



**STAFF REPORT
MUNICIPALITY OF WAWA**

Maury O'Neill, CAO-Clerk

Prepared By: Maury O'Neill	Report No.: CAO 2024-06
Agenda Date: April 16, 2024	File No. C11

RED PINE EXPLORATION INC. – TEMPORARY ZONING BY-LAW

Staff Recommendation

THAT Council receive Report No. CAO 2024-06 dated April 12, 2024, and approve the following staff recommendations;

- a) A By-Law to amend Zoning By-Law No. 2821-15 to permit Mining Claims MC SSM 3455, Pcl 5136 AWS and SSM 59662, Pcl 1148 MICH for an additional temporary period of up to 36 months (three-years) to be used for residential dwelling units in the form of mobile work camps (trailers), as an additional permitted use on the property which is Zoned Rural (RU) effective from the time the By-Law be approved by Council at its meeting of May 7, 2024.
- b) The Site Plan Agreement By-law approved by Council on June 15, 2021, still applies to the land and should continue to be in effect subject to the conditions as follows;
 - 1) The Owner enter into a valid and up-to-date Agreement with the Municipality to dispose of all sanitary sewer and pay all required fees.
 - 2) The Owner enter into an Agreement with the Municipality to dispose of all construction debris and refuse at the Wawa Landfill and will be responsible for paying any and all municipal landfill dumping fees.
 - 3) The Owner shall agree that the bunkhouse facility authorized by this Agreement is subject to Municipal Council approval and upon expiry of the temporary zoning by-law, the use shall cease and desist, and all buildings and facilities shall be removed from the subject lands. Furthermore, no subsequent use of the subject lands shall be permitted without an amendment to the timeline of this Agreement.
 - 4) Minor modifications made to this Site Plan Agreement may be approved without amendment to this Agreement with the authorization of the Chief Administrative Officer. Major modifications, as determined by the Chief Administrative Officer, will require a Resolution approved by Wawa Municipal Council.

Purpose

To provide a recommendation to Municipal Council regarding an application requesting an extension to a Temporary-Use Zoning By-law amendment for an additional three-years, from June 1, 2024 to May 31, 2027, on Mining Claims owned by Red Pine Explorations located on Surluga Road, to permit the property to be used for temporary camp accommodations in the form of mobile dwelling units.

Background

A) REQUEST FOR TEMPORARY ZONING AMENDMENT

The subject property is owned by Red Pine Exploration Inc. and the company requests to continue to use temporary housing accommodations on its mining property for up to 24 persons including kitchen and ancillary uses for an additional three years. The temporary exploration camp supports the Owner to attract and house drillers and workers involved in exploration activities.

The Owner previously obtained Council's approval for the temporary use on June 1, 2021, for a period of three-years, and a Zoning Amendment By-Law and Site Plan By-Law were passed to permit the temporary use up until June 1, 2024.

Under the Planning Act, Council has the authority to approve temporary zoning of properties in three-year increments that meet the Provincial Policy Statement, Wawa Official Plan and generally acceptable good planning practices which include:

- a) the proposed use is of a temporary nature and does not entail any major
- b) construction or investment on the part of the owner so that the owner will not
- c) experience undue hardship in reverting to the original use upon the termination of
- d) the temporary use;
- e) the proposed use will not prejudice the long-term intent of or the orderly
- f) development contemplated by the provisions and land use designations
- g) contained in this Plan;
- h) the proposed use is compatible with adjacent land uses and the character of the
- i) surrounding uses;
- j) the proposed use will not require the extension or expansion of existing municipal
- k) services;
- l) the proposed use will not cause traffic hazards;
- m) parking facilities required by the proposed use will be provided entirely on-site.

B) PUBLIC COMMENTS**i) Public Comments**

No comments were received regarding the rezoning application.

ii) Algoma Public Health Comments

Algoma Public Health Inspector Mariah Tremblay provided a letter dated March 25, 2021, to Red Pine Exploration advising that there are no issues regarding the supply of water or sewage on-site and that the Owner's plans for a private water supply and sewage disposal system were satisfactory. No other agency comments were received.

C) WAWA ZONING BY-LAW (2821-15) – PLANNING REQUIREMENTS

In the ZBL and under Section 2.7, Council may provide temporary use permissions in accordance with Section 39 of the Planning Act and shall be identified in a similar manner to an exception zone.

D) OTHER PLANNING REGULATORY CONSIDERATIONS**i) Provincial Policy Statement (2020)**

The new Provincial Policy Statement came into effect on May 1, 2020. The following statement from the Policy may be applicable and relevant to this request:

1.3.1.0 Planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of economic activities and ancillary uses, and consider the needs of existing and future businesses.

2.4.2.1 Mineral mining operations and petroleum resource operations shall be identified and 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.

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; orb) 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.

ii) Wawa Official Plan

The Wawa Official Plan does provide Council with the authority to pass temporary use zoning by-laws and require site plan agreements, as per By-law 771-91. Since the application is an exception to the existing zoning on the property, there are no policies in the Official Plan that impact the proposed amendment.

E) PROPOSED TEMPORARY ZONING BY-LAW/SITE PLAN AGREEMENT

The proposed amendment to the property reflects the need for temporary accommodation for mining industry growth exploration phases of business development and to help attract qualified labour on-site.

A Site Plan Agreement was approved in June 2021, setting out the conditions of the use of the land in an approved Site Plan to be executed by both the Municipality and the Owner which included the following conditions, that were met;

- 1) All buildings and structures required an approved building permit from the Municipality of Wawa prior to construction.
- 2) The Owner entered into an Agreement with the Municipality to dispose of all sanitary sewer and pay all required applicable fees.
- 3) The Owner entered into an Agreement with the Municipality to dispose of all construction debris and refuse at the Wawa Landfill and will be responsible for paying any and all applicable municipal landfill dumping fees.
- 4) The Owner agreed that upon expiry of the temporary zoning by-law, the use shall cease and desist, and all buildings and facilities shall be removed from the subject lands provided an additional zoning extension was not approved by Council.
- 5) Minor modifications to the Site Plan Agreement may be approved without amendment to this Agreement with the authorization of the CAO and major modifications required approval of Council.

Options/Conclusion

Based on the suitability of the use of the property for temporary accommodations for the purposes of mining, fact that no objections have been received to the application and that the use meets the principles of good planning and the intent of the Wawa Official Plan and Provincial Policy Statement, staff recommends that Council approve a Temporary Zoning By-Law extension on the subject property for an additional three-years.

Submitted By:

Maury O'Neill
CAO-Treasurer