipalities. Lakeshore capacity assessment will help municipalities meet their obligation under the Planning Act to be consistent with the water, fish habitat and natural heritage policies of the Provincial Policy Statement (2005).*



The Lakeshore Capacity Assessment Handbook was developed by the Province as a guide for municipalities to follow in order to comply with the Planning Act and Provincial Policy Statement. Once again, if this was an application for a consent/ lot addition on patented land, the Committee of Adjustment would most likely refuse the application on the basis that it is not consistent with the Lakeshore Capacity Assessment Handbook, and therefore is not consistent with the Provincial Policy Statement. Council would expect the Ministry of Natural Resources, in disposing of this parcel of crown land, would undertake the same analysis and show due diligence under these two documents.

#### **4. The Land Use Plan for the Temagami Comprehensive Planning Area**

The Land Use Plan for the Temagami Comprehensive Planning Area is the planning document that applies to Crown land in the Temagami area. The subject land is designated Management Area 39 - Special Management Area and is within the Skyline Reserve for Lake Temagami. Excerpts have been taken from the Land Use Plan for the Temagami Comprehensive Planning Area, 1977 as follows:

##### **Section 3.3 Summary of plan objectives**

*Viewscapes – to provide viewscapes in areas of significant recreational value, including waterbodies, and to retain the skyline reserve on Lake Temagami.*

##### **Section 3.5.3 Special Management Areas**

##### **Section 3.5.3.2 Land use direction and allowable activities**

*Identifies significant land values that demand special management, e.g., Lake Temagami skyline reserve, wilderness park headquarters*

##### **Management Area Description**

##### **39 – Lake Temagami (Special Management Area)**

##### **Land Use Intent:**

*To maintain Lake Temagami as a significant recreation and tourism lake, a unique cultural heritage landscape, and a high value natural lake trout fishery. Maintain the old pine component of the Skyline Reserve for aesthetic beauty.*



**Management Area Objectives:**

- *No mainland development; carefully planned island development where appropriate*
- *Retain viewscape and maintain high quality fishery*

**Summary of Permitted uses by Management Area – 39 Lake Temagami**

- *New cottaging may be considered on certain lakes – Yes – Island only.*
- *Low-intensity tourism/recreation infrastructure (eg. Cabins, huts, warmup shelters, campsites) – Yes – Island only*
- *New Main Base Tourism Development (eg. Lodges) – Yes – Island only.*

The sections outlined above give clear direction as to the limited uses permitted on the subject land, while it is in the Crown's ownership. The Land Use Plan contemplates no mainland development. New cottaging, low intensity recreation/tourism/recreation infrastructure such as cabins, huts, warm-up shelters, campsites are permitted on islands only – not on mainland. It also has policies regarding the importance of protecting the skyline reserve.

Although the owners' intention for the future use of the property is unknown, it is reasonable to assume that they are requesting to purchase the crown shore reserve in order to provide water access to the backlot. Once the property is patented and access is established, Council believes that it is just a matter of time before a development application is received by the municipality. At that time, the municipality will be required to assess the application and make a decision that is consistent with the policies of the Provincial Policy Statement, the Official Plan and the Zoning By-law. As you know, all decisions can be appealed to the Ontario Municipal Board where the municipality, at a great expense, is required to defend their decisions.

Keeping the shore allowance in the possession of the Crown would ensure that, in the future, there would be no pressure on the municipality to permit the development of this parcel of mainland Lake Temagami. The property would continue to be protected by the policies of the Land Use Plan of the Temagami Comprehensive Planning Area.



## **5. Municipality of Temagami Official Plan**

The Municipality of Temagami's Official Plan was adopted by Council in 2004, after extensive consultation with the public and with the provincial ministries. Through the Ministry of Municipal Affairs and Housing one-window process, the Ministry of Natural Resources had input into the Official Plan policies and signed-off on the Plan.

The subject land is designated Lake Temagami Neighbourhood – Special Management Area in the Municipality of Temagami Official Plan. The Official Plan policies contemplate the Ministry of Natural Resources having regard for the Official Plan policies when making decisions on crown land disposition. Also, it reinforces the Temagami Land Use Plan policies regarding no mainland development on Lake Temagami, and protecting the skyline reserve. Below are excerpts from the Official Plan:

### **Municipality of Temagami Official Plan Section 5.0 – Lake Temagami Neighbourhood**

#### **Section 5.1 Introduction**

*Lake Temagami has, over the years, developed a distinct character that is easily recognisable to both the occasional visitor and the long-term resident. This character is based on the natural features, historical development patterns, controlled access and the availability of public recreational opportunities. The natural features include the clear water of Lake Temagami and the old growth vegetation in the Skyline Reserve and on the islands. The historical development pattern reflects virtually no mainland development but rather island development.*

#### **Section 5.2 Principles and Goals**

*The land use strategies for this Neighbourhood are based upon the Tenets for Temagami and the MNR policies for Area 39 of the Temagami Land Use Plan (TLUP). These documents describe the key features and development principles that form the basis of the policies of this section. These principles call for the conservation of wilderness and semi-wilderness values through the preservation of the skyline and its vegetation, island only development, restricted mainland development and restricted access.*





## **Section 5.2 Land Use**

### **Section 5.2.1 Land Use**

*It is the fundamental principle of the Municipality that private residential development and commercial development in the Lake Temagami Neighbourhood shall only be permitted on the islands in Lake Temagami. This type of development is not permitted within the Skyline Reserve around the lake. It is also a fundamental principle that no further unauthorised access be permitted to Lake Temagami.*

*It is also a goal of the Municipality to preserve the natural environment of Lake Temagami while permitting some development and, therefore some change. However, the anticipated extent of change is such that the wilderness and semi-wilderness values of the Neighbourhood are sustainably conserved. Further, because the visual image presented by Lake Temagami, its islands and shoreline is critical, the Municipality, in conjunction with the permanent and non-permanent residents on Lake Temagami, have developed and adopted development principles for the Lake Temagami shoreline. These principles, commonly referred to as the Tenets for Lake Temagami, are embodied in the Skyline Reserve policies of this Plan.*

## **5.3 GENERAL POLICIES**

### **5.3.1 Crown Land**

*Crown land is owned by the Province of Ontario and is under the administration of the Ministry of Natural Resources. The Ministry has the ultimate authority over the use of Crown land and the issuance of Land Use Permits, Letters of Authority, Licences of Occupation, Leases and Patents. This situation is expected to continue throughout the planning period.*

*In carrying out its mandate, the Ministry of Natural Resources is encouraged to have regard for the policies of this Plan. The Ministry of Natural Resources should have particular regard for: the size, location, density and means of access to new patented land for commercial tourist and private residential development; the Municipality's objectives with respect to the establishment of new roads and access points; the amount of development permitted; and the rate of change.*

*Notwithstanding these statements, the Municipality recognises that the Temagami Land Use Plan for the Temagami Comprehensive Planning Area, MNR (1997) is the governing land use planning document for Crown land, except for the geographic township of Sisk. The Municipality will only consider an amendment to this Plan for areas currently designated as Crown land, if the proposed use conforms to the Temagami Land Use Plan or if the Ministry of Natural Resources first approves an amendment to the Temagami Land Use Plan (if required), the North Bay District*



*Land Use Guidelines and the Ontario Lands for Life Land Use Strategy or any relevant resource management plan.*

*Most of the Lake Temagami Neighbourhood is Crown land and is designated Special Management Area or Protected Area in this Plan. Crown land remains under the jurisdiction of the Ministry of Natural Resources (MNR). As a result, the policies and land use designations set out in this Plan that apply to Crown land are intended to indicate the position taken by the Municipality with regard to that land and its future disposition. The policies should be used by the public and the MNR as an indication of the Municipality's position when considering the long term planning for Crown land.*

*The Lake Temagami Neighbourhood is predominantly Crown land and the MNR is responsible for Crown land use and resource management plans for this Neighbourhood. Landscape-ecology principles are found within the MNR Temagami Land Use Plan, and guide the development of future resource management plans. In order to maintain biodiversity, a number of protected areas have been established to conserve representative vegetation and landform types, to provide areas for low-intensity use and to maintain, enhance, and protect those areas.*

*In addition, an array of guidelines has been designed to maintain critical habitat for a number of species. These guidelines guide resource management prescriptions throughout the area of concern and may include: aesthetic viewscape management areas, road-crossing standards, seasonal resource extraction prescriptions, mining prescriptions, and Forest Management Area of Concern prescriptions (AOC), such as moose calving sites, fisheries and natural heritage sites.*

*The Municipality will encourage, and work with, the MNR to ensure that biodiversity is maintained, sensitive species, and population levels of rare, threatened and endangered species are sustained, if not increased through the implementation of the policies of this Plan.*

### **5.3.6 New Development**

*New development in the Lake Temagami Neighbourhood shall primarily take the form of new residential and Tourist Commercial lots. New residential and Tourist Commercial lots are only permitted on the islands within the Lake Temagami Neighbourhood. Mining is permitted subject to the conditions of the Mining Act, Public Lands Act, and Regulations thereto. The transit of industrial/building supplies may occur at specified access points within the Lake Temagami Neighbourhood.*



### **5.3.11 Prohibited Uses**

*There shall be no new public roads within 2 km of Lake Temagami. There shall be no new permanent structures or hunt camps built on the mainland within 2 km of Lake Temagami.*

### **5.3.17 Skyline Reserve**

*The Lake Temagami Neighbourhood has, for many years, served as a transitional area between permanent human habitation (roads, utilities, and services) and a less inhabited hinterland.*

*Residents and visitors alike perceive the Skyline Reserve as a dividing area between ordered civilisation and an environment where natural features and processes dominate.*

*Underlying this perceived and actual environment is a forestry and mining economy. Examples and remnants of those activities exist throughout the Skyline Reserve and the lands beyond.*

*This Plan recognises the importance of wilderness and semi-wilderness values as well as the reality that mining and forestry operations will continue to occur over most of the lands within the Municipality. The Municipality therefore encourages open and constructive dialogue so that policies and practices can be developed which respect the needs and goals of all Crown land users.*

*The Skyline Reserve is an area within the Lake Temagami Neighbourhood intended to create a landscape ecology area bordering Lake Temagami. This landscape ecology area is meant to:*

- maintain the lake as a significant recreation and tourism resource;*
- protect significant areas of unique cultural and heritage landscapes; and*
- protect the high value natural lake trout fishery*

*In addition, the Skyline Reserve is to be maintained for its aesthetic beauty.*

*The Skyline Reserve is of varying depth back from the shoreline of Lake Temagami. The Skyline Reserve is defined as the line delineating Management Area 39 in the Temagami Land Use Plan for the Temagami Comprehensive Planning Area, MNR 1997 and as shown on Schedule A to this Plan*

*A very small portion of mainland within the Skyline Reserve is patented. Most patented land occurs on islands. The following policies are applicable to patented land within the Skyline*



Reserve and are intended to guide the Municipality's discussions with the Ministry of Natural Resources regarding uses permitted in the Skyline Reserve.

Outside of the highway corridor and the Urban Neighbourhood and excluding extractive uses and operations in accordance with the Temagami Land Use Plan, it is the Municipality's intent that no new land use permits be granted in the Skyline Reserve or within 2 km of the shoreline of Lake Temagami or Cross Lake, and no existing land use permits shall be converted to patents. It is also the policy of the Municipality that no new structures or hunt camps be permitted within the Skyline Reserve or within 2 km of the shore of Lake Temagami or Cross Lake. However, the Municipality recognises that the MNR may issue Land Use Permits in the Skyline Reserve in order to prevent unauthorised access to the area.

Notwithstanding the policies of Section 5.4.2 of this Plan and the above, uses permitted on patented land on islands in Lake Temagami within the Skyline Reserve, include cottages and tourist commercial uses subject to the relevant sections of this Plan.

In addition to the above, uses permitted on the mainland within the Skyline Reserve shall be limited to:

- Forest renewal and maintenance
- Hunting, trapping, and angling
- Mineral exploration, subject to the Ontario Mining Regulations
- Water based camping;
- Snowmobile, hiking, and ski trails
- Non-extractive resource use, (i.e. trapping, sugar bush, harvesting pine cones)

Uses permitted on specific parcels of land on the mainland within the Skyline Reserve shall be limited to the legal uses legally existing on those specific parcels on the date of adoption of this Plan by Council. Any new structures or modifications to the existing structures, except those deemed to be minor by the Municipality, shall be subject to site plan approval.

## **5.4 LAND USE DESIGNATIONS**

### **5.4.2 Special Management Area**

The Special Management Area land use designation applies to most of the Crown land areas and patent lands within the Lake Temagami Neighbourhood. The Special Management Area land use designation recognises Crown land with significant resource values and features and/or the need to control access or to manage resources according to a special land use prescription set out in the Ministry of Natural Resources Temagami Land Use Plan. The Special Management Area

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*land use designation applies to all islands or parts of islands that are Crown land and are not designated Protected Area or Tourist Commercial.*

*Uses permitted within the Special Management Area land use designation in the Lake Temagami Neighbourhood are limited to existing and new private residential development on islands, in accordance with the policies of Section 5.3.3 Rural and Remote Residential and Section 9.7 Development Applications, and other relevant policies of this Plan. Home occupations and home industries and low intensity recreational uses such as campsites are also permitted. New tourist commercial facilities such as lodges shall develop in accordance with the policies of Section 5.4.6.2, shall require an amendment to this Plan, an amendment to the Zoning By-law and be subject to site plan approval.*

*It is the policy of the Ministry of Natural Resources to consider granting land use permits and patents in the Special Management Area for the uses permitted by this Plan. The Municipality of Temagami supports this approach provided that the long-term goals and objectives of the Municipality and the policies of this Plan are maintained.*

*New private residential development shall be subject to a rezoning and site plan approval. The islands or portions of islands within Lake Temagami that are Crown land are also subject to the Skyline Reserve policies set out in Section 5.3.17 of this Plan.*

*In order to guide the Municipality's discussions with the Ministry of Natural Resources when considering applications for land use permits and patents, and to guide the provisions of the Zoning By-law, consideration should be given to the policies of Sections 3.0 and 9.7 of the Plan.*

## **9.17 MINISTRY OF NATURAL RESOURCES, COMPREHENSIVE PLANNING PROCESS**

*The majority of land within the Municipality of Temagami is Crown land. The Temagami Land Use Plan for the Temagami Comprehensive Planning Area, (MNR, 1997), is the governing land use planning document applicable to Crown land within the Municipality of Temagami. Nothing in the Official Plan shall be interpreted as infringing on the Ministry of Natural Resources authority.*

*The Ministry of Natural Resources follows a comprehensive planning process for all Crown land planning matters. The process includes consultation with the public and with municipal government. It is anticipated that the Ministry of Natural Resources will use the policies of the Official Plan as a guideline for discussions with the Municipality of Temagami regarding land use decisions on Crown land within the Municipality.*



The Municipality of Temagami Official Plan also makes reference to the “Tenets for Temagami which were adopted by Council in 1994, and which are included in the Official Plan Policies as follows:

#### **A1.6 TENETS FOR TEMAGAMI - MARCH 8, 1994**

*The Tenets for Temagami are a set of widely held principles related to the maintenance of the mainland shoreline of Lake Temagami and Cross Lake in a natural state.*

*The Tenets for Temagami were developed through the co-operative efforts of the Temagami Lakes Association, Lake Temagami Permanent Residents Association and the former Township of Temagami. All three groups formally adopted the Tenets by resolution in 1994. Since then the Tenets have been similarly adopted by the Association of Youth Camps on Temagami Lake, and the Cassels and Adjoining Lakes Association has indicated it would like similar protection.*

*The principles contained in the Tenets have been included in the Official Plan for the Lake Temagami Neighbourhood and other neighbourhoods where the Lake Temagami viewscape included land outside its own neighbourhood boundaries. Those hilltops in other neighbourhoods that are visible from the surface of Lake Temagami are protected by the AVMA prescriptions of the Temagami Forest Management Plan.*

*The Ecological Buffer Zone concept has not been included in the Official Plan. The ecological considerations that were considered for the Buffer Zone have been dealt with in the Temagami Land Use Plan. A two-kilometre setback has replaced the Buffer Zone concept to define mainland development and public road access on Lake Temagami. This setback is included in some other neighbourhood sections as required.*

*As well, the MNR has formally established access points and agreements regarding their use at Cross Lake and Baie Jeanne. The Cross Lake Access Point is maintained by the Municipality of Temagami and the Baie Jeanne Access Point is maintained by the MNR with input from the South West Arm Neighbourhood Association and the West Nipissing Access Group.*

*The following is the original ‘Tenets for Temagami – March 8, 1994’, reproduced in its entirety for information purposes only.*

#### **Tenets for Temagami**

##### **Skyline Reserve**

*The mainland surrounding Lake Temagami and Cross Lake is to be zoned as a landscape ecology zone to preserve the beauty, to restore the integrity and to preserve the wilderness aspect/feeling of the Temagami Forest. This ecology zone would consist of two reserves, which*



would both be afforded protection from natural disturbances such as fire and insect infestation, but would otherwise have separate management goals and prescriptions. A map of Lake Temagami will be drawn to illustrate the area that will be required to meet these objectives:

The two reserves would be the following:

**1. Skyline Reserve**

The Lake Temagami and Cross Lake skyline reserve must protect the appearance of the natural skyline vista. It must provide the viewer on any part of Lake Temagami or Cross Lake with no visual evidence to the naked eye that any activities such as timber cutting or mining have taken place. The minimum dimension would be 200 metres. This reserve would be preserved in its natural state and its permissible uses would be very limited.

**2. Ecological Buffer Reserve**

This reserve surrounds the skyline reserve to protect the natural forest and wildlife habitat ecosystems of the Temagami region. It would have a broader range of controlled activities but no new public roads would pass through it except in the Village of Temagami.

**Road Access**

The three groups support the current ban on the construction of new public road access points to Lake Temagami and Cross Lake. The existing public road access points consist of the Village waterfront, Finlayson Park, Strathcona Landing and the Lake Temagami Access Road landings. Where possible, parking areas must be screened from the main body of the lake. Shiningwood Bay, Cross Lake, Austin Bay, Bleue Bay and any other illegal access points are to be closed using scarification methods as far as possible from Lake Temagami and Cross Lake. Existing gates are to be maintained and new ones are to be installed to prevent new public access roads to Lake Temagami and Cross Lake.

New snowmobile trails accessing Lake Temagami/Cross Lake are to be no wider than 3 metres and zoned exclusively for winter snowmobile use. Proposals for these access points to Lake Temagami and Cross Lake are to be reviewed and sites inspected by the new governing body prior to construction.

**Mainland Development**

There should be no mainland development on Lake Temagami and Cross Lake with the exception of those potential lots immediately adjacent to the Township of Temagami that are able to be serviced by the Township's central sewage treatment facility.

All other future development will occur on islands, the number and location to be determined by the revised official plan, which will be sensitive to current ecological standards.

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The Official Plan policies reiterate the principle that there be no mainland development on Lake Temagami except in the urban area where there are municipal water and sewer services; no new structures or hunt camps within 2km of the shore of Lake Temagami; and the only uses permitted within the skyline reserve are those which legally existed on the day the plan was approved (2004). Therefore, the land, once patented would not be developable. There would be no benefit to the adjacent property owner to acquire the crown shore allowance.

The long history of **no mainland development** on Lake Temagami, and the protection of the skyline reserve, is reinforced in the Land Use Plan for the Temagami Comprehensive Planning Area, the Official Plan, and the Tenets for Temagami. All three documents were written with considerable public input and reflect the desire of the public to adhere to the principle of no mainland development on Lake Temagami.

**Council of the Municipality of Temagami's Position:**

**Council respectfully requests that the Ministry of Natural Resources deny the application to purchase the crown shore reserve adjacent to Parcel 16806 on mainland Lake Temagami in order to protect the skyline reserve and the lake trout fishery, and to maintain consistency with the Provincial Policy Statement and the Land Use Plan for the Temagami Comprehensive Planning Area.**

Yours truly,

  
Ike Laba,  
Mayor

c.c. Bob Aubin, MNR    Rick Calhoun, MNR    Laurie Brownlee, MMAH