

# **AGENDA**

## **SPECIAL MEETING OF COUNCIL**



**Thursday, May 27, 2021**  
**9:00 a.m.**  
**Via Zoom Meeting**  
**9 James Street, Parry Sound, Ontario**

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To ensure the practice of proper social distancing measures, and to help prevent the spread of COVID-19 in the community, Council Meetings will be held electronically in accordance with section 238 of the Municipal Act, 2001. All Meetings will be recorded, and posted on the Township website for members of the public to view.

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### **1. CALL TO ORDER**

- i) National Anthem
- ii) Approval of Agenda
- iii) Traditional Land Acknowledgement Statement
- iv) Announcement of Public Meetings

❖ **There will be a Public Information Session at 9:00 a.m. to consider the following:**

- i) **Official Plan Amendment No. 68**  
**Zoning By-law Amendments No. Z02-20**  
**Consent Applications Nos. B16-20, B17-20, B18-20, B19-20**  
**GATES, Richard, 11 Woods Bay Lane**

Pages: 1-414

### **2. DISCLOSURE OF PECUNIARY INTEREST**

### **3. MINUTES OF THE PREVIOUS MEETING**

### **4. DEPUTATIONS**

**5. CLOSED MEETING**

- 21- NOW THEREFORE BE IT RESOLVED** that Council move into a CLOSED MEETING at \_\_\_\_\_ a.m./p.m., pursuant to Section 239(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

**OPEN MEETING**

- 21- NOW THEREFORE BE IT RESOLVED** that Council move out of a CLOSED MEETING at \_\_\_\_\_ a.m./p.m.

**6. UNFINISHED PLANNING BUSINESS**

**7. OFFICIAL PLAN/ZONING AMENDMENTS**

**8. CONSENT APPLICATIONS**

**9. SITE PLAN CONTROL**

**10. SHORE/CONCESSION ROAD ALLOWANCES**

**11. CAO REPORT ON COUNCIL DIRECTIONS**

**12. REPORT OF TASK FORCES/COMMITTEES**

**13. CORRESPONDENCE**

**14. OTHER BUSINESS**

**15. BY-LAWS**

**16. QUESTION TIME**

**17. NOTICES OF MOTION**

**18. CONFIRMING BY-LAW**

- 21-** Being a By-law to Confirm the Proceedings of the Special Meeting of Council held on May 27st, 2021.

**19. ADJOURNMENT**

# MEMORANDUM



**J.L. Richards  
& Associates Limited**  
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To: Cale Henderson  
Manager of Development & Environmental Services  
Township of the Archipelago

Date: May 21, 2021

JLR No.: 31295-000.1

CC:

From: Gaurang Khandelwal, Planner  
Jason Ferrigan, Senior Planner

Re: **11 Woods Bay Lane Applications**  
**Draft Planning Information Report**

## INTRODUCTION

The Township of the Archipelago (the Township) has retained J.L. Richards & Associates Ltd. (JLR) to provide professional planning opinion on the land use planning merits of applications received to amend the Township's Official Plan and Zoning By-law, and permit the creation of four (4) new lots on property known municipally as 11 Woods Bay Lane (the applications) .

JLR has reviewed the applications, reviewed background information, visited the site, reviewed the Planning Act, Provincial Policy Statement, the Growth Plan for Northern Ontario, the Official Plan for the Township of The Archipelago, the Township of The Archipelago Comprehensive Zoning By-law A2000-07 and other relevant laws, plans, policies, regulation and guidelines.

## PURPOSE OF THE REPORT

This report provides Council and the public with information about the applications including matters to be considered in land use planning analysis of the applications and applicable land use planning framework related to the applications. The next report on the applications will provide a professional land use planning opinion on the applications.

## **SUBJECT LANDS AND SURROUNDING AREA**

The lands subject to the application are located at 11 Woods Bay Lane, and include all of Lot 40, Concession 3, Conger (the property). The location of the subject lands is illustrated in Figure 1.

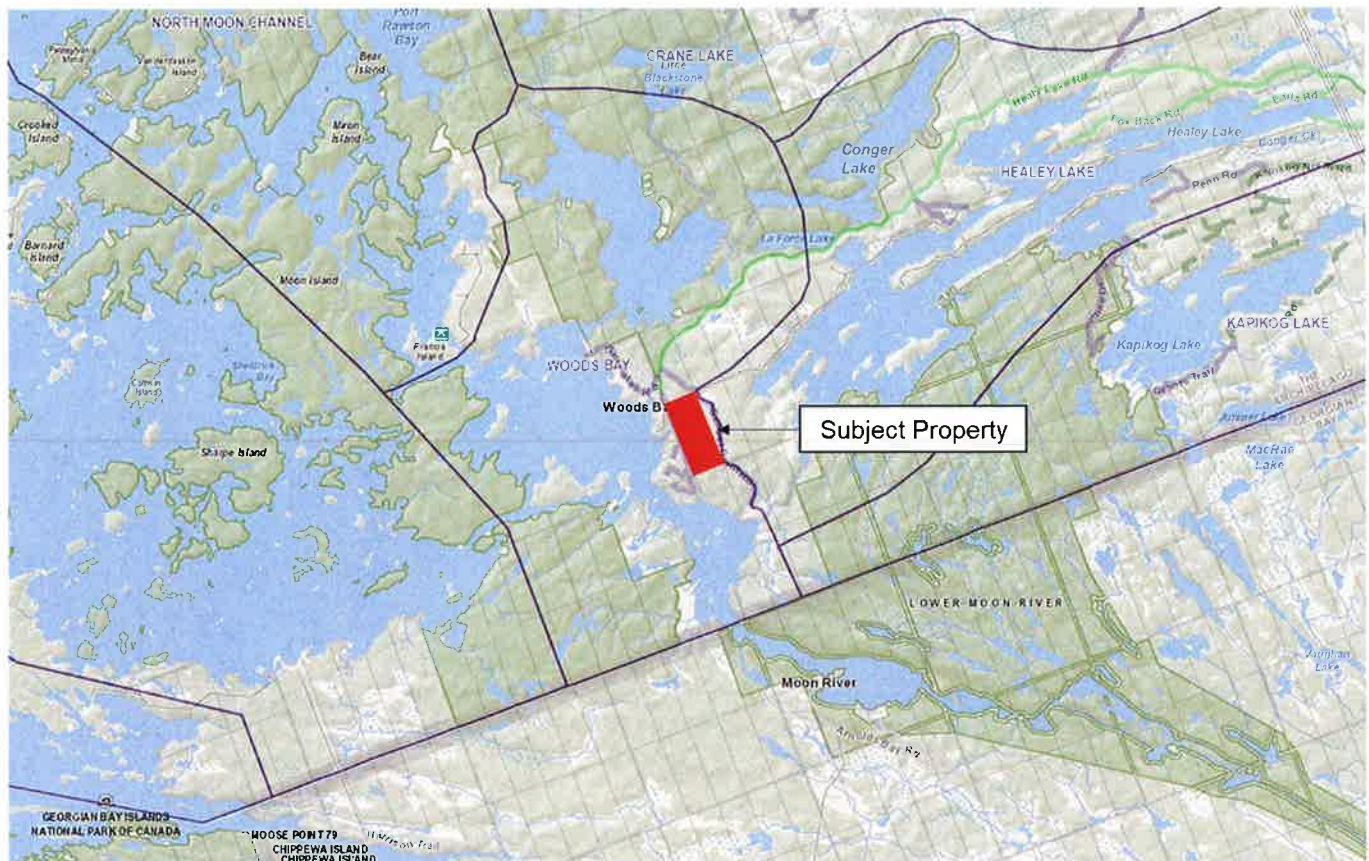


Figure 1. Location Map

The subject property is regular in shape and is approximately 39.1 hectares (96.62 acres) in size. The property has approximately 1002.5 meters of frontage on Woods Bay Lane. Woods Bay Lane extends from the termination of Healey Lake Road and is a privately maintained road located primarily on the Original Municipal Road Allowance. To the east of the property, but not abutting the property, is Sunset Point Road, a privately maintained road that crosses over both Crown Land and private land.

The subject property is currently improved with a single detached dwelling and an accessory structure. The remainder of the subject property is undeveloped with forest cover. The subject property's topography rises from north to south and west to east. The southeastern corner of the site appears to have been used for aggregate extraction in the past. Photos of the frontage of the site and Woods Bay Lane are included Figure 2 for reference.





Figure 2. Photos of Site and Woods Bay Lane

The subject property is located within the Woods Bay Neighbourhood, between Woods Bay and Healey Lake at the mouth of the Moon River. This neighbourhood consists of both public and private patent lands. Private patent lands have been developed with a mix of seasonal and permanent residential uses accessed by road or water, some commercial uses and public uses. The neighbourhood is also heavily influenced by the presence of The Massasauga Provincial Park (north side of Healey Lake Road). The Lower Moon River Conservation Reserve surrounds the east and south side of the neighbourhood. The existing character of the surrounding area (within 1500 meters of the subject lands) is illustrated in Figure 3.



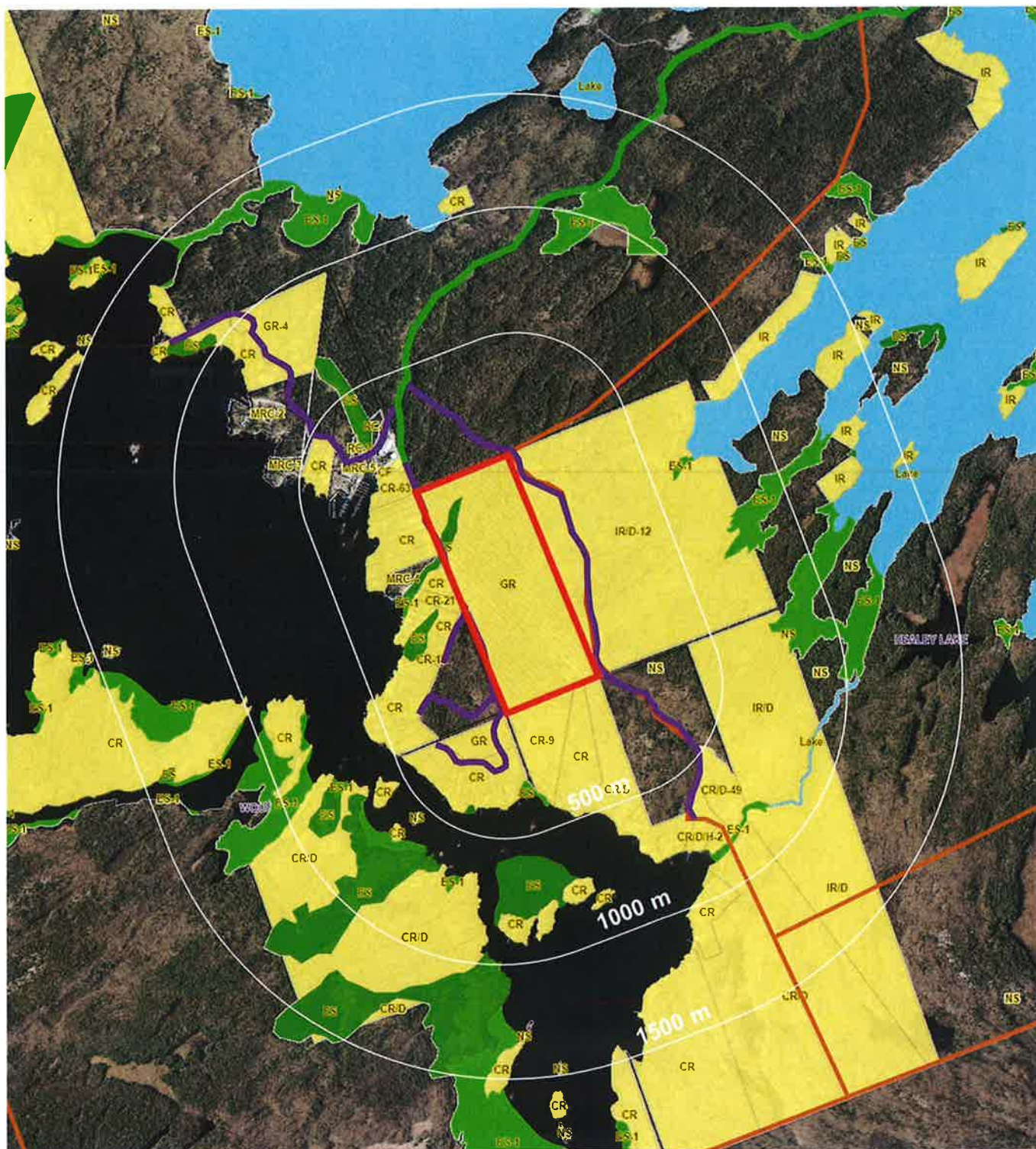
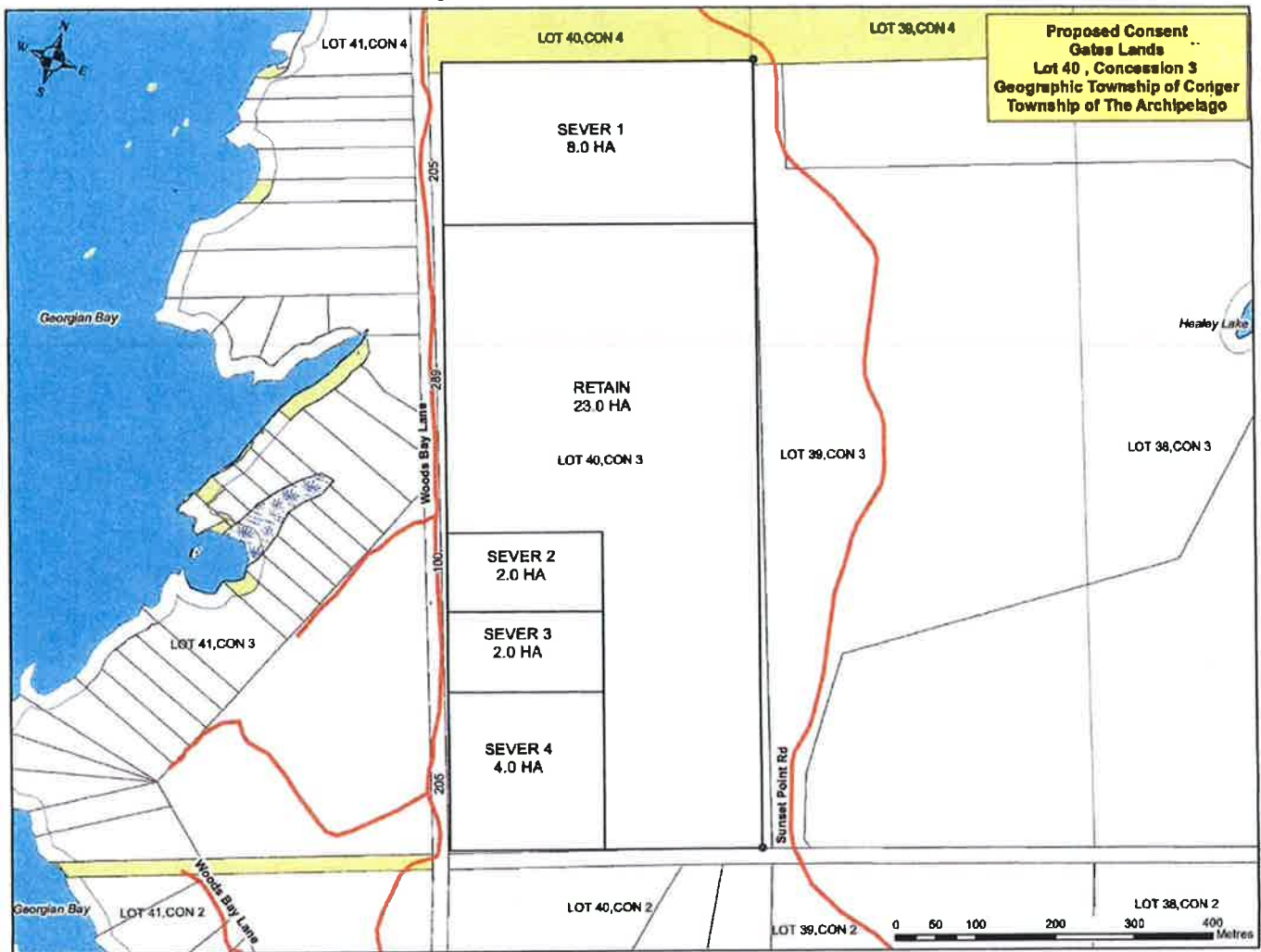


Figure 3. Character of the Surrounding Area

## PROPOSAL

The applicant proposes to sever the property and create four (4) new, non-waterfront lots fronting on a privately maintained road, plus the retained land. The applicant indicates that the new lots will provide additional opportunities for affordable housing for residents in the area. The sketch of the proposal submitted with the application is included in Figure 5 below.

Figure 5. Sketch of Proposed Application



The proposed lots are as follows:

Lot	Area	Frontage	Access	Existing Use	Proposed Use
Retained	23 ha (56.8 ac)	289 m (948 ft)	Existing access Woods Bay Lane	Dwelling	Owners Residence
Severed Lot #1	8 ha (19.8 ac)	205 m (673 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #2	2 ha (4.9 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #3	2 ha (4.9 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #4	4 ha (9.9 ac)	205 m (673 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing

### **PLANNING INFORMATION**

Ward: 4  
Official Plan Neighbourhood: Woods Bay  
Zoning: General Residential (GR) & Environmentally Sensitive (ES)  
Lot Area: 39.1 ha (96.62 ac)  
Access: Woods Bay Lane (privately maintained)

### **APPLICATIONS**

To facilitate the proposal, the applicant has applied to the Township of The Archipelago to amend the Official Plan and Zoning By-law and to the Archipelago Area Planning Board for consent to create the proposed lots.

- The purpose and effect of Official Plan Amendment No. 68 is to add a new paragraph to "Section 16 – Special Provisions" of the Official Plan and to allow for a residential property owned by the applicant to be severed and create four (4) new, non-waterfront, affordable housing lots, fronting a privately-maintained road.
- The purpose and effect of proposed Zoning By-law Amendment No. Z02-20 is to rezone part of the property from the 'General Residential (GR)' zone to a site specific General Residential (GR) zoning.
- The purpose and effect of Consent Application Nos. B16-20, B17-20, B18-20 & B19-20 is to create four (4) new residential lots and retain one (1) lot.

### **BACKGROUND**

The associated history to the proposed applications is summarized here in a chronological order to provide context to the proposed applications.

#### **➤ 2007 / 2008**

The second Five Year Review of the Township of the Archipelago Official Plan, Official Plan Amendment (OPA) No. 45, was appealed to the Ontario Municipal Board (OMB), and approved with modifications by OMB Orders dated September 28, 2007 and April 2, 2008.

As part of a settlement to an appeal of OPA No. 45 the following Section was inserted:

*10.36 Council will undertake a planning study in the Woods Bay/Moon River area. This study will include an examination of the character of the area and residential profile, infrastructure facilities and services.*



*Following completion of this study, Council may consider policies to guide this area's future development.*

➤ **2008 / 2009**

The Township of the Archipelago, in 2008 and 2009, undertook a study of the Woods Bay Neighbourhood pursuant to Section 10.36 of the Official Plan. The intent was to inform Council's consideration of policies to guide development in the area.

➤ **2018**

The third Five Year Review of the Official Plan, OPA No. 61, was approved and came in effect on December 22, 2018. The Ministry made the following modifications, among others, to the Official Plan that are relevant to the applications:

*6.7 Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand and supports a goal of 10% of new permanent residential dwelling units being affordable. For purposes of this policy, affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60th percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household income for the 60th percentile of household incomes in Parry Sound District, whichever is the least expensive.*

*In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.*

*The Municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the Official Plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target.*

*10.36 In 2008 and 2009 the Township undertook Phase I (Findings Report) of a study of the Woods Bay Neighbourhood to inform Council's consideration of policies to guide the area's future development. Prior to completing the next revision of the Official Plan as required under Section 26 of the Planning Act, Council will complete Phase II (Recommendations) of the Woods Bay Neighbourhood study. The work of Phase II will be undertaken in the context of a review of residential and commercial demand and land supply as described in Section 19 of this Plan. Among the matters to be addressed in Phase II are issues raised in Section 7.9 of the Phase I report, with respect to housing for persons employed in Woods Bay and the ability of existing businesses to attract and retain employees*

➤ **May 17, 2019**

An application for consent was submitted to the Archipelago Area Planning Board by John Jackson Planner Inc. on behalf of Richard and Eleanor Gates, for the subject lands.

The proposal, at that time, was to divide the subject lands into a total of eleven (11) lots, with eight (8) of the proposed lots intended to accommodate affordable housing. The application was accompanied by a report prepared by John Jackson Planner Inc. dated May 7, 2019 (application and report attached in Appendix A).

➤ **July 18, 2019**



The agents and other community members completed a deputation on July 18, 2019 to the Planning & Building Committee, outlining the need for additional affordable housing opportunities within the Woods Bay Neighbourhood. The deputation was supported with a background report (attached in Appendix B) to Council prepared by Moon River Metis Community Residents with the assistance of John Jackson Planner Inc. dated July 10, 2019.

The minutes from the meeting state:

*John Jackson, agent for the applicants, spoke about his background and history with the Township, and provided a summary of the consent application.*

*Mark Trudeau shared with the Committee his personal experiences and history in Woods Bay.*

*Lisa LePage shared heartfelt stories of her childhood experiences growing up and raising her family in Sans Souci.*

➤ **July 18, 2019**

The Gates' application was presented to the Planning & Building Committee on July 18, 2019 (copy of report is attached in Appendix C). Minutes from the meeting state:

*Greg Corbett and Cale Henderson summarized the Gates' application for consent to create 10 new residential lots, and requested direction from Council on how to process the application, as submitted.*

*After a lengthy discussion, the Committee determined that the consent application that was submitted by the Gates was not a complete application.*

*Staff was directed to investigate and establish the criteria required to designate strategic policy areas within the Township, and determine how to move forward with this application.*

➤ **July 18, 2019**

The Gates' application was presented to the Archipelago Area Planning Board on July 18, 2019 (copy of report is attached in Appendix C). Minutes from the meeting state:

*Cale Henderson explained the nature of the application. He informed the Board Members that the applications will not be coming forward to the Board for consideration as yet, as the applications are not complete.*

*There were no attendees in support of, or in opposition to the application.*

➤ **July 19, 2019**

Staff presented the application to Council and requested direction from Council on the following questions:

- i) Is an Official Plan Amendment required to facilitate the proposed development?
- ii) Are Council and the Planning Board prepared to waive the necessary fees associated with the Applications for Consent, Zoning By-law Amendment Application and a potential Official Plan Amendment Application?
- iii) Will Council and the Planning Board deem the Applications for Consent and future Application for Zoning By-law Amendment complete in accordance with the Planning Act, in the absence of supporting studies

that are required by the Regulations of the Planning Act, or that are required by the Township's Official Plan policies, or that may be discretionary under the Township's Official Plan policies?

- iv) If supporting studies are required by Council and the Planning Board, is Council and/or the Planning Board prepared to share in the cost of having such studies completed?

In consideration of the above questions, Council passed Resolution 19-119, which stated the following:

**WHEREAS** Consent Applications Nos. B11-19 through B20-19 (GATES, Richard & Eleanor) have been submitted to The Archipelago Area Planning Board to create 10 new residential lots located in Lot 40, Concession 3, in the geographic Township of Conger (11 Woods Bay Lane);

**AND WHEREAS** the agents and other community members completed a deputation on July 18, 2019 to the Planning & Building Committee, outlining the need for additional affordable housing opportunities within the Woods Bay Neighbourhood;

**AND WHEREAS** the applicants have requested, in order to support the development of affordable housing in the Woods Bay Neighbourhood, that the application be deemed to conform to the Official Plan, that no additional studies are required to further consider the application, that planning application fees be waived, and that the Township of The Archipelago provide financial support to assist with the associated development costs;

**AND WHEREAS** Section 6.7 of the Official Plan, as modified by the Ministry of Municipal Affairs, states:

*'In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.'*

**AND WHEREAS** The Township of The Archipelago has not implemented Section 6.7 and there are no designated strategic policy areas within the Township;

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago refuses to accept the applications, until the prescribed information is submitted in accordance with Sections 53(3) and 53(4) of the Planning Act and Section 14.67 of the Official Plan;

**AND FURTHER BE IT RESOLVED** that Council for the Township of The Archipelago, in order to support the creation of affordable housing, directs staff to review options and establish criteria in order to further consider the designation of a strategic policy area or areas, in order to implement Section 6.7 of the Official Plan.

➤ **October 7, 2020**

The agent, John Jackson Planner Inc., on behalf of Richard and Eleanor Gates submitted a revised proposal on October 7, 2020. The proposal was revised from ten (10) new residential lots (eight (8) of which were proposed as affordable) to four (4) new residential lots, all of which are proposed as affordable housing. In addition, the applicants submitted an Official Plan Amendment application and a Zoning By-law Amendment application.

A revised Background Information Report prepared by John Jackson Planner Inc. dated May 7, 2019 (revised on October 1, 2020), a Site Evaluation Report prepared by FRICORP Ecological Services in October 2020, Moon River Affordable Housing Business Plan dated April 29, 2019, Moon River Metis Community Information Sheet, OPA No. 61 (Five Year Review) Ministry of Municipal Affairs & Housing Decision dated December 21, 2018, and

a Cover Letter prepared by Louise and Chris Goulding dated October 6, 2020 were provided as supporting information with the proposal.

The applicable fees for the Applications for Consent, Zoning By-law Amendment, and Official Plan Amendment were submitted with a request to reimburse the fees in order to keep the project affordable.

A copy of the cover letter, applications and supporting documents is attached in Appendix D.

➤ **October 27, 2020**

Notice of Complete Application was issued for the Official Plan Amendment application and the Zoning By-law Amendment application (attached in Appendix E).

A letter of receipt for the Consent Application (attached in Appendix F) was issued by Secretary Treasurer of the Archipelago Area Planning Board on October 27, 2020.

➤ **November 19, 2020**

Preliminary Staff Report regarding Official Plan Amendment Application No. OP01-20 and Zoning By-law Amendment Application No. Z02-20 for the subject lands was presented to the Council on November 19, 2020 (attached in Appendix G).

The purpose of this report was to provide Council with information to receive the application, determine whether sufficient information has been provided to consider the application complete, to direct staff to proceed with notification and to schedule a future public meeting.

Minutes from the Council Meeting state:

*Members of Council expressed their concerns with the application, and asked questions of the Planner.*

*Staff was directed to provide Council with a progress report on the land supply analysis study at the December or January meeting.*

*Councillor Manners requested that the proposed motion be deferred. The motion for deferral was seconded by Councillor Barton. A vote was taken, and the motion was defeated.*

In respect to the Preliminary Staff Report presented at the Council Meeting, Council passed Resolution 20-152 on November 19, 2020, which stated the following:

**WHEREAS** the applicants have submitted an Official Plan Amendment and a Zoning By-law Amendment to Council for its consideration;

**AND WHEREAS** the applicants have requested that the fees for these applications be reimbursed as they are being submitted to facilitate the creation of 4 affordable housing lots to be located in the Woods Bay Neighbourhood;

**NOW THEREFORE BE IT RESOLVED** that Council receives the Official Plan and Zoning By-law Amendment applications and directs staff to ensure they are complete and notice can be circulated for a future public meeting;

**AND FURTHER BE IT RESOLVED** that Council will consider the reimbursement of fees for the Official Plan and Zoning By-law Amendment applications, in an effort to support private, affordable housing initiatives.

➤ **December 4, 2020**

Township staff circulate a Notice of Application (attached in Appendix H) in accordance with Sections 22 (6.1) and 34 (10.4) of the Planning Act.

➤ **January 21, 2021**

Staff presented Report No. PLANNING-01-2021 (attached in Appendix I) to the Committee of the Whole regarding Land Supply Study and Affordable Housing.

Minutes from the meeting state:

*Cale Henderson summarized his report and provided an update and additional background information. The Committee discussed the matter and agreed to proceed with a land supply analysis. Staff was directed to bring a resolution forward to the January Council Meeting.*

➤ **January 22, 2021**

In respect to the Land Supply Study, Council passed Resolution 21-013, which stated the following:

***NOW THEREFORE BE IT RESOLVED*** the Council direct Staff to complete a Land Supply Analysis for the Township, in accordance to Section 19 of the Official Plan, in order to determine whether sufficient land is available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.

➤ **March 12, 2021**

The Township received a Notice of Appeal to Official Plan Amendment No. 68, Zoning By-law Amendment No. Z02-21 and Consent Application Nos. B16-20, B17-20, B18-20 and B19-20, from Mr. Chris Goulding and Ms. Louise Goulding, agents working on behalf of the owner, Mr. Richard Gates (appeal package attached in Appendix J).

➤ **March 26, 2021**

Municipal/Approval Authority submission, original appeal from Mr. and Ms. Goulding, and all requisite materials submitted to the Local Planning Appeal Tribunal on March 26, 2021 (attached in Appendix K).

## **PUBLIC INPUT**

The Notice of Application was circulated pursuant to Section 22 (6.4) and Section 34 (10.7) of the Planning Act on December 4, 2020. The comments received from the public till date are attached in Appendix L.

In summary, a total of thirty (30) public comments have been received from the public of which twelve (12) are in favor of the application, seventeen (17) are in opposition to the application, and one (1) are neutral in nature.

Major reasons for comments received in favor of the applications are –

- Lack of affordable housing in area for Metis youth and people employed in the area
- To retain current Metis youth and workers in the community
- To provide housing opportunities for local workers who provide service to cottagers
- Section 10.36 of the OP

Major reasons for comments received in opposition to the applications are –

- Lack of clarity around affordable housing including -
  - Intention of affordable housing
  - Sizing of lots in relation to affordability
  - Mechanism to ensure and maintain affordability in perpetuity
  - Preventing end use of development
  - Consideration of other areas / alternative sites
- Concerns over Woods Bay Lane including –
  - Increase in traffic on privately maintained road
  - Vulnerability to washouts and erosion
  - Responsibility of maintaining the road
- Setting of precedence for future severance applications
- Negative impact on wildlife and natural environment
- Negative impact on market value of properties
- Negative impact of increased density in the area

All comments received from the Public in writing and during the Public Information meeting will be considered in the next final recommendation report.



## **LAND USE PLANNING FRAMEWORK**

The land use planning framework for the application is formed by the Planning Act, Provincial Policy Statement, the Growth Plan for Northern Ontario, the Official Plan for the Township of The Archipelago, the Township of The Archipelago Comprehensive Zoning By-law A2000-07 and other relevant laws, plans, policies, regulation and guidelines.

## **PLANNING ACT**

The Planning Act (the Act) sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. It promotes sustainable economic development in a healthy natural environment within a provincial policy framework and provides for a land use planning system led by provincial policy.

Section 2 of the Act speaks to matters of provincial interest. It reads:

- 2     *The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*
- (a) the protection of ecological systems, including natural areas, features and functions;*
  - (c) the conservation and management of natural resources and the mineral resource base;*
  - (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
  - (h) the orderly development of safe and healthy communities;*
  - (j) the adequate provision of a full range of housing, including affordable housing;*
  - (l) the protection of the financial and economic well-being of the Province and its municipalities;*
  - (n) the resolution of planning conflicts involving public and private interests;*
  - (p) the appropriate location of growth and development;*

The Act requires that decision makers "have regard to" these matters of provincial interest to be integrated in their land use planning decision making.

## **PROVINCIAL POLICY STATEMENT, 2020**

The Provincial Policy Statement (2020) (PPS 2020) was issued under Section 3 of the Planning Act which requires that land use planning decisions be consistent with the PPS 2020 that is in effect at the time of decision. The PPS 2020 came into effect on May 1, 2020.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It promotes appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment, while integrating the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

The PPS is intended to be read in its entirety, and the relevant policies are to be applied in each situation.

Based on our review, the property is considered to be in a rural area and the applications engage the following policies of the PPS.

- 1.1.4.1 *Healthy, integrated and viable rural areas should be supported by:*
  - a) *building upon rural character, and leveraging rural amenities and assets;*
  - b) *promoting regeneration, including the redevelopment of brownfield sites;*
  - c) *accommodating an appropriate range and mix of housing in rural settlement areas;*
  - d) *encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
  - e) *using rural infrastructure and public service facilities efficiently;*
  - f) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
  - g) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
  - h) *conserving biodiversity and considering the ecological benefits provided by nature; and*
  - i) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*
- 1.1.4.4 *Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.*
- 1.1.5.1 *When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*
- 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.*
- 1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
  - a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
  - b) *permitting and facilitating:*
    - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*

- 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
  - c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
  - d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
  - e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
  - f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*
- 1.6.6.4 *Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.*
- 1.6.6.6 *Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.*

Part of property has been identified as being environmentally sensitive. Therefore, the policies under Section 2.1 of the PPS are applicable to the applications. This section provides policies around protecting natural heritage for its economic, environmental and social benefits in the province. The applicant has submitted a Site Evaluation Report by FRICORP Ecological Services. The report concludes that "where mitigation measures are applied as directed, the proposed severance will be consistent with Section 2.1 of the PPS and the Township OP as it related to natural heritage features and area".

The northerly portion of the property has been identified as having presence of hazardous forest types for wildland fire. Following policy under Section 3.1 Natural Hazards of the PPS is also applicable to the applications.

- 3.1.8 *Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.*

*Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.*

## **GROWTH PLAN FOR NORTHERN ONTARIO**

The Growth Plan for Northern Ontario, 2011 (Growth Plan), was prepared and approved under the Places to Grow Act, 2005, and came into effect on March 3, 2011. Municipal decisions on land use planning matters must conform with/not conflict with the Growth Plan.

The Growth Plan is a 25-year plan that provides guidance to align provincial decision-making and investment for economic and population growth in Northern Ontario. It contains policies to guide decision-making about growth that promote economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

The relevant policies of the Growth Plan applicable to the applications are noted below.

- 3.4.3 *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*
- 4.2.1 *All municipalities should, either individually, or collaboratively with neighbouring municipalities and Aboriginal communities, prepare long-term community strategies. These strategies should support the goals and objectives of this Plan, identify local opportunities to implement the policies of this Plan, and be designed to achieve the following:*
  - a. *economic, social and environmental sustainability*
  - b. *accommodation of the diverse needs of all residents, now and in the future*
  - c. *optimized use of existing infrastructure*
  - d. *a high quality of place*
  - e. *a vibrant, welcoming and inclusive community identity that builds on unique local features*
  - f. *local implementation of regional economic plans, where such plans have been completed.*
- 6.2.2 *Natural resource management and stewardship practices will occur within a framework that recognizes and responds to evolving environmental, economic and social values, and science-based knowledge and information, which allows for the introduction of new practices, technologies and management approaches, traditional knowledge, and locally and regionally responsive approaches.*

## **OFFICIAL PLAN OF THE TOWNSHIP OF THE ARCHIPELAGO**

The Official Plan of the Township of the Archipelago (the Official Plan) first came in to effect on June 1, 1983. The Official Plan was recently updated and the updated changes came into effect on December 22, 2018.

The purpose of this Official Plan is to establish land use policies which guide development for the whole of The Archipelago Township and which provide for the long term use of land and water for public and private recreation in accordance with the goals and objectives set out for the Municipality.

Section 3 of the Official Plan provides the Goal of the Township and reads:

*The general goal of the Official Plan of The Township of The Archipelago Planning Area is to preserve the unique and high quality of the natural environment which leads to a recreational experience that is both relaxing and aesthetically appealing to property owners and visitors who use the area, and is designed to make both property owners and visitors realize that they share equally in the responsibility of maintaining the ecological integrity within a UNESCO Biosphere Reserve.*

Section 4 of the Official Plan provides the objectives necessary to fulfil the Official Plan Goal, the primary objective being:

1. *Respecting, maintaining and improving the natural environment of the region, and of the UNESCO Biosphere Reserve, of which the Township is a part.*

There are eleven (11) secondary objectives in Section 4 of the Official Plan. Objectives relevant to the applications are:

2. *Responding appropriately to the inevitable social and economic changes that will affect the demand for recreation in its many forms while maintaining a status quo philosophy in regard to the character of the present land use base;*
4. *Protect and preserve the water quality of the area;*
6. *Ensuring the compatibility of land and water usage;*
8. *Supporting those economic pursuits that are both complementary and necessary for the proper functioning of the recreational nature of the Municipality;*
9. *Preserving the natural landscapes of the Township by minimizing obtrusive building forms, particularly in areas where exposure is high because of topographic conditions and/or the absence of tree cover;*
11. *Avoiding land use patterns which may cause environmental or public health and safety concerns and recognizing the potential impact of climate change on these matters;*

With respect to housing, the Official Plan states:

- 6.7 *Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand and supports a goal of 10% of new permanent residential dwelling units being affordable. For purposes of this policy, affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60th percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household income for the 60th percentile of household incomes in Parry Sound District, whichever is the least expensive.*

*In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.*

*The Municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the Official Plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target.*

With respect to new development, the Official Plan states:

- 6.3 *All development in the Township will require frontage on a navigable body of water. Exceptions to this policy will include existing rural and farm residences and natural resource uses, Pointe au Baril Station (Section 8) and Skerryvore (Section 9). Any new or existing non-waterfront uses in these areas remain subject to all other policies of this Plan.*

With respect to neighbourhood growth, the Official Plan states:

- 10.33 *Woods Bay is a large shallow bay at the mouth of the Moon River. The east shore of Woods Bay is heavily developed. This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications. There are several local tourist operations providing services to inhabitants of the immediate area and visitors to the Moon River Basin. Woods Bay and the Moon River Basin have a rich Métis heritage. Woods Bay and the Moon River Basin are part of an internationally renowned landscape that generates*



*significant attraction and appeal both within and outside of the Township. The Woods Bay Neighbourhood is extremely sensitive to additional development or increased traffic both on water and land.*

*10.34 Further land division in the Woods Bay Neighbourhood is not encouraged. A consent involving the creation of one new lot per land holding greater than two hectares may be considered. Consents involving the creation of up to two new lots per land holding may be considered on parcels greater than five hectares, or land division resulting in the creation of up to three or four new lots on parcels greater than fifteen and twenty hectares respectively, subject to Section 14 – Development Procedures and Standards and any other applicable policies.*

*10.36 In 2008 and 2009 the Township undertook Phase I (Findings Report) of a study of the Woods Bay Neighbourhood to inform Council's consideration of policies to guide the area's future development. Prior to completing the next revision of the Official Plan as required under Section 26 of the Planning Act, Council will complete Phase II (Recommendations) of the Woods Bay Neighbourhood study. The work of Phase II will be undertaken in the context of a review of residential and commercial demand and land supply as described in Section 19 of this Plan. Among the matters to be addressed in Phase II are issues raised in Section 7.9 of the Phase I report, with respect to housing for persons employed in Woods Bay and the ability of existing businesses to attract and retain employees.*

Phase II (Recommendations) of the Woods Bay Neighbourhood study has not been initiated.

*10.53 A number of the Neighbourhoods contain large tracts of land that do not front on a recreational waterbody and are referred to as rural areas. The primary function of these rural areas of the Township is the location of public and private roads and other services that lead to the recreational waterbodies. In addition, these rural areas contain the majority of natural resources in the Municipality including sand, gravel, timber and wildlife. There are also a limited number of existing rural residences and agricultural uses.*

*10.54 No further land division is permitted in the rural areas. These tracts of vacant rural land will be zoned in a non-development zone that recognizes the maintenance of the natural state as the primary use of these lands. No buildings or structures will be permitted in these areas.*

*10.55 No further development or building is permitted in the rural areas of the Township with the exception of lots of record in Lots 1 through 6, Concession 1, in the former geographic Township of Conger.*

With respect to general development policies, the Official Plan states:

*14.2 Most development is likely to proceed by consent in contrast to plan of subdivision. The only neighbourhood likely to be considered for a plan of subdivision is the Pointe au Baril Station Neighbourhood, where the extension of roads is permitted. Most islands, depending on the neighbourhood, are eligible for only one or two new lots to be created by consent. However, in isolated cases in some neighbourhoods where three or four new lots are permitted, the proponent or the Township may consider the appropriateness of proceeding by subdivision in contrast to a consent.*

*14.3 The Township Council, as a condition of any land division application may require parkland dedication equivalent to an amount not exceeding five percent of the land. Alternatively, the Township Council may accept the payment of money by the owner of land to the value of the land otherwise required to be conveyed. For administrative convenience, the Township may establish a fixed fee for parkland dedication by by-law on a per lot basis that may vary for different neighbourhoods, provided such amount does not exceed that permitted by the Planning Act.*

*14.4 All development in The Archipelago is to have frontage on a recreational waterbody. Consents that result in the creation of new lots or building permits will not be issued unless the lands front directly on a recreational waterbody or adjacent to an original shore road allowance. This policy does not apply to Pointe au Baril Station. Notwithstanding this policy, existing lots of record in Skerryvore and along Healey Lake Road*

*including resources uses may be eligible for building permits subject to all other applicable policies of this Plan.*

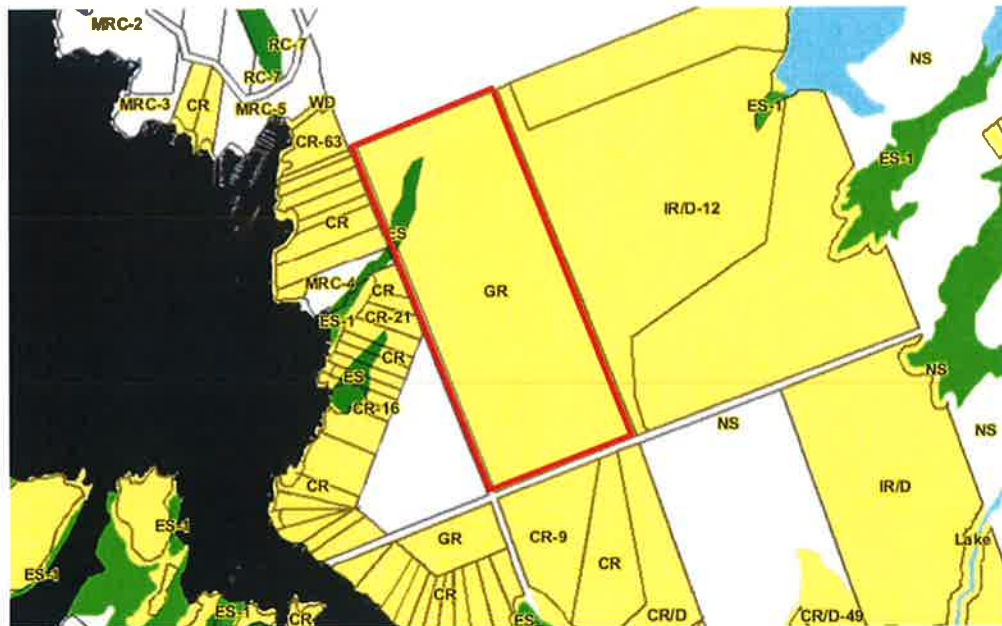
With respect to accessory apartments / secondary units, the Official Plan states:

- 6.8 *It is recognized that accessory apartments will also assist in the provision of affordable housing. An accessory apartment is permitted in the Pointe au Baril Station Settlement Area and the Rural Area, within a single detached dwelling or in a structure ancillary to a dwelling if the dwelling contains a single residential unit, and in a semi-detached or row house dwelling in Pointe au Baril Station, and provided such dwelling is located on a year-round maintained public road and subject to the provision of satisfactory water and sewage disposal services.*

## COMPREHENSIVE ZONING BY-LAW A2000-07

The Township's Comprehensive Zoning By-law A2000-07 was passed by Council and came into force and effect on June 22, 2007.

The subject property is currently zoned General Residential (GR) and Environmentally Sensitive (ES) within the Comprehensive Zoning By-law No. A2000-07, as amended. See zoning map below.



Sections and provisions of the Zoning By-law applicable to the proposed creation of four (4) new lots on the subject lands are noted below.

### *Section 8 - General Residential (GR) Zone*

#### *8.1 General Use Provisions:*

##### *8.1.1 Permitted Uses Main Use:*

- Residential use.

##### *Accessory Uses:*

- Accessory Residential uses;
- A home occupation;
- A Bed and Breakfast.

##### *8.1.2 Permitted Buildings and Structures*

- A single, detached dwelling;
- Accessory structures and buildings;

##### *8.1.3 Zone Standards*

*Any building or structure permitted under Section 8.1.2 shall comply with the following provisions except as otherwise provided for in Section 5, General Provisions:*

*The provisions of 8.1 shall apply to accessory buildings, structures and uses, except as otherwise provided for in Section 5. General Provisions*

*A home occupation is a permitted use within a main dwelling or within a legally established accessory residential structure on any lot zoned for residential use provided that:*

- a) The home occupation or business activity use occurs within a legally established main dwelling or within a legally established accessory building. A home occupation is not permitted within a sleeping cabin;*
- b) There is no external display or advertising, other than a sign erected in accordance with any by-laws of the Township regulating signs;*
- c) The home occupation is clearly secondary to the main residential use and does not change the character of the main dwelling or residential land use nor create or become a nuisance in regard to noise, traffic or parking;*
- d) The lot has direct access to and fronts upon a public or private road and/or has frontage on a navigable waterway;*
- e) Not more than 25% of the floor area of the main dwelling shall be used for the home occupation use if the home occupation is located within the main dwelling. If the home occupation is located in an accessory structure, a maximum of 25% of the total floor area of the main dwelling may be used for the calculation of the maximum floor area of the home occupation. The total maximum floor area allowable for a home occupation is 25% of the floor area of the main dwelling.*
- f) Only persons residing in the main dwelling may operate the home occupation;*
- g) The operation of a barber or beauty shop shall be limited to one operator in a single detached dwelling; and;*
- h) The home occupation shall not have a display or show room;*
- i) An accessory outdoor storage area for the home occupation may be located in the rear yard provided it occupies no more than 100 m<sup>2</sup> of lot area;*
- j) In no case shall two home occupations be located on the same lot;*
- k) if the home occupation is located in an accessory building, the accessory structure must be located behind the main dwelling;*
- l) The owner of the home occupation must enter into a site plan agreement with the municipality;*

#### **5.17 Lot Development Requirements**

##### **a) Requirement of a Lot**

*Except where specifically provided for elsewhere in this By-law, no building or structure shall be erected, altered, extended or enlarged and no land shall be used for any permitted use unless the property comprises a lot.*

##### **b) Frontage on Public Road or Navigable Waterway**

*No lot shall have built upon it a building for any purpose in any zone unless that lot abuts a public road or navigable waterway, except that where the lot existed at the date of passing of this By-law and such lot has a registered right-of-way or easement to a public road, on the date of passing of this By-law, the lot may be used for uses permitted in the applicable zone. In the case where a lot separated by land owned by the Government of Ontario, The Crown, or the Township of The*



*Archipelago, and such land is held by a public agency for road widening purposes or as a 0.3 metre reserve, the use of land, building or structure of such lot is permitted if no other frontage to a public road or navigable waterway exists, subject to an encroachment agreement.*

c) *More Than One Use or One Zone On a Lot*

*When a lot contains more than one use, each use shall conform to the provisions of this By-law applicable to each use. When a lot is divided into more than one zone, each portion of the lot shall be used in accordance with the provisions of this By-law applicable to each zone.*

d) *Restrictions on Changes*

i) *The purpose for which any land or building or structure is used shall not be changed, no new building or structure or accessory structure or addition to any existing building or structure or accessory structure shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, structure, accessory structure or lot.*

5.32 *Setback Requirements*

ix) *Setback from Environmentally Sensitive (ES, ES1 and ES2) Zones*

*All buildings, structures and septic systems shall be setback a minimum of 3 metres from any lands or areas zoned 'Environmentally Sensitive (ES)', 'Environmentally Sensitive One (ES1)' and 'Environmentally Sensitive Two (ES2)'*

**CONCLUSION:**

The applications propose to create four new non-waterfront residential lots in a rural area of the Township. The key land use planning considerations include whether:

- the property represents an appropriate location for new growth and development;
- the proposal is compatible with the existing and planned character of the area;
- the proposal can be adequately serviced;
- the proposal can be achieved while preserving the natural environment; and,
- the proposal supports economic development and housing goals.

These land use planning considerations, and others, will be addressed in the next recommendations report.

**RECOMMENDATIONS / NEXT STEPS**

That this Information Report for Official Plan Amendment No. 68, Zoning By-law Amendment No. Z02-20 and Consent Application Nos. B16-20, B17-20, B18-20 & B19-20, be received;

AND THAT the comments received as part of the information session be considered in the next recommendation report.

**ATTACHMENT(S)**

- Appendix A – Initial Application and Supporting Background Report
- Appendix B – Background Report for Deputation at Council Meeting on July 18, 2019
- Appendix C – Staff Report to Planning & Building Committee and Archipelago Area Planning Board on July 18, 2019
- Appendix D – 2020 Application and Supporting Documents
- Appendix E – Notice of Complete Application issued for the Official Plan Amendment application and the Zoning By-law Amendment application
- Appendix F – Letter of receipt for the Consent Application
- Appendix G – Preliminary Staff Report regarding Official Plan Amendment Application No. 68 and Zoning By-law Amendment Application No. Z02-20 for the subject lands was presented to the Council on November 19, 2020
- Appendix H – Notice of Application on December 4, 2020
- Appendix I – Staff Report No. PLANNING-01-2021
- Appendix J – Appeal Package received by Township on March 12, 2021
- Appendix K – Municipal/Approval Authority Submission of Appeal to LPAT on March 26, 2021
- Appendix L – Public Input received till date

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:

A handwritten signature in black ink, reading "G Khandelwal", written diagonally across the page.

Gaurang Khandelwal, M.A.  
Planner

Reviewed by:

A handwritten signature in black ink, reading "Jason Ferrigan", written diagonally across the page.

Jason Ferrigan, RPP, MCIP  
Senior Planner

GK:jf

## **Appendix A**

### **Initial Application and Supporting Background Report**

# The Archipelago Area Planning Board

9 James Street  
Parry Sound, Ontario P2A 1T4  
Phone: 705-746-4243 Fax: 705-746-7301  
web: www.thearchipelago.on.ca

Application for Consent  
under Section 53 of the Planning Act  
R.S.O. 1990, c.P. 13, as amended

## OFFICE USE ONLY

Date Received \_\_\_\_\_ Complete Application ☐ Yes ☐ No Application No. \_\_\_\_\_  
Date Accepted \_\_\_\_\_ Applicable Fee Paid ☐ Yes ☐ No

### 1. Applicant / Agent Information

Name of Applicant / Agent

John Jackson Planner Inc.

Address

70 Isabella Street, Unit 110

City Parry Sound Province / State Ontario Postal / Zip Code P2A 1M6

Home Phone No. \_\_\_\_\_ Business Phone No. 705-746-5667 email JJPlan@cogeco.net

### 2. Owner(s) Information

Name of Owner(s)

Richard and Eleanor Gates

Address

City \_\_\_\_\_ Province / State \_\_\_\_\_ Postal / Zip Code \_\_\_\_\_

Home Phone No. \_\_\_\_\_ Business Phone No. \_\_\_\_\_ email \_\_\_\_\_

Please advise to whom all communication should be directed. ☐ Owner ☒ Applicant / Agent

### 3. Location of the Subject Land (please provide a copy of the Transfer/Deed of Land)

Assessment Roll Number 4905- 09001003200 Lot 40 Concession 3 Island No. \_\_\_\_\_

Registered Plan of Subdivision No. (if any) Plan No. M - \_\_\_\_\_ Lot No. \_\_\_\_\_

Reference Plan No. (if any) Plan No. 42R - \_\_\_\_\_ Part No. \_\_\_\_\_

Parcel No. 21266SS Other Description 11 Woods Bay Lane

Dimensions of Subject Property:

Depth (metres) 390 Frontage (metres) 1002.5 Hectares 39.1

Are there any easements or restrictive covenants affecting the subject land? ☐ Yes ☒ No

If Yes, describe the easement or covenant and its effect.

### 4. Purpose of the Application (check appropriate box)

☒ creation of new lot ☐ addition to a lot ☐ an easement or right-of-way  
☐ a charge ☐ a lease ☐ a correction of title ☐ other purpose

Name of person(s), if known, to whom land or interest in land is to be transferred

Gates family (Lots 2 & 2a) & affordable housing units (Lots 3-10)

If a lot addition, identify the lands to which the parcel will be added.

**5. Description of Subject Land and Servicing Information** (complete each subsection)

		Lot 1	Lot 2	Lot 3	Retained
<b>Description of Land</b>	Frontage (metres)				402.5
	Depth (metres)	See	Sketch		390
	Area (hectares)				16.4
<b>Use of Property</b>	Existing Use(s)	Vacant	Vacant	Vacant	Residential
	Proposed Use(s)	Residential / Affordable Housing			
<b>Buildings or Structures</b>	Existing	None			Dwelling
	Proposed	Affordable Housing Units			Unknown

		Lot 1	Lot 2	Lot 3	Retained
<b>Access</b>	Provincial Highway				
	Municipal road, maintained all year				
	Municipal road, maintained seasonally				
	Other public road	Woods Bay Lane			Woods Bay Lane
	Right-of-way				
	Water Access (see Section 9)				
<b>Water Supply</b>	Privately owned and operated individual well	x			x
	Privately owned and operated communal well				
	Lake or other water body				
	Other means				
<b>Sewage Disposal</b>	Privately owned and operated individual septic system	x			x
	Privately owned and operated communal septic system				
	Privy				
	Other means				
<b>Note:</b> Please provide a copy of the building permit or certificate of approval for the existing septic system, if applicable.					
<b>Other Services</b>	Electricity	x			x
	School Bussing				
	Garbage Collection				

If access to the subject land is by private road, or if "other public road" or "right-of-way" was chosen above, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.  
Municipal road, privately maintained.

**6. Land Use**

What is the existing Official Plan designation(s), if any, of the subject land?  
Recreation

What is the current zoning of the subject land? If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?  
General Residential (GR)

Is the application consistent with the Provincial Policy Statement issued under subsection 3(1) of the Planning Act? ☒ Yes ☐ No

Is the subject property within an area of land designated under any Provincial plan or plans?  
☒ Yes ☐ No

If yes, does the application conform to or not conflict with the applicable Provincial plan or plans?  
☒ Yes ☐ No

Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 metres of the subject land, unless otherwise specified (indicate approximate distance in metres)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A landfill	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A Provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A Provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
Flood plain	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A rehabilitated mine site	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A non-operating mine site within 1 kilometre of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An active mine site	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An industrial or commercial use. Specify the use(s).	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An active railway line	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A municipal or federal airport	<input type="checkbox"/>	<input type="checkbox"/> _____ metres

**7. History of the Subject Land**

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? ☐ Yes ☒ No ☐ Unknown

If YES and if known, provide the application number and the decision made on the application.

If this application is a resubmission of a previous consent application, describe how it has been changed from the original application.

Has any land been severed from the parcel originally acquired by the owner of the subject land?  
☐ Yes ☒ No

If YES, provide for each parcel severed the date of transfer, the name of the transferee(s) and the land use.



**8. Current Applications**

Is the subject land currently the subject of an application for an Official Plan amendment, Zoning By-law amendment, Minister's zoning order, Minor Variance, Consent or approval of a Plan of Subdivision or Condominium?

☒ Yes      ☐ No      ☐ Unknown

If YES and if known, specify the appropriate file number and status of the application.

Lands will need to be rezoned

**9. Plans** (to assist in the preparation of plans, please refer to the attached sample sketches)Location Plan

Every application shall be accompanied by a location plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries of the parcel of land that is the subject of the application, the part of the parcel that is the subject of the application, the location of all adjacent properties and/or islands, transportation routes, etc.;
- the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge;
- existing and proposed uses on the subject land (e.g. residential, agricultural, cottage, commercial etc.);
- existing uses of all lands within 120 metres (400 feet) of the subject land.

Site Plan

Every application shall be accompanied by a site plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries and dimensions of the subject land, the part that is the subject of this application and where applicable, the part(s) to be severed and the part(s) to be retained;
- the boundaries and dimensions of any abutting land that is also owned by the owner of land that is the subject of the application;
- the location and dimensions of existing and proposed buildings and structures and their distances from lot lines;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that, in the opinion of the applicant, may affect the application, such as railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, landscaped open spaces, planting strips, parking areas, loading areas, driveways and walkways;
- the existing uses on adjacent lands;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a publicly travelled road, a private road or a right-of-way;
- if access to the subject land is by water only, the location of the parking and boat docking facilities used;
- the location and nature of any easement affecting the subject land.

**Additional information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Planning Board.**

**10. Other Information**


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**11. Affidavit or Sworn Declaration**

Dated at the Town of Parry Sound this \_\_\_\_ day of May, 2019

I, John Jackson of the Town of Parry Sound in the  
Parry Sound County/District/Regional Municipality of \_\_\_\_\_ solemnly declare that all the statements  
 contained in this application are true, and I make this solemn declaration conscientiously believing it to be  
 true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA**  
**EVIDENCE ACT.**

DECLARED BEFORE ME at the Town of Parry Sound  
 in the District of Parry Sound this \_\_\_\_ day of May, 2019.

\_\_\_\_\_  
 A Commissioner of Oaths

\_\_\_\_\_  
 Signature of Owner or authorized Applicant / Agent

**12. Authorizations****Authorization of Owner(s) for Agent to Make the Application**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, Richard and Eleanor Gates, am/are the owner(s) of the land  
 that is the subject of this application and I/we authorize John Jackson Planner Inc. to  
 make this application on my/our behalf.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**12. Authorizations (cont'd)****Authorization of Owner(s) for Agent to Provide Personal Information**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, Richard and Eleanor Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize John Jackson Planner Inc. as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**13. Consent of the Owner(s) to the Use and Disclosure of Personal Information**

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

I/We, Richard and Eleanor Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

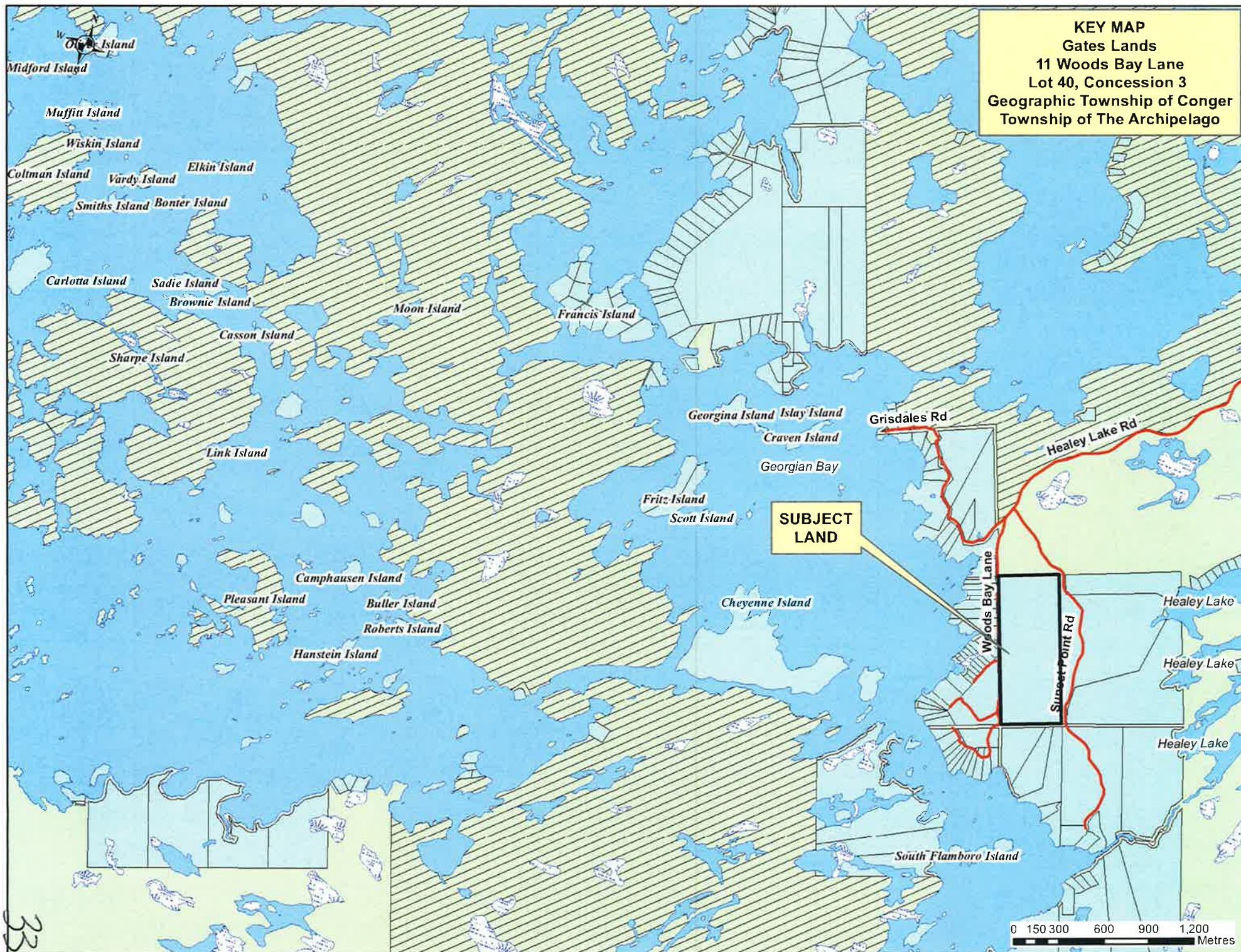
Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

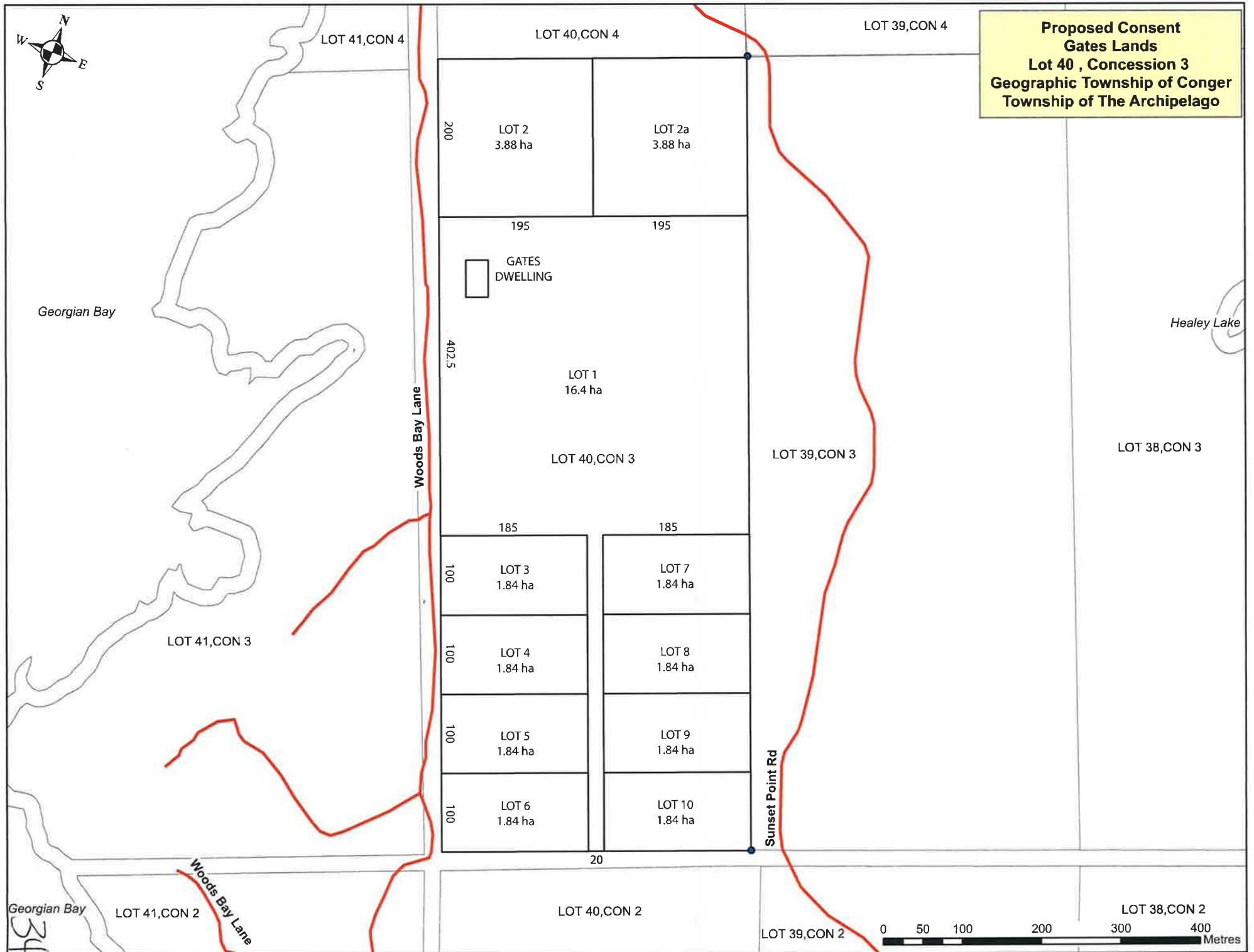








**Proposed Consent  
Gates Lands  
Lot 40 , Concession 3  
Geographic Township of Conger  
Township of The Archipelago**



**PROPOSED LAND DIVISION**

**LOT 40, CONCESSION 3**

**GEOGRAPHIC TOWNSHIP OF CONGER**

**(MOON RIVER)**

**APPLICANT: Richard and Eleanor Gates**

**Prepared With the Assistance of  
John Jackson Planner Inc.**

**May 7, 2019**

## **1.0 BACKGROUND**

The south part of the Township of The Archipelago has been the centre of discussion over the past 25 years regarding the need to establish policies that respond to local residential issues and allowing for additional commercial opportunities that ultimately meet the servicing needs of ratepayers in The Archipelago.

The historic policy of The Archipelago has been to allow a limited amount of additional new lot creation and that all new lots must have direct frontage on the water. The increased cost of waterfront land has made the availability of lands for most year round residents cost prohibitive.

A recent policy change in The Archipelago has altered this long term approach to allow for more affordable housing opportunities.

"6.7 Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand...

In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing strictly limited in scale, and without water frontage."

## **2.0 SUBJECT LAND**

There are limited opportunities where blocks of patented lands are available for possible future back lot creation.

The lands in the vicinity of Woods Bay/Moon River are limited because of Crown land, the provincial park and access constraints. There happens to be a reasonably large block of patented land in this area of Moon River that can constitute a strategic location for affordable housing.

Richard and Eleanor Gates are the owners of a one hundred acre lot just east of the Woods Bay Shoreline that has access along Woods Bay Lane (a private access on an unopened road allowance) that leads to Healey Lake Road. The Gates property in all of Lot 40, Concession 3 in the geographic Township of Conger and is vacant excepting the dwelling where the Gates reside year round.

The Gates have been approached to determine an interest in making the parcel available for building lots.

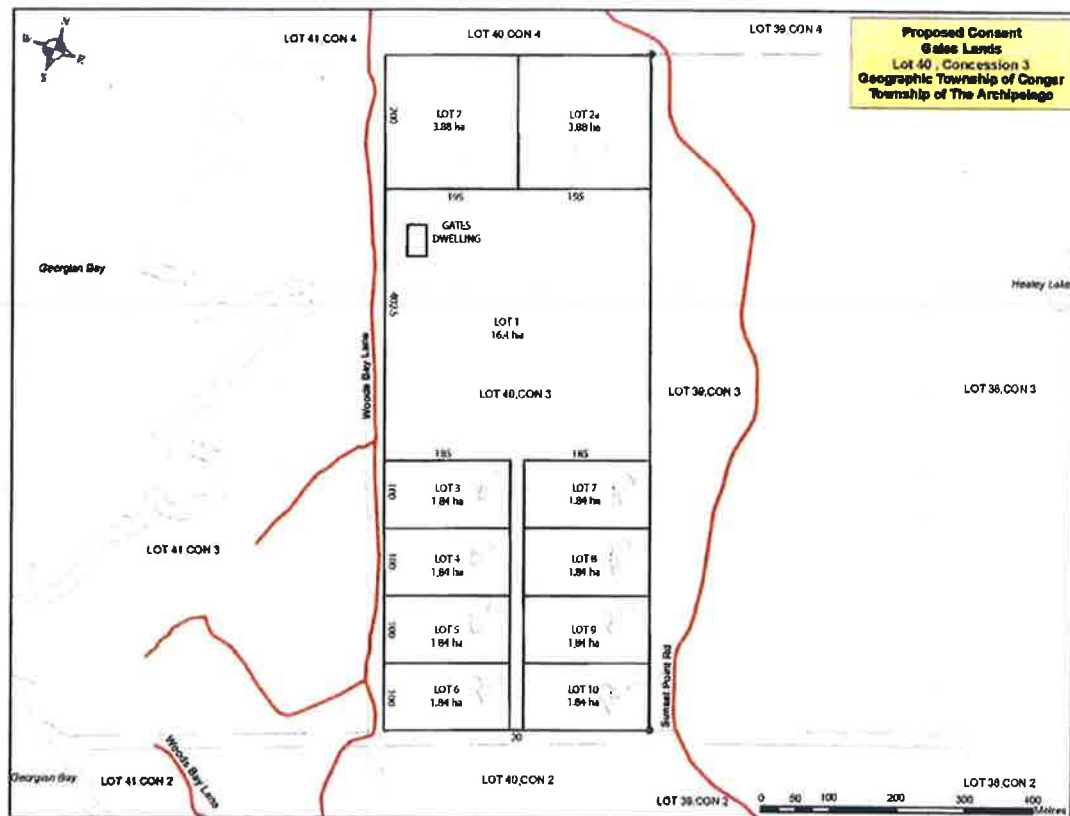
The property is relatively free from constraints to development. It has little topographic relief and is heavily forested with good drainage that slopes generally from east to west towards Georgian Bay.

There are no extensive wetlands on the property so that critical habitat for any wildlife species is likely not to be affected.

### 3.0 DEVELOPMENT PROPOSAL

In the interest of fulfilling the policy for affordable housing and to meet the needs of the residents in Moon River, the Gates have agreed to file a development scheme as set out below.

The Gates wish to retain their homestead Lot 1, and create eight, 2.0 hectares lots, and two 4.0 hectare lots for Moon River residents.



### 4.0 AFFORDABLE HOUSING CHALLENGES

There will be a number of "affordable" housing challenges as part of this development application. These include:

- Ensuring that the lots are available for the residents that are in need for the housing (how to ensure that the lands do not get "flipped" to serve parties not targeted as interest groups)

[Note: there is a list of potential Moon River purchasers of lots.]



Although found in the Pointe au Baril Station policy, 8.24 states:

**"The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need. Council may consider the reduction of municipal fees, such as development charges, parkland dedication and building permits, for affordable housing projects."**

- Maintaining costs at a reasonable level using some of the following techniques:
  - forego application fees wherever possible;
  - forego the typical list of studies with the understanding that the project proceeds on the basis of best practises
  - eliminate parkland fees
  - proceed by consent in contrast to a plan of subdivision

## **5.0 PLANNING DOCUMENTS**

### **5.1 Planning Act Criteria**

Under Section 2 of the Planning Act, there are a number of matters of provincial interest that must be regarded.

#### **(a) protection of natural heritage features**

The general nature of the land would signify that there are limited features that related to the subject lands.

- there are no wetlands
- the lands consist of mostly uplands forests
- the development is located beyond 500 metres of the shore of Georgian bay
- the lands are identified as being within the Healey Lake deer yard but lot sizes are well in excess of heritage guidelines

#### **(f) services**

- the lands will be serviced by private wells and septic
- the lot sizes will be large enough to prevent any cross contamination of adjoining wells,
- access is proposed along Woods Bay Lane or a new private road through the central part of the property

The access arrangement will continue to be by private road and the proponents will be expecting a private road agreement to confirm the nature of the road in terms of responsibility and to indemnify the municipality for any costs or liability.

- all utility/communication costs will be those of the proponent

**(k) employment opportunities**

- the proposal is to complement the needs of the community through the establishment of new facilities for local trades and employees of the service industry

**(j) affordable housing**

- the project is directly related to affordable housing for the Moon River community
- although the numbers are limited (ten lots) – each dwelling has the ability to generate two units (secondary dwellings)

**(p) appropriate growth**

- this limited form of new development is believed to properly achieve appropriate growth

**5.2 Provincial Policy Statements (PPS)**

The PPS are issued under section 3 of the Planning Act. The current PPS were in effect as of April, 2014. A new PPS are being prepared by the province.

A number of policies relate to the proposed development.

**"1.1.4.1 Rural areas are important to the economic success of the Province and our quality of life. ... It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.**

**1.1.4.1 a) building upon rural character, and leveraging rural amenities and assets;**

**1.1.5.2 b) resource-based recreational uses (including recreational dwellings);**

**1.1.5.2 d) home occupations and home industries;**

**1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.**

**1.4.1 a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and**

**1.4.3 b) permitting and facilitating:**

**1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and**

**2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**

## **2.1 Natural Heritage**

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

It is believed that the proposed development scheme on the subject lands is consistent with the above PPS policies.

## **5.3 Planning Act Criteria (51(24))**

**1. (a) Matters of provincial interest**

(see above)

**2. (b) Public Interest**

The proponents have identified a demand to the extent that all of the lots are essentially spoken for.

**3. (c) Conformity to Adjacent Plans**

There are no adjacent plans.

**4. (d) Suitability of the Lands**

There are no constraints to the development of the subject lands.

**5. (d.1) Affordable Housing**

This is the core rationale for the application.

**6. (e) Access and Adequacy thereof**

Described above.

**7. (f) Lot Shapes**

All lots are large to preserve the quality of properties in terms of privacy, services and demand. (The residents of Moon River have an interest in preserving larger acreages and low densities in their living environments.)

**8. (g) Restrictions**

It is proposed that the lands will be subject to a 51(26) agreement to ensure that the owners are aware of the limitations that apply to said lots in terms of access, services, responsibilities, etc.

**9. (h) Conservation of Natural Resources**

There are not believed to be any natural resource issues.

**10. (i) Utilities/Municipal Services**

There are no municipal services apart from the transfer station.

Utilities (Hydro One) will be the responsibility of individual lot owners.

**11. (j) Schools**

If school aged children are generated, they will be bussed to local schools.

**12. (k) Public Land Dedication**

None expected.

Given the general approach/design of the land division, it is believed that the criteria of 51(24) of the Planning Act can be met.

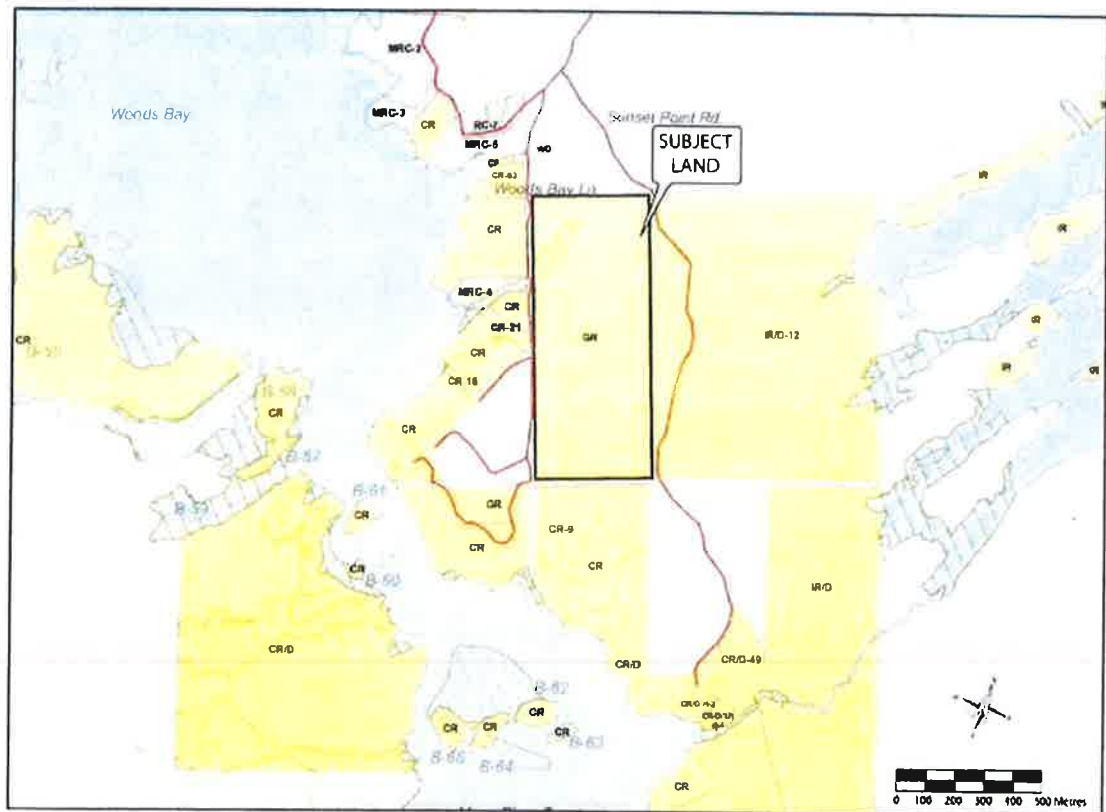
**5.4 Official Plan**

In order to achieve the affordable housing objectives of the official plan, the Council of the Township of The Archipelago must interpret its recent policy (cited above) to allow for the attached plan.

There are a number of neighbourhood and general development policies that could be interpreted to obstruct the subject proposal. However, in the opinion of the writer, a broad liberal policy interpretation must be made to achieve the intent of this area of the plan.

**5.5 Zoning By-law**

The subject lands are zoned as General Residential (GR).



These lands will need to be rezoned to reflect the proposed land division once approved.

## 5.6 Preconsultation

Representatives of the community have met with the Reeve and Ward 4 Councillors to discuss preliminary concerns related to the Moon River neighbourhood. There has also been brief discussions with the Township planner.

As part of the application, Councillors had asked that the proponents attach a business plan and background on the community. This information is attached.

There was a suggestion that the group reach out to area residents and associations. There is a public notice process with any land division/rezoning application and it's hoped that this will allow for sufficient consultation.

Respectfully,

John Jackson, R.P.P., M.C.I.P.

May 7, 2019 – Applicant: Richard and Eleanor Gates

JJ:dh

## **Appendix B**

Background Report for Deputation at Council Meeting on July 18, 2019

## **TOWNSHIP OF THE ARCHIPELAGO SUBMISSION TO COUNCIL**

**By Moon River Métis Community Residents  
with the Assistance of John Jackson Planner Inc.**

July 10, 2019

### **A COMMUNITY IN TRANSITION**

#### **BACKGROUND**

The Moon River is an area within the Township of The Archipelago that is commonly identified as being part of the Woods Bay Neighbourhood for purposes of the official plan. One of the more recent concerns of the inhabitants of Moon River has been the failure of the planning instruments to recognize the more robust culture and heritage features of the community apart from Woods Bay.

Part of this failure has been the consistent pursuit of many of the residents of Moon River to promote a better understanding and define the needs of the area.

#### **PURPOSE**

The purpose of this submission is to have Council acknowledge and support applications to effect needed changes to its official plan and zoning by-law to respond to the "hot button issue" of the south part of The Archipelago.

The primary purpose of these efforts is to have Council direct staff and the planning board to effect changes that address these needs as quickly as possible. It is hoped that Council could consider the following motion in support of these efforts.

**" WHEREAS The official plan has been modified to recognize a number of concerns related to the residents of the Moon River Community in Woods Bay;**

**AND WHEREAS Council wishes to interpret the policies of the official plan to allow the development of the lands as a backlot development is Lot 40, Concession 3 in the geographic Township of Conger owner by Richard and Eleanor Gates; [the Gates Lands]**

**AND WHEREAS Council recognizes the need for community housing that complements the general goals and objectives of the official plan;**



**NOW THEREFORE The Council of The Corporation of the Township of The Archipelago hereby resolves as follows.**

- 1. That Council directs that the following official plan policy be interpreted to allow the Gates Lands to be a designated “strategic policy area” to be available for a consent to create affordable housing lots:**

**“ In order to support the creation of affordable housing, the municipality may consider the designation of one or more Strategic Policy Areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale and without water frontage...”**

- 2. That Council recognizes that the proposed lots on the Gates Lands will be by private access requiring that an agreement be registered on the title of all lots that indemnifies the Township of any liability or responsibility for the maintenance or the use of public road allowances or private rights-of-way.**
- 3. That given the nature of the land and the relatively large lot sizes proposed, the requirements for studies be minimal and scoped to assist in achieving affordable housing targets.**
- 4. That no parkland fees shall apply to the consent or the Gates Lands.**
- 5. That Council interprets the land division of the Gates Lands by consent to be in conformity with the official plan.**
- 6. That Council agrees to support the affordable housing targets by forgoing application fees for rezoning and asking that The Archipelago Planning Board agree to forgo any of its fees. “**

In order to assist Council in understanding the above resolution items, the following foot notes are provided.

**Foot notes**

**1. Official Plan Conformity**

Cale Henderson refuses to interpret the official plan to allow the Gates Lands to be recognized as a location for non-waterfront lots by consents.

This is the primary reason that we are making this request to Council.

We make this pitch directly to Council for the following reasons.

- Council owns the policy. It alone can direct this interpretation.
- To require a further policy amendment after the province made this policy change seems unnecessary.
- A site specific amendment could take up to two years to process.
- A land division application would not be available until after an O.P.A.

## **2. The Access**

The lots are proposed to use the existing private access roads as far as possible. The Gates lands are essentially surrounded by private roads.

As long as the Township is protected, it will have no responsibility for these accesses. In effect, nothing changes.

## **3. Studies**

Because of the size of the lots, many of the impact issues are eliminated. These include septic, groundwater, wildlife, etc. We are hoping to have this confirmed by qualified people at least in a scoped manner.

## **4. Parkland Fees – We would hope that these fees would not apply.**

## **5. Consent vs. Subdivision**

There is no real difference in these processes except that the subdivision procedure specifically requires a service study, a hydrogeological study and an archaeological study.

## **6. Waving Fees**

In order to try and hit “affordable” targets, the savings on every front is important.

Thank you,

**Attachments:**

1. Woods Bay Study
2. Submission to the Ministry of Municipal Affairs on Official Plan No. 61
3. Minister's decision on O.P.A. No. 61 – December 21, 2018
4. Report on Gates Land Division – April 26, 2019
5. Letter report from Cale Henderson on Gates Lands – June 10, 2019
6. Response to Cale Henderson by John Jackson – June 24, 2019

# DECISION

With respect to Official Plan Amendment No. 61  
To the Official Plan of the Township of The Archipelago  
Subsection 17(34) and 21 of the *Planning Act*

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I hereby approve Amendment Number 61 to the Official Plan of the Township of The Archipelago adopted by By-law No. 18-06 of the Corporation of the Township of The Archipelago, subject to the following modifications:

1. **PAGE 9, SECTION 5 – CONCEPT OF THE PLAN**, by deleting subsection 12 and replacing it with the following sub-section:

**"12. Subsection 5.7 is amended as follows:**

a) replacing the words "The first" in the first sentence with the word "Early";

b) inserting the following sentence in front of the word "Early"

**"The whole geographic area that is now the Township of The Archipelago was used by Indigenous peoples for hunting, fishing and gathering and other aspects of their traditional way of life."**

c) inserting the following paragraph after the word "poor":

**"In the late 1800s and early 1900s some Métis people from Penetanguishene Bay were granted Crown lands in Woods Bay – Moon River area. In many cases Métis people were given land in Moon River by the Government of Canada as payment for their services in the armed forces. The Métis people continued their way of life and were involved in fur trading, fishing, farming, guiding and eventually lumbering."**

2. **PAGE 9, SECTION 5 – CONCEPT OF THE PLAN**, by renumbering subsection 16 as 16A and adding the following subsections:

**"16B. Subsection 5.15.2 is amended by inserting the words "and Métis" after the words "First Nations".**

**16C. Subsection 5.15.5 is amended by inserting the words "and Métis" after the words "First Nations".**

3. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by:

- a) re-numbering subsection 19 as 19A; and
- b) inserting the following subsection as 19B:

**"19B. Subsection 6.6 is amended by replacing the words "some provision for isolated accessory apartments in Pointe au Baril Station" with the words "the exception of Pointe au Baril Station where semi-detached and rowhouse dwellings are also permitted"**

4. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by replacing the words "the regional market area" with the words **"Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive.**

**In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.**

**The municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the official plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target."**

5. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by:

- a) renumbering subsection 18 as 18A
- b) inserting the following subsection:

**"18B. Subsection 6.2 is amended by adding the words "Rural Area and" in front of the words "Pointe au Baril Neighbourhood" in the second paragraph."**

c) deleting subsection 21 and replacing it with the following subsection:

**"21. A new subsection 6.8 is added to read as follows:**

**It is recognized that accessory apartments will also assist in the provision of affordable housing. An accessory apartment is permitted in the Pointe Au Baril Station Settlement Area and the Rural Area, within a single detached dwelling or in a structure ancillary to a dwelling if the dwelling contains a single residential unit, and in a semi-detached or rowhouse dwelling in Pointe au Baril Station, and provided such dwelling is located on a year-round maintained public road and subject to the provision of satisfactory water and sewage disposal services."**

**6. PAGE 10, SECTION 6 – LAND USE POLICY – COMMERCIAL POLICIES, by:**

- a) renumbering subsection 22 as 22B;
- b) replacing "6.7" with "6.9" in the first sentence;
- c) inserting the following subsection:

**"22A. Subsection 6.8 is amended by deleting the following text:**

**"Therefore there will be no increase in density, intensity or amount of commercial or private club use within any commercial or private club zone beyond the level set out in the Comprehensive Zoning By-law as of the date of Council's adoption of this Official Plan Amendment as measured by such factors as land area, number of units, size of structures and/or the number of persons that can be accommodated. This policy of limiting commercial expansion will not apply to the Pointe au Baril Station Neighbourhood."**

**Subsection 6.8 is further amended by adding the following sentence after the words "permitted at existing commercial or private club operations":**



**"Commercial expansions or enlargements, including increases in density, intensity, amount of commercial use, or expansions onto adjacent lands, are permitted subject to the policies of this plan including policies for environmentally sensitive areas where applicable."**

7. **PAGE 17, SECTION 68 CULTURAL HERITAGE**, is hereby modified by:

- a) adding the following sentence after the word "practical": **"Significant cultural heritage resources shall be conserved."**
- b) adding the following sentence at the end of the paragraph: **"In the case of significant resources, conservation means the identification, protection, management and use of the resource in a manner that ensures its cultural heritage value or interest is retained under the Ontario Heritage Act."**

8. **PAGE 18, SECTION 69 CULTURAL HERITAGE**, is hereby modified by adding the following sentence before the words "A Municipal Heritage Committee": **"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."**

9. **PAGE 18, NATURAL HERITAGE FEATURES**, subsection 74 is hereby renumbered section 74A and the following subsection is hereby added as 74B:

**"74B. Subsection 7.51 is amended to read as follows:**

**The policies of this plan regarding the identification and conservation of cultural heritage resources also apply to the undertaking of municipal public works."**

10. **PAGE 19, SECTION 8 – GENERAL POLICIES**, subsection 80 is hereby renumbered section 80A and the following subsection is added as 80B:

**"80B. Subsection 8.21 is amended by deleting the following words from the first paragraph: "until such time as existing Highway 69 is no longer a restricted access highway"."**

11. **PAGE 20, SECTION 10 – NEIGHBOURHOOD GROWTH POLICIES**, subsection 84 is hereby renumbered section 84A and the following subsection is hereby added as 84B:

**"84B. Subsection 10.36 is amended to read as follows:**

**In 2008 and 2009 the Township undertook Phase I (Findings Report) of a study of the Woods Bay Neighbourhood to inform council's consideration of policies to guide the area's future development. Prior to completing the next revision of the official plan as required under section 26 of the *Planning Act*, council will complete Phase II (Recommendations) of the Woods Bay Neighbourhood study. The work of Phase II will be undertaken in the context of a review of residential and commercial demand and land supply as described in section 19 of this plan. Among the matters to be addressed in Phase II are issues raised in section 7.9 of the Phase I report, with respect to housing for persons employed in Woods Bay and the ability of existing businesses to attract and retain employees.**

12. **PAGE 22, SECTION 12 – NATURAL RESOURCES**, subsection 98 is hereby amended by deleting the words ", however this policy will not apply to any lands adjacent to and extending inland from a waterbody 150 metres".

13. **PAGE 25, SECTION 12 – NATURAL RESOURCES**, subsection 119 is hereby amended by:

- a) replacing the subsection title with the words **"Potentially Contaminated Sites and Sensitive Uses"**; and
- b) adding the following sentence in front of the words "Contaminated sites shall be remediated" in the second paragraph: **"Before a change in zoning of**

contaminated lands, the proponent shall provide evidence of the filing of a Record of Site Condition with the Ministry of Environment, Conservation and Parks. Even where there is no suspected contamination, certain changes in land use (i.e. to a more sensitive use) require the filing of a Record of Site Condition, as stipulated in Ontario Regulation 153/04."

14. **PAGE 28, SECTION 14 – DEVELOPMENT PROCEDURES AND STANDARDS,** subsection 141 is hereby deleted in its entirety and replaced with the following:

141. Subsection 14.13 is amended to read as follows:

Before approving waterfront development on lakes identified as sensitive or near capacity, Council must be assured that the proposed development will not exceed the capacity of the lake to accommodate development. This shall be determined in accordance with the Ministry of Environment, Conservation and Park's *Lakeshore Capacity Assessment Handbook*. This applies to lot creation, change to a more intensive use, and development resulting in intensification.

15. **PAGE 34, SECTION 19 – OFFICIAL PLAN REVIEW,** subsection 178 is inserted as follows:

"178. A new section (Section 19) is added as follows:

#### **SECTION 19 – OFFICIAL PLAN REVIEW**

##### **General**

Council will revise the official plan within five years of the date the previous such revision came into effect.

##### **Land Supply**

Prior to revising the plan, council will undertake a study in order to determine whether sufficient land is available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years, including whether sufficient land is available in Pointe au Baril Station to

serve as the focus of growth and development for the Township of The Archipelago.

The study will also determine whether there is a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

#### Affordable Housing

Prior to revising the plan, council will monitor the implementation of the affordable housing policies of this plan in order to determine whether the Township has met its goal that ten per cent (10%) of new permanent residential dwelling units be affordable to low and moderate income households as defined in section 6.7 of this plan.

#### Climate Change

Council will incorporate into the official plan goals, objectives and actions to mitigate greenhouse gas emissions and to provide for adaptation to a changing climate, including through increasing resiliency.

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Dated at Toronto this 21 of December, 2018

  
\_\_\_\_\_  
Marcia Wallace  
Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs and Housing



File N°: 49-OP-144666  
Municipality: Township of The Archipelago  
Subject Lands: All lands within The Archipelago

Date of Decision: December 21, 2018  
Date of Notice: December 24, 2018

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## NOTICE OF DECISION

With respect to an Official Plan  
Subsection 17(34) of the Planning Act

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A decision was made on the date noted above to approve Amendment N° 61 to the Township of The Archipelago Official Plan, adopted by By-law N° 18-06, subject to fifteen (15) modifications.

### **Purpose and Effect of Amendment N° 61**

This amendment updates the land use policies for the Township of The Archipelago in accordance with section 26 of the *Planning Act*. The current official plan was approved in 1983 and has been updated periodically. The most recent update (Amendment N° 45) was approved by the Ministry of Municipal Affairs and Housing in April, 2008. Amendment N° 61 updates policies to be consistent with the Provincial Policy Statement, 2014, and the Growth Plan for Northern Ontario, 2011. The amendment also includes policies to comply with recent changes in the *Planning Act* through the *Smart Growth for Our Communities Act, 2015*, and the *Building Better Communities and Conserving Watersheds Act, 2017*. A copy of the decision is attached.

### **Decision Final**

Pursuant to subsections 17 (36.5) and (38.1) of the *Planning Act*, this decision is final and not subject to appeal. Accordingly, Amendment N° 61 to the Township of The Archipelago Official Plan, as approved with modifications by the Minister, came into effect on December 22, 2018.

### **Other Related Applications:**

N/A

### **Getting Additional Information**

Additional information is available during regular office hours at the Ministry of Municipal Affairs and Housing at the address noted below or from the Township of The Archipelago.

Ministry of Municipal Affairs and Housing  
Municipal Services Office - North  
Suite 401, 159 Cedar Street  
Sudbury, ON P3E 6A5

Inquiries can be directed to the attention of Christopher Brown, Planner, MSO-N.

Tele: (705) 564-6852  
Toll Free: (800) 461-1193 ext. 46852  
Fax: (705) 564-6863

**TOWNSHIP OF THE  
ARCHIPELAGO  
WOODS BAY NEIGHBOURHOOD  
STUDY  
FINDINGS REPORT**

**July 2, 2009**



**The Planning Partnership**





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## 1.0 BACKGROUND

The Township of The Archipelago was formed on April 1, 1980 by Ministers Order under the District of Parry Sound Local Government Act. The Township is comprised of all of the former unorganized Geographic Township of Cowper and portions of the previously unorganized Geographic Townships of Conger, Harrison and Shawanaga. The creation of the Municipality itself was a result of growing development pressures and concerns by the residents of the Municipality regarding the protection of the unique natural environment which includes hundreds of kilometres of the eastern coast of Georgian Bay.

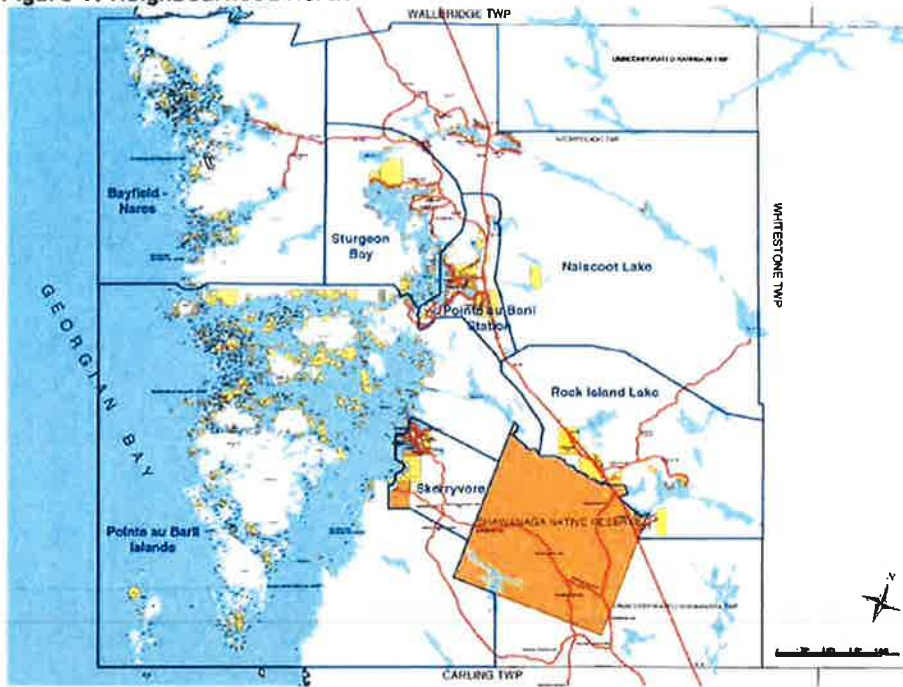
This area is recognized as a UNESCO World Natural Heritage Site, the same recognition that goes with the Niagara Escarpment. The area is also recognized as a significant 'Heritage Coastline' in the Lands for Life Plans prepared by the Ministry of Natural Resources approximately eight years ago. The geography and character of this water based Archipelago is truly world renowned.

The Official Plan for the Township of The Archipelago has one Goal. It is:

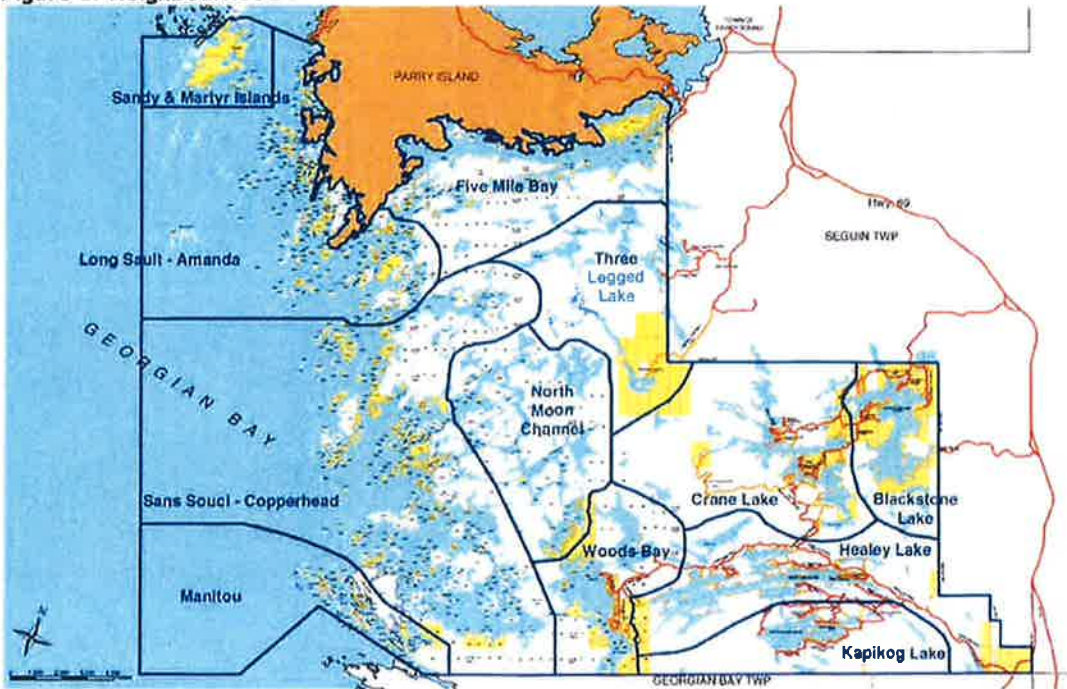
*The general goal of the Official Plan for the Township of The Archipelago Planning Area is to preserve the unique and high quality of the natural environment which leads to a recreational experience that is both relaxing and aesthetically appealing to property owners and visitors who use the area, and is designed to make both property owners and visitors realize that they share equally in the responsibility of attaining this goal.*

In the development of the Official Plan the Township identified 17 neighbourhoods within the Municipality. Figures 1 and 2 illustrate the neighbourhood boundaries as outlined in the Township's Official Plan. Identifying specific neighbourhoods has enabled the Municipality to apply specific policies to different areas in the Township. The intent was that policies would reflect both the physical and cultural character of those individual neighbourhoods.

**Figure 1: Neighbourhood North**



**Figure 2: Neighbourhood South**



In 2006, the Township of The Archipelago undertook a five year Official Plan Review. The amending policies were included in Official Plan Amendment No. 45. Through that process, residents of the Woods Bay/Moon River area and neighbouring Associations raised concerns about the Official Plan not recognizing the function of the area for providing goods and services to the water based neighbourhoods in the immediate area. Following their appeal of the Official Plan Amendment the following Sections were added to the document through a settled Ontario Municipal Board Decision.

***"10.16.3 The Woods Bay/Moon River area is comprised of permanent and seasonal residents. Some of these residents operate businesses and provide goods and services to the water based neighbourhood of Woods Bay, North Moon Channel, Manitou, and Sans Souci and Copperhead.***

***10.6.3.1 Council will undertake a Planning Study in the Woods Bay/Moon River area. This study will include an examination of the character of the area, residential profile, infrastructure, facilities, and services. Following completion of this Study, Council may consider policies to guide this area's future development."***

Following the approval of the Official Plan policies, Council struck a Steering Committee comprised of permanent and seasonal residents of the Woods Bay/Moon River area as well as Members of Council and staff. This Committee prepared a Terms of Reference for the Woods Bay Neighbourhood Study in March 2008.

This report is the Finding Reports providing a detailed overview of public consultation processes which occurred throughout the summer of 2008.

The report does not make recommendations, but rather provides a record of the conversations held with the many attendees of the workshop session. This information provides the basis for undertaking the Phase Two portion of the Study in accordance with the Terms of Reference.

#### **WOODS BAY NEIGHBOURHOOD STUDY - STEERING COMMITTEE**

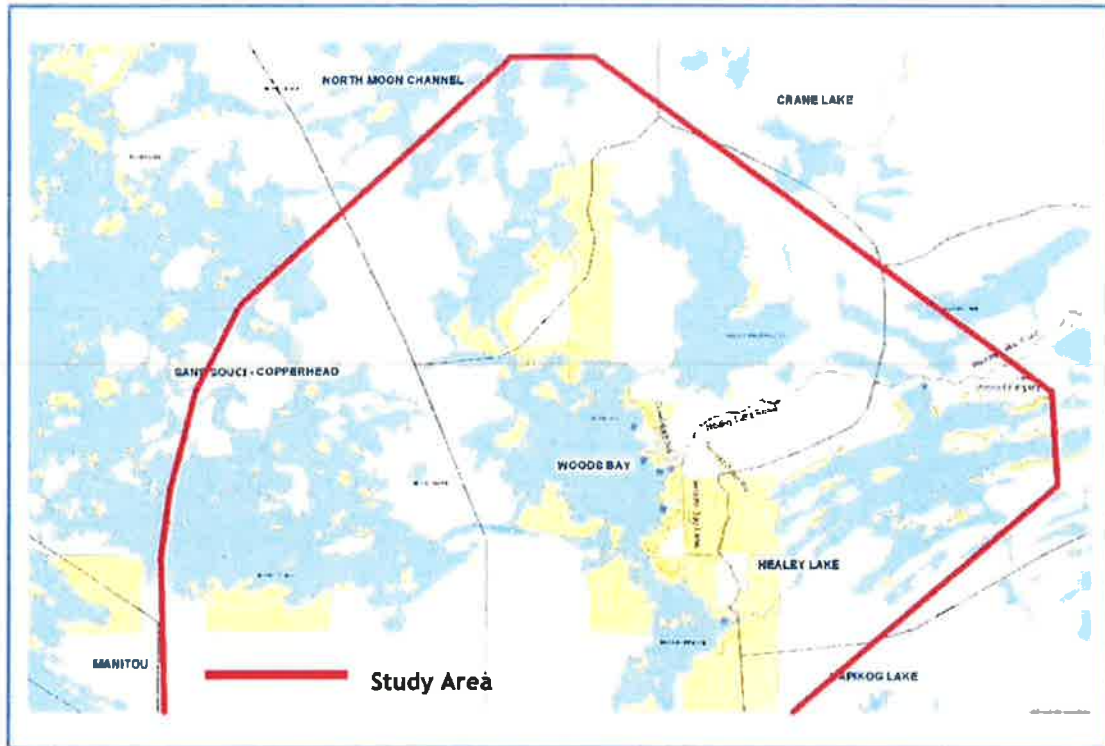
Jackie Hubbs	Planner, Township of The Archipelago
John Seagram	Councillor, Ward 4
Grant Walker	Councillor, Ward 6
Bruce Mortensen	President, Woods Bay Community Association
Werner Wichmann	Past President, Woods Bay Community Association
Nancy Beatty	Secretary, Woods Bay Community Association
Aimé Dion	Resident, Woods Bay
John Gillies	Seasonal Resident, Woods Bay
Lisa McCron	Woods Bay Community Association, Baywise Construction
Bert Liverance	President, Sans Souci and Copperhead Association
Bill McNeill	Past President, Sans Souci and Copperhead Association

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## 1.1 STUDY AREA

One of the elements identified in the Terms of Reference for the study is to discuss issues related to the Woods Bay Neighbourhood Boundary. In order to properly consider this issue the Study Area was expanded beyond the present Woods Bay Neighbourhood to include portions of adjacent neighbourhoods including Manitou, Sans Souci and Copperhead, North Moon Channel and Healey Lake. Figure 3 identifies the Study Area used throughout this project.

**Figure 3: Study Area**



Throughout this report the term Study Area is used to reflect the Study Area extending beyond the Woods Bay Neighbourhood as described in the Official Plan.

## 2.0 POLICY CONTEXT

Any Planning Study of the Woods Bay Neighbourhood requires an understanding of the policy context in which the future of the area is governed. In Ontario the planning policy is a top down process. The Provincial Policy Statement (PPS) is the overriding Provincial Policy and all local planning decisions must be consistent with the PPS. The following outlines a couple of key policy areas that need to be considered in the context of the Woods Bay Neighbourhood.

### 2.1 PROVINCIAL POLICY STATEMENT

Part 4 of the PPS defines the vision for Ontario's Land Use Planning System with the following points:

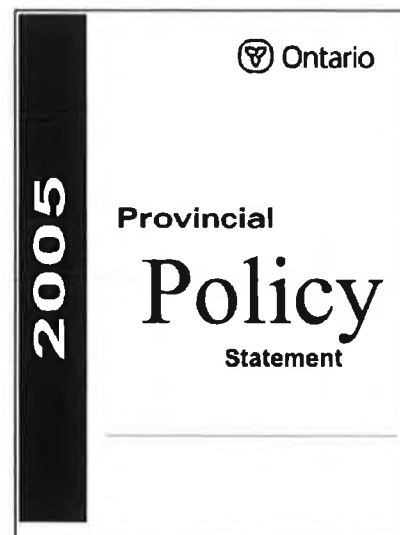
- The Provincial Policy Statement focuses growth within Settlement Areas and away from significant or sensitive resources and areas that may cause a risk to public health and safety.
- Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns.
- Efficient development patterns optimize the use of land resources and public investment in infrastructure and public service facilities.

Part 5 of the PPS is dedicated to building strong communities. The following policies are relevant in considering Woods Bay Community:

***"1.1.1 Healthy liveable and safe communities are sustained by:***

- a) promoting efficient development in land use which sustain the financial well being of the Province and the municipalities over the long term;***
- e) promoting cost effective development standards to minimize land consumption and servicing costs;***
- g) ensuring the necessary infrastructure and public service are or will be available to meet the current or projected needs."***

In the context of these policies, it is recognized that the entire Township of The Archipelago is referred to as a 'community' throughout the Township's Official Plan and thus the above noted policies need to read in the context of the entire Municipality. Woods Bay is considered a single neighbourhood within the larger community.



Section 1.1.2 of the PPS provides policies for Settlement Areas. Key consideration in the applicability in these policies is whether or not Woods Bay would be considered as a Settlement Area under the PPS. The definitions within the PPS include the following:

***"Settlement Areas: Means Urban Areas and Rural Settlement Areas within municipalities (such as cities, towns, villages and hamlets) that are;***

- a) built up areas where development is concentrated in which have a mix of land uses and,***
- b) lands which have been designated in an Official Plan for development over the long term planning horizon provided for in Policy 1.12. In cases where land in designated growth areas is not available, the Settlement Area may be not larger than the area where development is concentrated".***

The PPS policies relating to Settlement Areas would not apply to the Woods Bay neighbourhood because it does not fit the criteria for a settlement area.

Section 1.1.3.9 of the PPS states that the Planning Authority may identify a Settlement Area or allow the expansion of the Settlement Area Boundary only at the time of the comprehensive review and only where it has been demonstrated:

- "a) sufficient opportunity for growth are not available through intensification, redevelopment or designated growth areas to accommodate the project needs over the identified planning horizon.***
- b) the infrastructure and public facilities which are planned or available are suitable for the development over the long term to protect public health and safety."***

Under the provisions and definitions in the PPS, the Woods Bay Neighbourhood would be best described as a Rural Area. The definition in the PPS states:

***"Rural Area: Means land in the Rural Area which are located outside of Settlement Areas and which are outside Prime Agricultural Areas. Policies in Section 1.1.4.1 state that the permitted uses and activities for Rural Areas shall relate to the management or use of resources, resource space or recreational activities, limited residential development and other rural land uses. These policies provide for limited development in the community provided that the development is related to the resource space, in this case Georgian Bay."***

Section 2 of the PPS, identified as Wise Use and Management Resources establishes a series of policies intended to protect natural heritage systems, including significant habitat, wetlands, water quality and natural resources.

Section 2.6 of the PPS recognizes the importance of cultural heritage and archaeology. Section 2.6.1 states that significant built heritage resources and significant cultural

heritage landscape shall be conserved. The definition of cultural heritage landscape in the PPS is important while considering the cultural landscape associated with the Woods Bay Neighbourhood and the surrounding neighbourhood in The Archipelago.

***“Cultural Heritage Landscape: Means a defined geographic area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping (of individual heritage features such as structures, spaces, archaeological sites and natural elements which together form a significant type of heritage form distinctive from that of its consequent element or parts).”***

Later chapters of this report describe the heritage features in the Study Area and surrounding areas which define the significant cultural heritage landscape.

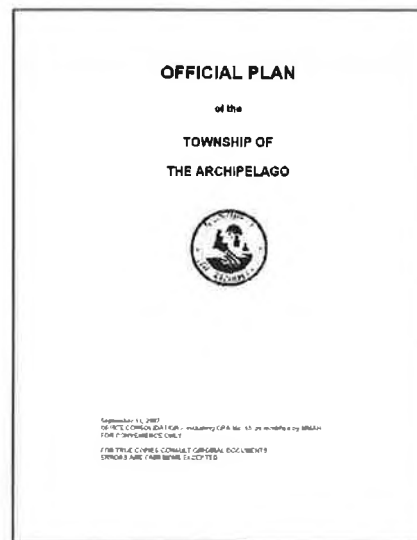
In summary, the PPS acts to limit the amount of growth that would occur within the Study Area while encouraging the preservation of the natural heritage features, as well as the cultural heritage part of the area.

## **2.2 TOWNSHIP OF THE ARCHIPELAGO OFFICIAL PLAN**

The Official Plan of the Township of The Archipelago, while originally prepared 1983 has been amended on a number of occasions to update the Plan. In the Background Section of this Report, we have outlined the Official Plan policies leading up to the preparation of this study.

All planning decisions and public works undertaken by the Municipality must comply with its own Official Plan. It is important to consider the findings of this study in the context of the Township's Official Plan policies.

The significant policy direction of the Official Plan are the goals and objective. We have identified the goal of the Official Plan in Section 1 of this Report. That goal becomes increasingly defined through additional layers of policies, starting with the objectives.





The objectives necessary to fulfil the Official Plan Goal include:

Primary Objective:

1. Respecting, maintaining and improving the natural environment of the region of which the Township is a part.

Secondary Objectives:

1. Responding appropriately to the inevitable social and economic changes that will affect the demand for recreation in its many forms while maintaining a status quo philosophy in regard to the character of the present land use base;
2. Conserving the non-renewable resources such as fossil fuels and minerals where they exist;
3. Encouraging the continued supply of renewable resources by preventing their over-use;
4. Ensuring the compatibility of land and water usage;
5. Providing a limited, but efficient and convenient system of services designed and implemented for the distinctive water-based needs of The Archipelago Community;
6. Supporting those economic pursuits that are both complementary and necessary for the proper functioning of the recreational nature of the Municipality;
7. Preserving the natural landscapes of the Township by minimizing obtrusive building forms, particularly in areas where exposure is high because of topographic conditions and/or the absence of tree cover; and
8. Recognizing the specific interests and needs of some mainland areas relating to private roads, or access roads over Crown land, or extensions to existing roads, while respecting the above objectives.

One of the key objectives of the Official Plan for the Township of The Archipelago is *"maintaining a status quo philosophy in regard to the character of the present land use base"*. The status quo objective is carried through many sections of the Official Plan that make reference to the Municipality's intention not to provide the same level of services as is normally provided by other organized municipalities in the Province of Ontario. All municipalities are bounded by their own Official Plan when considering financial expenditures and public works. The objectives and related policies have a considerable impact on the level of services that the Municipality can provide in accordance with its own Official Plan.

Throughout this highly consultative process, participants in the four Phase One workshops have been provided with information related to the Township of The Archipelago Official Plan policies. A more detailed outline of applicable policies related to the Study Area is found in Section 5 of this report.

The following is a brief summary of some of the key Official Plan policies that affect the future of the Study Area.

- The Official Plan anticipates no further extension to the Township's road network (s.5.12);
- All development will require frontage on a navigable waterway (s.6.3);
- Private roads or access roads over Crown land are permitted along portions of the Woods Bay Neighbourhood between Blackstone Harbour and Healey Lake Creek (s.13.12);
- The Township prefers the provision of water access through privately owned and publically accessible boating operations (s.6.18);
- Marinas and marine service establishments will be preserved and encouraged where possible (s.5.15.18);
- A limited number of services will be required to provide adequately for rate payers to preserve the character of the Township (s.5.12);
- Existing level of services has proven to be satisfactory and few major extensions are likely to be required. This concept of the Municipality will be strongly adhered to in order to fulfil the goal and objectives of this plan (s.5.10);
- Further land division in the Woods Bay Neighbourhood is not encouraged. A consent involving the creation one new lot per land holding greater than two acres may be considered (s.10.34);
- Municipal services are generally limited to those being provided at the date of adoption of this plan (s.6.3);
- This limited service philosophy includes a complementary principle that any cost or increase services be born by the beneficiaries of the services so as to recognize a user pay approach (s.11.2);
- The conservation of cultural heritage areas, particularly built heritage and archaeological values in the Township be encouraged (s.7.34);
- The rationale for the configuration of neighbourhoods is based upon marina centred communities of interest in the case of Georgian Bay (s.10.1);
- Official Plan refers to all of The Archipelago as a "community". It also refers to Pointe Au Baril and Skerryvore as communities.

## **2.3 ZONING BY-LAW**

Land use regulations are applied through the passing of zoning by-laws under the provisions of the Planning Act. The Planning Act requires that zoning by-laws be consistent with the Official Plans, being the policy that guides the future development of the Municipality. Official Plans are policy guidelines. Zoning By-laws are the law.

The Township's Comprehensive Zoning By-law, A2000-07 is the principal land use regulation in the Township.

The Comprehensive Zoning By-law is essentially an existing land use document. It recognizes existing land use, and establishes a framework for redevelopment of a site, however it does not pre-zone for future development. Any development that does not comply with the standards set out in the Zoning By-law requires an amendment to the By-law. A copy of the zoning schedule showing the zoning within the Study Area is shown on Figure 4.

The Study Area forms an important service centre for contractors and property owners as it is a well protected harbour with direct road access. Uses permitted in the standard Marine Commercial (MC) Zone include:

**Main Use**

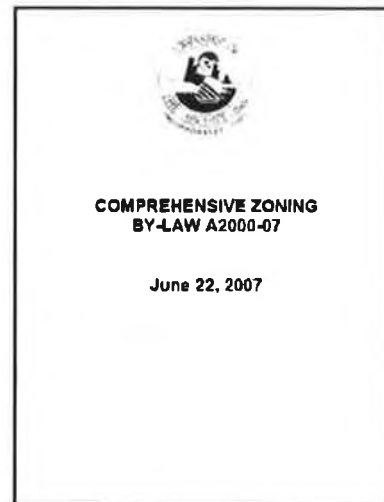
- marina

**Secondary Uses**

- dormitory,
- construction equipment storage,
- contractors yard,
- custom workshop or retail store all permitted in conjunction with the marina.

Other Commercial Zoning includes the Contractor Commercial (CC) Zone which permits:

- contractors yards;
- boat docking;
- building structure for boat storage;
- boat and water craft rental and sales, fuel fills; and,
- a dwelling unit.



Since the Zoning reflects current conditions, it is important to consider the extent to which the issues and aspiration of the Neighbourhood can be implemented in accordance with current regulations.

[illegible]

## Zone Symbology

## NS, NSC - Natural State

NS, NSC - Natural State &amp; Natural State Conservancy

Zone Specific - See Map for Zoning Label

CR - Coastal Residential

IR - Inland Lakes Residential

GR - General Residential

EU - Existing Use

PC - Private Club

CF - Community Facility

PQ - Pit & Quarry

WD - Waste Disposal

/D - Divided (Indicative of a lot division)

/H - Holding (indicative of a holding provision)

# - Special Provision Zoning

### Commercial Zoning

CC - Contractor Commercial

MC - Marina Commercial

MRC - Manna/Resort Commercial

RC - Resort Commercial

EC - General Employment Commercial

PBC - Pointe au Baril Commercial

ES

ES-1 - ES (Environmentally Sensitive Lands)

ES-2

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### 3.0 CULTURAL FEATURES, LAND AND WATER USE

In late 1800's and early 1900's the community of Moon River was established in the area. Portions of the community are located in what is now the Township of Georgian Bay (Baxter Township) and portions located in the Study Area within the Township of The Archipelago. The Moon River community included a school, church, a post office and a permanent population that earned its living through hunting, fishing and forestry.

The Study Area was covered with large stands of white pine trees up until the early 1900's when many of the trees were cut and harvested. Through the 1900's there were a considerable number of people involved in the harvesting of the white pine that was cut in the area and then taken to mills in Parry Sound.



Over fishing in Georgian Bay in the late 1800 and early 1900's all but destroyed the commercial fishery significantly impacting the abilities of communities like Moon River to prosper. Like many other similar communities, the population of the area declined eventually resulting in the closure of the school, church and post office. However, the decline in fishing was offset by the increase in tourism in the area and many hunting and fishing lodges were established in the early to mid 1900's. Most of these fishing lodges were owned and operated by Americans who relied on local goods and services to meet the demands of the club members and tourists coming to the resorts has grown constantly since the post war and is now the primary source of employment and revenue for the permanent residents of the area. Interviews with service providers in the Study Area identified the following statistics for water access services in the area during peak season:

- Number of wet boat slips provided - 260
- Number of dry boat slips provided - 70
- Number of employees - 89

Massassauga Provincial Park is perhaps one of the most dominant cultural features in the area. The park in this area is over 13,000 hectares (32,000 acres) and has over 21 kilometres (13 miles) of Georgian Bay shoreline. The park is a water access only campground that plays host to approximately 25,000 visitor/days annually. Approximately two-thirds of those people enter the park from Pete's Place.



The biggest cultural feature within the Massassauga Provincial Park is Calhoon Lodge. Calhoon Lodge was originally constructed in the 1920's by Joseph Calhoon, a lawyer from Cleveland, Ohio. He owned 300 acres of land in Blackstone Harbour where he developed

an extensive collection of dwellings and outbuildings, many of which exist today. The property was purchased by the Ontario Government in 1974 and now forms part of the Park.

Figure 5 shows the cultural features of the Study Area as identified by the participants of the public consultation process. This map shows important physical, cultural and social elements of the area, including locations of businesses and services located within the Study Area. A number of business shown, specifically Hawk's Nest Marina and Sunset Point Trailer Camp are now closed. The map also shows land ownership. It is noted that most of the businesses and services sites identified on the map are also locations of permanent residential uses.



Figure 5: Cultural Features of the Study Area



**Key to Service Providers in Study Area**

- |                                |  |                       |                      |
|--------------------------------|--|-----------------------|----------------------|
| 1. Grisdale's Marina           | 2. Moon Island Construction            | 3. West View Resort   | 4. Moon River Marine |
| 5. Baywise Construction        | 6. Iron City                           | 7. Gary Gregoire      | 8. Bernard Trudeau   |
| 9. Hawk's Nest Marine (Closed) | 10. Sunset Point Trailer Camp (Closed) | 11. Dion Construction |                      |

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#### 4.0 POPULATION PROFILE

Population data for the Study Area does not exist to the extent that it would in other more urbanized parts of the Province. The Municipality uses Municipal Assessment Data to calculate dwelling units and estimated populations since the Assessment Data is the most accurate data, being collected on of the local level.

The Study Area consists of portions of neighbourhoods within the Sans Souci and Copperhead, North Moon Channel, Woods Bay, Healey Lake and a portion of Manitou. In order to provide an appropriate magnitude of scale, we have completed population and housing figures using the statistics for all of Sans Souci and Copperhead, all of North Moon Channel and all of Woods Bay, but have not included Manitou. The rationale for this decision is that while portions of Manitou appear to be entirely serviced from the Woods Bay Neighbourhood, not all of the Sans Souci and Copperhead area is serviced from that area. A portion of the population in Sans Souci and Copperhead tends to be serviced from the Parry Sound area.

By comparison, the Pointe au Baril neighbourhood services both Pointe au Baril station and Pointe au Baril Islands and Sturgeon Bay from the water access point in that neighbourhood. Within the Pointe au Baril service area there are 110 permanent dwellings and 743 seasonal dwellings for a total of 853 dwellings. This represents 26% of the entire dwellings within the Township of The Archipelago as compared to the 16% within the Woods Bay service area.



Based on the assessment data, approximately 516 dwellings are serviced from the Study Area of those, 22 are permanent residents and 494 are seasonal. Using an average of 3 persons per household for the permanent residents, it is estimated that the permanent population of the area is approximately 60.

The Near North School Board advises that 13 children from the Study Area attend local schools. These children are brought to the Moon River Marina by boat and then taken by bus to school in Parry Sound. During periods of freeze up and melt, students are either taken by ice boat or scoot or board on the main land until freeze up occurs and travel across the ice becomes safe.

Table 1 identifies the count of dwellings within the neighbourhoods within the Township of The Archipelago.





**Table 1: Count of Dwellings within the Township of The Archipelago**

NEIGHBOURHOOD	TOTAL NUMBER OF UNITS	Permanent Residential Units	Seasonal Units	Vacant Lots	%
Bayfield-Nares	257	12	245	87	8%
Pointe au Baril Islands	566	6	560	170	17%
Sturgeon Bay	155	14	141	9	5%
Manitou	53	3	50	37	2%
Sandy and Martyr Islands	16	1	15	9	0%
Long Sault - Amanda	203	2	201	37	6%
Five Mile Bay	325	16	309	25	10%
Sans Souci and Copperhead	310	9	301	58	9%
North Moon Channel	89	2	87	11	3%
Woods Bay	117	11	106	23	4%
Blackstone Lake	126	4	122	41	4%
Crane Lake	222	7	215	42	7%
Healey Lake	324	24	300	14	10%
Kapikog Lake	115	5	110	2	3%
Naiscoot Lake	91	1	90	5	3%
Rock Island Lake	28	7	21	4	1%
Three Legged Lake	30	0	30	21	1%
Skerryvore	131	18	113	66	4%
Pointe au Baril Station	132	90	42	42	4%
<b>TOTALS</b>	<b>3290</b>	<b>232</b>	<b>3058</b>	<b>703</b>	<b>100%</b>

Many of the permanent residents of the area provide goods and services to the cottage and tourism industry. These include marine operators, tourist establishment operators and building contractors.

Table 2 shows the number of dwelling units in the area as determined by Municipal Assessment Data for 1982 and 2008 dwellings. The 1982 and 1990 data is contained in an Appendix to the Official Plan for the Township of The Archipelago (Appendix B).

**Table 2: Study Area\* Dwellings**

1982		2008	
Permanent/Seasonal		Permanent/Seasonal	
33/387		22/494	
TOTAL: 420		516	

\* Includes Woods Bay, North Moon Channel, Sans Souci and Copperhead

Between 1982 and 2008 there has been an increase of approximately 100 dwellings throughout the Woods Bay, North Moon Channel and Sans Souci and Copperhead area. The data also shows the number of permanent residents in the area has declined from 33 to 22.

The density of development in the Study Area is 2.3 units/1000 ha. By comparison the density in the Pointe au Baril State/Point au Baril Islands area is 4.0 units /1000 ha. Point au Baril Station is significantly different from Woods Bay in that the permanent population comprises 70% of the Pointe Au Baril population while Woods Bay's permanent population comprises 9 % of the total population.

## **5.0 SUMMARY OF CONSULTATION**

The following section provides a record of comments received through the public consultation process. All ideas presented at the session have been recorded. There has been no attempt to determine if there was agreement, consensus or prioritization of issues. Notes were transcribed directly from the workshop materials.

### **5.1 PROCESS**

The Terms of Reference for the Woods Bay Neighbourhood Study requested that extensive public consultation occur throughout the study. Five key groups were to be involved:

- Township of The Archipelago Council
- The Woods Bay Neighbourhood Committee
- Stakeholders, associations and interest groups;
- Residents of Woods Bay, Moon River, Sans Souci and Copperhead, Healey Lake, Crane Lake, Blackstone Lake, Kapikog Lake Neighbourhoods; and,
- The general public.

The Study began with a meeting with the Woods Bay Neighbourhood Committee on June 16, 2008. The purpose of the meeting was to discuss the consultation program, possible venues, contact lists, dates and to assign responsibilities for preparing for the consultation events.

Workshops were used as the forum for consultation in order to enable the stakeholders (associations, interest groups and residents) to be fully engaged in sharing information among each other and with the consulting team. Each workshop was organized to begin with a brief presentation by the consulting team, then with participants sitting at tables with 5-10 others, each group was asked to respond to a number of questions.

The Township was responsible for preparing and issuing notices regarding the workshops and the Woods Bay Neighbourhood Committee assisted with notifying residents of the purpose, date, time and location of the workshops.

Phase 1 - Background Research, was organized around four workshops summarized in the following subsections.

### **5.2 WORKSHOP #1 - SUMMARY OF PROCESS**

The first workshop was held on July 4 and 5, 2008. Over 40 people attended the sessions. The two sessions followed the same agenda and were intended to capture as many residents as possible. The purpose of the first workshop was for participants to discuss the core qualities/characteristics of a neighbourhood (this was not intended to be specific to Woods Bay). Working in a table group, participants were asked to list the best qualities of the Woods Bay Neighbourhood. Finally, working in a table group, participants were asked to list opportunities that if pursued could make the Woods Bay Neighbourhood even better.

The following is a summary of the input received at the July 4 and 5, 2008 workshops.

#### **July 4<sup>th</sup> Workshop**

**1. What are the core qualities/characteristics/features of a neighbourhood?**

- geographic boundary
- common interests and issues
- safe feeling
- social interaction
- history and social connections
- roots and heritage
- geographic area in which residents have common interests and issues
- care for neighbours
- residential components
- schools, churches, marinas
- common shared values
- boundaries or edges
- shared interest
- permanent and seasonal winter and summer
- pristine
- safety
- social
- water based



**2. What are the best qualities of the Woods Bay Neighbourhood?**

- history and heritage
- economic hub of area
- road access to Georgian Bay
- pristine
- wildlife, scenery
- water of Georgian Bay
- natural environment
- open spaces
- some services
- proximity to major centre
- remote and isolated
- emergency response
- geography
- unspoiled nature
- lack of boat traffic
- stark beauty, spiritual
- winter and summer personality
- transportation, waterway roads
- Moon River Falls
- livable year round, clean peaceful, friendly
- beauty and abundance of area
- some services available
- manageable size
- off season isolation and gives a special relation with permanent residents
- water
- land
- roads,

- social activities
- environment, unique
- water clean
- destination with a passing high traffic
- small boat marina
- core group motivated to preserve neighbourhood
- interest in preserving history
- cell phone coverage
- quiet
- able to socialize or be private as you wish
- beautiful swimming warm clear water
- destinations, e.g. sunken ship
- wildlife and floral displays
- Canadian Shield
- complete mix of residents (both visitors and permanent visitors)
- intimacy of neighbourhood
- low density sense of vastness of Georgian Bay, which is available to you.

**3. What are the opportunities that if pursued could make the best qualities of Woods Bay even better?**

- park - continued good management and potential expansion to Moon River
- inclusion of residents in Township planning
- boat ramp
- dump
- postal service
- road signage re: litter
- community facility
- community gathering spot
- better access for materials
- Woods Bay stocking program
- transfer station first sight to the entrance of our community
- Muskoka watershed -our water quality
- recognize heritage and history



## July 5<sup>th</sup> Workshop

### 1. What characteristics/qualities/conditions define a neighbourhood?

- geography, proximity, space, parks
- community lifestyle
- common shared access, roads, docks, public launches, parking
- services, school, fire, garbage
- local economics
- transportation access
- taxes
- activities, social, sports, community hall, events
- governance
- association
- schools, institutions
- demographics, cultural, groups, age, population
- share environment
- health care, ambulance
- roads, water
- history
- public services, postal, garbage, dock, parking, phone, utilities, hydro
- demographics, age, income, family size,
- geography that draws people together
- employment
- services fire, hydro, waste management, ambulance, schools,
- contractor access
- winter access
- lifestyle
- permanent, or seasonal or semi permanent
- safety, belonging security
- access to Georgian Bay



### 2. What are the best qualities/characteristics of the Woods Bay Neighbourhood?

- scenic
- good degree of services (liquor store, marina, chip hut, mechanic)
- fish hatchery
- hydro, phone, cell tower
- reasonable access (some of the group participants disagree)
- vast access to big water and destination points anywhere
- Moon River falls,
- permanent residences/cottages
- mix of cultures
- hunting, fishing
- sports, year round
- all season community
- winter/summer community more services easier to stay

- community associations and connect with other associations
- history, monuments, land marks
- emerging sense neighbourhoods/ community safe, no break-ins, theft
- privacy, lack neighbours, remote
- natural environment, water quality
- quiet tranquil
- no visual clutter, limited shoreline development
- limited access, people, accessibility/water
- watershed outlet, moon
- open sky, dark sky, stars
- great destination point (canoe and snowmobile)
- Yamaha dealership/mechanic
- Friends visit by road or boat
- fair access point
- camping
- not land locked
- sheltered, but full access to big water
- protected bay, mooring, less large waves
- geography, land, water, wetlands, rock
- environment still in tact
- wildlife
- people share values and respect for the area
- recreational interest shared
- parks
- canoes, less speedboats
- large properties, preserved space
- beauty, multiple distinct environments
- road access, but lack of public parking facilities
- safe water access to Georgian Bay
- quietness of area
- year round activities, recreational sports
- fresh water, clean air
- great place to come home to
- wildlife abundant
- sense of security and safety, low crime
- neighbours
- fishing and hunting
- low residential density
- marinas, services provided
- park
- modest homes
- year round schooling
- light water traffic, allows motorized boating safely
- history, multiple generation homesteads
- control of buildings and development
- strong local community association relaxed atmosphere
- not overly commercialized



3. What are the opportunities that, if pursued could make the best qualities of Woods Bay even better? (list of opinions from table group participants, not necessarily consensus among the group members)

- public (real) launch site
- regulated use of Crown lands
- improved parking facilities
- barge access point
- updated hydro
- wireless access
- better land phone service
- snowmobile bridge over Blackstone narrows
- improved water management
- affordable properties supply
- reliable hydro
- public launch (useable and improved)
- public parking, free or user pay
- community centre/structure - public or association owned
- improve transfer station
- Woods Bay garbage transfer station (fix fence, grade property, easier to use, access 7 days a week, monitor, resolve contamination issues, seasonal)
- taxes versus service provided
- improvements without tax increases, utilize current taxes (what do we get for current taxes)
- emergency services (fire boat, funding by residents), training volunteers



- ambulance, access to ambulance points
- communication for emergency services, better access info, gps for 911 calls
- little for tax dollars
- road access, bridge to Blackstone Harbour
- at a minimum a ski-doo bridge
- zoning allowing for contractor yard (remote)
- water quality, insurance, inspection of septic systems
- post office, local
- need a local ward councilor
- make Woods Bay our own local municipal board.



### 5.3 WORKSHOP # 2

The second workshop was held on July 18, 2008. Twenty-two people attended the workshop. The purpose of this workshop was to review the input from Workshop #1, followed by a focused discussion on the opportunities/issues identified and a conversation about neighbourhood boundaries.

The workshop began by recapping the core attributes of the Study Area as described by the workshop participants in the first workshop.

The core qualities and characteristics of the Study Area were grouped according to common ideas under the following headings:

#### Core Attributes

##### Social

- Winter and Summer personality core group motivated to preserve neighbourhood ability to socialize or be private as you wish
- mix of visitors and permanent residents
- intimacy of neighbourhood
- community associations
- all season community sports

##### Environment

- pristine
- wildlife
- scenery
- natural environment
- unspoiled nature
- clean water
- beauty
- Canadian shield
- Moon River falls
- fishing
- hunting

##### Remote Location

- economic hub of area
- some services
- proximity to major centre
- road access to Georgian Bay
- remote and isolated
- geography
- transportation, waterway, roads
- destination
- limited access
- not overly commercialized
- reasonable access
- no visual clutter
- Yamaha dealership
- small boat marina
- sheltered, protected bay
- sense of security

#### Heritage

- interest in preserving history
- history, monuments, landmarks
- multiple generation homesteads

The purpose of the second workshop was for participants to discuss the opportunities and issues they identified at the first workshop. The following is a list of their topics:

- road signs
- project watershed
- road access
- inclusion of residents in Township planning
- improved parking
- updated hydro
- wireless better land phone service
- Woods Bay stocking program
- affordable properties supply
- volunteer emergency services
- postal service
- park
- snowmobile bridge over Blackstone narrows
- community facility/ gathering spot
- history and heritage
- better access for materials
- no change
- regulated use of Crown lands
- dump
- boat ramp
- no tax increases

Participants were asked to identify the topics they were most interested in discussing. After forming small groups, each group was asked to record their thoughts on the topic by describing:

- the issues
- the desired outcome
- how the outcome fits the goals and objectives of the Official Plan
- options to achieve the outcome

The following is a summary of the topics discussed at the second workshop:

#### *Community Facility*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>road access</li> <li>Buildings</li> <li>one room school house size</li> <li>single storey</li> </ul>	<ul style="list-style-type: none"> <li>Simple meeting room</li> <li>Washroom</li> <li>Small kitchen</li> <li>Small yard for kids activities</li> <li>Preferably water access</li> <li>No tax increases</li> </ul>	1,5,6,7 (C) will implement A and B while creating A "C" Issue	Grants from Trillium? Crown Land? Other partners? Cottage Association

#### *Access for Materials*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>No access for contractors to deliver materials</li> </ul>	Permanent site	Need contractor supplying proper environmental septic, and treating building sites properly Contractors have to implement through following by-laws	Private marina providing site  Partnership with Township

#### *History and Heritage*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>Where has "Moon River" name gone?</li> <li>Original Homestead history</li> <li>Location of artifacts</li> <li>Original families</li> <li>Métis culture</li> </ul>	<p>Documents of History</p> <p>Name of Moon River Maintained (maybe Moon River/ Woods Bay community)</p>	"A" - preservation of walking trails portages	<p>Historical society</p> <p>Site to preserve artifacts</p> <p>Book</p>

### *Snowmobile bridge*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>snowmobile bridge over Blackstone narrows</li> <li>no change issue</li> <li>regulated use of Crown lands</li> </ul>	improved winter access to north Moon Channel without jeopardizing scooter access or violating private property interests	issue does not fit into current OP which focuses on road and water access interests. OP is silent with respects to winter vehicle or air traffic	Interests of winter vehicle travel and traffic. Snowmobile Association could provide plan also silent on ATV and air transit

### *No Changes in Community*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>Planning needs to consider the no change option</li> </ul>	maintain status quo - in the absence of demonstrated need, neighborhood should stay untouched by anyone other than mother nature	OP needs to protect rights of residents through open and through public consultation. Where changes may be necessary or desired, all residents need to have opportunity to have input	Maintain public consultation processes to the fullest extent possible. For key or important proposed changes, by-law amendments are unsatisfactory because of insufficiency of notice and input

### *Regulated Use of Crown lands*

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>use of Crown lands has a significant impact on Community</li> </ul>	better maintained camp sites - less use of public lands by trespassers who may abuse private lands and have lower pollution standards	OP appears silent on vagrant/trespasser use of Crown lands. Fit within other controls such as policing maintenance unclear	No viable solution currently available since beyond preview of ToR.

### Postal Service

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>Postal service once existed in the community.</li> <li>Not energy efficient for people to drive to Mactier for mail</li> </ul>	Reinstate P.O. in Woods Bay/Moon River	C5 - C6	<p>A "super box" near Moon River Marina including sales of stamps, mail box for outgoing</p> <p>Ensure Mactier office provides service for seasonal folk (late Friday, Saturday Service)</p>

### Park

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>Use of the park has a major impact on the neighbourhood</li> </ul>	Park incorporate more Crown land into its control to help maintain Crown land Community involvement in decisions affecting community Better two-way communication between community /park	C1, C2, C4, C6, C7, C8	<p>Proactive communication</p> <p>Park management accepts input</p> <p>Establish a "friends of park" group and/or park liaison person</p>

### Dump

Describe the issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"> <li>Operation of the transfer station should be more convenient and attractive</li> </ul>	<p>More dumpsters</p> <p>More maneuvering space</p> <p>Increased service (staffing hours, emptying)</p> <p>Should be empty before weekends</p> <p>Improve appearance</p> <p>Open in winter for large articles from water access properties</p>	C4, C6, C7, C8	<p>Move location across road behind trees with a "driveway" in/out to allow for expansion</p> <p>Provide education/guidelines for what is acceptable for recycling etc.</p> <p>Increase hours emptying schedules</p>

#### *Boat ramp (dock and launch)*

Describe the Issue	Desired Outcome	How does the Outcome Fit Goals and Objectives of OP	Options to Achieve the Outcome
<ul style="list-style-type: none"><li>Municipal facility lacks parking and is not well maintained</li></ul>	Must be usable for local residents (currently cars get stuck in there) Maintenance Docks needs to be safer (too slippery) Adequate to support a launch ramp	C4, C5, C1, C6, C8	Proper concrete pads with grooves "cart" to facilitate moving trash to dump

#### *Neighbourhood Boundaries*

During previous workshops, there was keen interest in reviewing the boundaries of the Woods Bay Neighbourhood as shown in the Official Plan. The question was posed to workshop participants " what are the implications to your day-to-day life of the neighbourhood boundaries?" The responses were focuses on:

- taxes
- sense of belonging/association.

The issue of boundaries is described in detail in Section 6. It is also noted that throughout the Workshop many participants questioned the use of the name Woods Bay rather than the historic name "Moon River".

#### **5.4 WORKSHOP #3 WITH SPECIAL INTEREST GROUPS**

The Study Area has historically been a focal point for the provision of goods and service throughout the southern Archipelago area. Historically, settlers reached the area from the Moon River and established homesteads as well as community facilities such as churches, schools and post office in this area. At the present time, the area is the only neighbourhood other than Pointe Au Baril that has road access to the Georgian Bay shoreline. As a result, there is a concentration of businesses and individuals who provide goods and services to the Woods Bay Area and beyond.

A meeting with local business people and residents was conducted on July 17, 2008. Seven business owners attended the session. The purpose of the meeting was to gather information and discuss characteristics of the area, as well as identify matters which are of interest to the residents and business operators in the area. **Figure 5** illustrates the location of businesses and service providers in the Study Area.

It is noted that two of the commercial operations identified - Hawk's Nest Marine (#9) and Sunset Point Trailer Camp (#10) are no longer in operation. These commercial operations have recently changed hands and it would appear that the new owners of the properties do not intend on operating them as commercial uses.

During our discussions with business owners, we asked them to identify the geographic extent of their client base. **Figure 6** identifies the area in which the business operators in the Study Area provide services. One anomaly may be the extent to which Moon River Marine provides propane delivery, as far north as Five Mile Bay. However, there was a striking similarity among the business owners with the range in which they provide their goods and services.

#### Issues

During the Special Interest Groups workshop the participants were asked to identify issues that were most likely to affect them in the future. The following summarizes their comments.

#### **1. Land Costs**

The value of waterfront land has increased drastically in the past decade. Those attending the session generally agree that the value of land had quadrupled in the last 10 years. As a result, it is very expensive for them to acquire additional lands to expand their operations. It was noted that Township policies that preclude the creation of lots unless they front on water make it impossible for business operators to acquire back lands on which to operate their businesses.

#### **2. Increasing Demands by Owners**

Service providers indicate that the demand for services have likely tripled in the past five years as a result of new property owners purchasing lands that have been previously owned for 30 or 40 years by other families. They indicate that the new property owners are more affluent and desire to maximize the building areas and amenities. In addition, new owners tend to occupy the cottage for a greater period of time due the following factors:

- Winterized cottages
- Better transportation
- Faster boats
- More available water taxis
- More available goods and services, including LCBO at Moon River
- Self employment and email

Representatives of Iron City indicated that the accommodations at Iron City now stretches through all of the ice free season and some users have constructed year round buildings.

Service providers have indicated that it is virtually impossible to keep up with the demand for their services.

In addition, new property owners tend to not be "do-it-yourselfers". They are requesting that local service providers provide services historically done by the property owners such as collecting firewood, maintaining the grounds and open and closing the cottage.

### **3.      Redevelopment of Commercial Properties**

As indicated previously, two of the commercial properties within the Study Area, Hawk's Nest and Sunset Point Trailer Park are no longer operating as commercial entities following their purchase by new owners. In addition, the group identified that a number of historic fishing lodges have also been purchased by individuals who are using them as private cottages. This has placed additional demand on the services provided by the remaining commercial users, particularly the marina operators.

### **4.      Difficulty in Finding Accommodation**

Service providers have indicated that it is extremely difficult for them to find employees. The marinas can rely on summer employees from surrounding cottages to a certain extent, however this does not assist them in providing services in the extended season. It is noted that it is a 30 minute commute each way from Mactier and a number service providers have employees that drive this distance, however this commute limits the attractiveness to work in the area. A number of service providers indicated a need to provide for affordable accommodation within the neighbourhood in order that they could expand their business and hire more employees.

### **5.      Fewer American Visitors**

Business operators indicated a recognizable change in the number of U.S. visitors to the area. Historically, the area was initially settled by U.S. citizens primarily in a series of fishing camps like Iron City. However, recently the American representation in the area has reduced considerably. The group identified the following factors as being influential in this change:

- U.S. Dollar at par
- Cost of fuel
- Demand from GTA increasing property values
- Withholding tax upon sale of U.S. owned property

### **6.      'Refugees' from Muskoka**

The group noted that part of the changing demographic of the area includes a number of families that have cottaged in the main Muskoka Lakes, Joseph, Rosseau and Muskoka for generations who are turning to Georgian Bay to find a less developed, quieter, peaceful cottage experience. Many noted that Muskoka has lost the wilderness character that once attracted people to cottage there, and that Georgian Bay still has the character and quality. Extremely high real estate values in Muskoka make it possible to "cash out" and buy significant properties in Georgian Bay. A number of examples of "Muskoka Refugees"



purchasing properties adjacent to their newly acquired cottages to ensure that privacy were noted.

## **7. Aging Society**

The group noted that the aging cottagers who have in the area for generations now find that there are three generations of families using the cottage, as a result a number of boats kept at cottages is likely in the four to five range and there is demand for service and goods for a broad range of age groups. With three generations now attending many cottages there is greater demand for larger cottages and additional sleeping cabins. In addition, the concept of fractional ownership of individual cottages has begun to emerge as family members and unrelated people are sharing the ownership of single cottages in order to offset the high cost.

## **8. Need to Protect Portages**

The service providers indicate that the use of portages during the winter and colder seasons is critical to movement of goods and provision of services.

### **The Future**

When asked to predict what will happen in the next 10 years in the Study Area, the participants identified the following:

- Cottagers will become busier with more generations attending for longer periods of time requiring additional services.
- There will be more investments in individual properties upgrading, increasing the size and adding more features.
- Many of the road access properties will become permanent occupation. Permanent would include "snowbirds".
- There will be increased pressure to supply goods and services throughout the area.
- Most of cottages will be added or reconstructed to maximize the size permitted by the Township. At the present time, it is estimated that 80% of the cottages are 150 square metres or less. They will likely expand to 300 square metres as permitted by the Township.

### **Threats**

Through the discussion a number of threats were identified, they are outlined as follows:

- The area service providers indicated a sincere concern is their ability to provide the level of service demanded in the area without the ability to attract more employees.
- If one marina were to shut down in the Parry Sound area additional demand on the Woods Bay marinas would be difficult to accommodate. For example, Pine Point Marina has 300 slips. It was recognized that this issue has been addressed by the

Township through the Water Access Task Force, however it is noted that the marinas servicing the Study Area are currently operating at capacity

- Contractors can't move materials. As the current marinas are at capacity, it is difficult for contractors to make arrangements to move large materials such as sand, gravel and other barge required equipment and materials. The marina operators have made efforts to enable the service providers to utilize their facilities, however as increased demand by clients increases the ability of the marina operators to allow contractors to occupy landings and launching facilities becomes increasingly difficult.
- Participants believe that Township zoning regulations appear to apply to non-permanent properties, but are inappropriate for permanent residence. One example given was that two storey buildings are more efficient to heat and maintain. However the Township by-laws do not permit two storey buildings in the Woods Bay Neighbourhood.

## 5.5 WORKSHOP #4

The fourth workshop was held on August 30, 2008. Twenty-eight people attended the session. The purpose was to recap the input we received at the second workshop, followed by a discussion of the options for implementing opportunities.

The following table is a summary of what we heard with respect to the opportunities identified for Woods Bay. The notes in red were added by participants at the fourth workshop.

Opportunity Identified during Workshops	Description of the Opportunity
1. VEHICLE ACCESS	
Road signs	Need to identify access to Healey Lake Road from Hwy 400 and Hwy 69
Road access	More roads to access cottages More private roads/extensions of existing roads
Improved parking	More public parking at boat launch More parking at park headquarters
Snowmobile bridge	Improved winter access to the north Moon Channel without jeopardizing scoot access or violating private property interests Bridge not to interfere with boating Walking bridge for winter access
Better access for materials	Permanent site, flat gravel lot and space to store and maneuver equipment. Council to assist and insure contractors have access (provide support to private operators) Must be water access - users fees may be applicable.

Opportunity Identified during Workshops	Description of the Opportunity
Boat ramp	Boat ramp usable for local residential Maintenance docks need to be safe Constantly maintained and must be upgraded by Township Can't be fenced in as it is snowmobile access route Public access boat ramp with sufficient room to maneuver boats, trailers and vehicles Ramp area should not be combined with landfill, but adjacent to it.
2. INFRASTRUCTURE	
Updated hydro	More reliable Hydro service
Wireless and better land phone service	More options for carriers and land service Now three carriers Better land lines required
3. ENVIRONMENTAL	
Protect the watershed	No new roads or expansion of existing roads Prevent further pollution Work with neighbouring municipalities in watershed
Woods Bay stocking program	Georgian Bay Stewardship Program
Political Boundary	New Ward created for this newly defined neighbourhood Revise neighbourhood boundaries to reflect residents perception of the Moon River/Woods Bay area Community vs. neighbourhood status - want community status - allows funding grants, etc. - allows support and incentive for private sector to provide improved services.
Park	Incorporate more Crown land to reduce trespass and increase regulation  Community involvement in decisions affecting community  Better two way communication between community and park
Regulated use of Crown lands	Better maintained camp sites, less use of public lands by trespassers who may abuse private lands and have lower pollution standards
No change	Maintain status quo - in absence of demonstrated need, neighbourhood should stay untouched by any one other than mother nature

Opportunity Identified during Workshops	Description of the Opportunity
<p>4. SERVICES</p> <p>Emergency services</p> <p>Postal service</p> <p>Transfer Station</p>	<p>Establish a Fire Department on a volunteer basis</p> <p>Reinstate Post Office in Woods Bay/Moon River</p> <p>Establish postal outlet proposal</p> <p>Less energy use</p> <p>More dumpsters</p> <p>More maneuvering space</p> <p>Increased service (e.g. empty dumpsters before weekends)</p> <p>Open in winter for large articles</p> <p>Having someone on-site to ensure proper distribution of recycling and garbage</p> <p>Could also oversee boat ramp and illegal parking</p> <p>Improve water access to facility</p>
<p>5. DEVELOPMENT</p> <p>Land for service uses</p> <p>Lands for housing workers</p>	<p>Make Crown land available</p> <p>Permit new non-waterfront lots for residential and commercial</p>
<p>6. FACILITIES</p> <p>Community facility</p>	<p>Simple meeting room, washroom, small kitchen, small yard for kids activities preferably water access</p> <p>Requires establishment of Board of Management to work within regulations of landowner, i.e. Crown land - Massassaga Provincial Park</p> <p>Other options</p> <p>Cost users rates</p> <p>Partner with Township</p>
<p>7. HERITAGE</p> <p>Recognize history and heritage</p>	<p>Documents of history</p> <p>Name of Moon River maintained</p> <p>Protection for sites</p> <p>Possible cabin for housing historical artifacts</p>
<p>8. PROCESS</p> <p>Inclusion of residents in Township planning</p>	<p>Provide improved public notice and participation</p>
<p>9. PLANNING BOUNDARY</p>	<p>Reassess boundaries in relationship to the community</p> <p>Revise boundaries to reflect residents perception of the Moon River/Woods Bay Area</p>
<p>10. COMMUNITY STATUS</p>	<p>Need definition of Community</p> <p>Would provide more opportunities for funding, grants etc. if defined as Community rather than Neighbourhood</p> <p>Provides incentive for private and public sector to provide improved services</p> <p>Need Definition of Community</p>

Opportunity Identified during Workshops	Description of the Opportunity
	Will raise taxes? Fear of more commercialism Enable private sector to provide better services to residents (both seasonal and permanent)
11. <b>POLITICAL BOUNDARIES</b>	Woods Bay issues are different than Sans Souci and Copperhead.- Need a Ward of our own

The following is the information presented by the consulting team at the fourth workshop. The table summarizes the direction provided by the Official Plan with respect to each one of the opportunities identified at the second workshop.

Opportunity Identified during Workshops	Summary of relevant Goals, objectives and policies
1. <b>VEHICLE ACCESS</b> Road signs  Road access	<p>5.12 <i>Transportation</i> This Plan contemplates no further extension to the Township's road network except for improvements and minor new road construction in the Pointe au Baril area.</p> <p>6.3 All development in the Township will require frontage on a navigable body of water.</p> <p>13.12 No further private roads, or access roads over Crown land, or extensions to existing roads will be permitted in the following "Neighbourhoods":</p> <p>xi) Portions of Wood's Bay - The entire Wood's Bay Neighbourhood with the exception of the area extending southerly from Blackstone Harbour to Healey Lake Creek.</p>
Improved parking	<p>6.18 The Township supports water access facilities such as marinas and will work with business owners, local residents and other levels of government such that water access points remain available to the residents of the Township. The Township's preference is for the provision of water access through privately owned and publically accessible commercial operations as these facilities are most able to provide a full range of services at one location. However, where commercial operations are limited, the Township may consider alternate means of providing access.</p>
Snowmobile bridge	

Opportunity Identified during Workshops	Summary of relevant Goals, objectives and policies
Better access for materials	<p><b>5.15.18</b>  <i>Marinas and marine service establishments are recognized for their essential role in the provision of access and other services to the area's residents and visitors and for their important contribution to local economies. These services will be preserved and encouraged, where possible.</i></p>
Boat ramp	<p><b>6.18</b>  <i>Notwithstanding Section 6.18 above to limit the creation of new private clubs an exception may be made by Council for a group of residents to establish private water access facilities on inland lakes and Georgian Bay. Such applications should not be in conflict with or affect the viability of existing marina commercial uses in the area.</i></p>
<p><b>2. INFRASTRUCTURE</b>  Updated hydro</p> <p>Wireless and better land phone service</p>	
<p><b>3. ENVIRONMENTAL</b>  Protect the watershed</p>	<p>Water quality is important for maintaining functioning ecosystems and for protecting human health; water quality will be maintained at a high level and improved where possible. The cross-jurisdictional nature of the watershed will be recognized in the formulation of water quality programs and in evaluating development or works for potential adverse impacts to water quality.</p>
<p>Woods Bay stocking program</p> <p>Park</p>	
Regulated use of Crown lands	<p>It is recognized that the attached policies are not binding on Crown land. However, the Crown will have regard for these established planning policies in its administration of Crown lands.</p>

Opportunity Identified during Workshops	Summary of relevant Goals, objectives and policies
No change	<p>4. The objectives necessary to fulfil the Official Plan Goal include:</p> <p>6. Providing a limited, but efficient and convenient system of services designed and implemented for the distinctive water-based needs of The Archipelago Community;</p> <p>5.10 <i>Public Services</i>  <i>Because of the character of the Municipality, a limited number of services will be required to provide adequately for the ratepayers. This limiting of services not only has obvious financial benefits; it also preserves the character of the Township.</i></p>
<p>4. SERVICES</p> <p>Emergency services</p>	<p>6.3  <i>Municipal services are generally limited to those being provided at the date of Council adoption of this Plan</i></p> <p>5.10  <i>Given the recreational nature of the Township, the existing level of services has proven to be satisfactory and few major extensions are likely to be required. This concept of the Municipality will be strongly adhered to in order to fulfill the goal and objectives of the Plan.</i></p> <p>11.19  <i>The provision of traditional fire protection services is not possible in the Township, and the fire protection services that are available are provided for on a volunteer basis such as by the local ratepayers' associations.</i></p>
<p>Postal service  Transfer Station</p>	<p>11.15  <i>The Township will continue to co-operate with the Ministry of the Environment by making gradual improvements to its waste disposal operations and adopting a long-term operational plan for the suitable disposal of solid wastes.</i></p>
<p>5. DEVELOPMENT</p> <p>Land for service uses</p>	<p>6.3  <i>All development in the Township will require frontage on a navigable body of water.</i></p> <p>14.4  <i>All development in The Archipelago is to have frontage on a recreational waterbody. This policy does not apply to Pointe au Baril Station. Notwithstanding this policy, existing lots of record in Skerryvore and along Healey Lake Road including resources uses may be eligible for building permits subject to all other applicable policies of this Plan.</i></p>



Opportunity Identified during Workshops	Summary of relevant Goals, objectives and policies
Lands for housing workers	<p>12.16 Notwithstanding the policies of Section 12.25 respecting the alienation and disposition of Crown lands, the Township recognizes that there may be specific Township residents needs, such as the provision of new water access, where the disposition of Crown lands for private or public ownership may prove necessary to meet the Township residents needs. Recognizing and approving the policy of the Ministry of Natural Resources to not alienate further Crown Lands, the Township may work with the appropriate provincial agencies to make Crown Lands available where it is for the general public good.</p> <p>10.34 Further land division in the Woods Bay Neighbourhood is not encouraged. A consent involving the creation of one new lot per land holding greater than two hectares may be considered.</p>
<p>6. FACILITIES</p> <p>Community facility</p>	<p>6.3 Municipal services are generally limited to those being provided at the date of Council adoption of this Plan</p> <p>11.2 This limited service philosophy includes a complementary principle that any costs for increased services be borne by the beneficiaries of those services so as to recognize a user pay approach.</p>
<p>7. HERITAGE</p> <p>Recognize history and heritage</p>	<p>7.34 The conservation of cultural heritage areas, particularly built heritage and archaeological values, within the Township will be encouraged. Such conservation may include stewardship, education, or the use of the provisions of the Ontario Heritage Act.</p>
<p>8. PROCESS</p> <p>Inclusion of residents in Township planning</p>	<p>14.55 Notice for the purpose of informing the public in respect of a proposed official plan, community improvement plan or plan amendment shall be given in accordance with the Planning Act and any Ontario Regulation issued thereunder governing such notice requirements except that, provincial regulations notwithstanding, when such notice is given by personal service or prepaid first class mail, such notices shall be sent to every owner of land within 1000 metres of the area to which the proposed plan or plan amendment would apply.</p>



Opportunity Identified during Workshops	Summary of relevant Goals, objectives and policies
9. PLANNING BOUNDARY	<p>10.1 <i>The rationale for the configuration of the neighbourhoods is based upon marina-centred communities of interest in the case of Georgian Bay and the individual inland lakes.</i></p> <p>10.2  <i>The Neighbourhood Growth policies in this plan are effectively land division policies for the various areas in the Township. The policies have been based on the principle of preserving the existing character of each of the Neighbourhoods. In addition, there are some site-specific development policies for certain neighbourhoods.</i></p>
10. COMMUNITY STATUS	<p>Outdoor recreation and tourism opportunities along the Coast can contribute to stronger, year-round, more diversified economies within coastal communities, and should be promoted within ecological and community capabilities.</p> <p>OP refers to all of The Archipelago as a 'community'. Also includes communities of Pointe Au Baril and Skerryvore</p>
11. POLITICAL BOUNDARIES	NA

## OPTIONS FOR IMPLEMENTATION

The final table was presented to describe the options for implementing the various opportunities and some of the implications. This section provides a context for future discussions under Phase II of this Study.

The notes in red were added by workshop participants.

Opportunity Identified during Workshops	Options for Implementing the opportunities	Implications
<b>1. VEHICLE ACCESS</b>		
Road signs		MTO issue
Road access	New roads except limited to Blackstone Harbour to Healey Lake Creek Driveways are permitted	Would have to be Private Road.
Improved parking	Marina operator Private clubs	OP says should be provided by private sector
Snowmobile bridge	Snowmobile club Association Private development	Province unlikely to support. Significant environmental studies required
Better access for materials	Private operators	
Boat ramp	User pay improvement	Cost taxed back to users
<b>2. INFRASTRUCTURE</b>		
Updated hydro	Make business case to service provider	
Wireless and better land phone service	Make business case to service provider	
<b>3. ENVIRONMENTAL</b>		
Protect the watershed	Septic inspections and enforcement Legislate mandatory vegetation protection Better education for property owners	Supported by OP Provincial and Federal jurisdiction
Woods Bay stocking program	Stewardship program exists now Volunteers and donations Be involved with MNR decision makers	NA
Park		
Regulated use of Crown lands	Advise MNR that more enforcement is required	
No change		Recognized minimal change in OP No tax implications

Opportunity Identified during Workshops	Options for implementing the opportunities	Implications
<b>4. SERVICES</b>		
Emergency services	Establish volunteer service Seek donations	Not provided by Township
Postal service	Establish private service coordinated with Post Office	
Transfer station	Township improvements Neighbourhood improvements Partnership	Limited service by Municipality
<b>5. DEVELOPMENT</b>		
Land for service uses	Private sector Partnership with Crown Establish organization (club)	If considered a public need could be considered by MNR
Lands for housing workers	Zoning provisions to allow staff housing on private land Limited creation of lots	Only on existing lots on Healey Lake Road
<b>6. FACILITIES</b>		
Community facility	Ratepayers to develop Partner with MNR (Calhoon Lodge) Share with Sans Souci and Copperhead	Capital and operating Board of Management
<b>7. HERITAGE</b>		
Recognize history and heritage	Complete historical journal Provide education in schools Displays in public places (cenotaph) Designate sites under Heritage Act Recognize sites as Significant Cultural Landscapes in OP	
<b>8. PROCESS</b>		
Inclusion of residents in Township planning	Residents/Associations can request Notice Township advise residents about getting informed	Required by Planning Act and OP Already extensive circulation and web access
<b>9. PLANNING BOUNDARY</b>	Consider revising Neighbourhood boundaries in the Official Plan	Requires Official Plan Amendment Needs to be considered in context of neighbourhood Objectives
<b>10. COMMUNITY STATUS</b>	Define 'Community' more clearly Consider defining Moon River/Woods Bay as a community	Could raise taxes? Could increase development pressure May enable Community Improvement Plan
<b>11. POLITICAL BOUNDARIES</b>	Consider different representation for Woods Bay Area - not with Sans Souci and Copperhead	Would require significant study beyond scope of this project
<b>12. NAME OF NEIGHBOURHOOD</b>	Rename neighbourhood to Moon River	Requires Official Plan Amendment. Community Association to be consulted

As a final activity at the Workshop, we gave participants three dots to place on opportunities they felt were a priority. The following is the result of the activity:



#### What We Heard About Opportunities For Change Priority Identification

##### Opportunity Identified during Workshops

###### 1. VEHICLE ACCESS

Road signs

Road access

• • • • • • • • • •

Improved parking

• • •

Snowmobile bridge

• •

Better access for materials

• • • • • • • •

Boat ramp

###### 2. INFRASTRUCTURE

Updated hydro

Wireless and better land phone service

###### 3. ENVIRONMENTAL

Protect the watershed

• • • • • • • • • •

Woods Bay stocking program

Park

Regulated use of Crown lands

•

No change

• • • • •

###### 4. SERVICES

Emergency services

Postal service

Transfer Station

##### Opportunity Identified during Workshops

• • • • • • • • • •

###### 5. DEVELOPMENT

Land for service uses

Lands for housing workers

###### 6. FACILITIES

Community facility

###### 7. HERITAGE

Recognize history and heritage

###### 8. PROCESS

Inclusion of residents in Township planning

###### 9. NEIGHBOURHOOD PLANNING BOUNDARIES

• • • • • • • • • • • • • • • •

###### 10. COMMUNITY STATUS VS. NEIGHBOURHOOD

• • • • • • • • • • • • • • • •

###### 11. POLITICAL BOUNDARIES

• • • • • • • • • • • • • • • •

## **6.0 NEIGHBOURHOOD BOUNDARIES**

The existing neighbourhood boundaries shown on Figure 2 in this report and the Official Plan for the Township of The Archipelago were determined when the Official Plan was first prepared for the Township, 1982. The boundaries were determined based on the service areas of local marinas, the physical characteristics of the areas as well as loosely based on existing cottagers associations, such as the Sans Souci and Copperhead Association. The objective of identifying the neighbourhoods was to enable the Municipality to apply special policies in consideration of the physical characteristics and activity patterns related to smaller portions of the Municipality. The neighbourhood policies in the Official Plan provide direction with respect to new lot creation, provision of municipal services and maintaining the character of each area.

Through the consultation process undertaken as part of this study, participants were asked to identify the boundaries of the neighbourhood as they perceived it was clear from the consultation process.

Most of the persons utilizing goods and services from the Study Area considered the neighbourhood to extend well beyond the planning boundaries of the neighbourhood. From these discussions, it was clear that there is a need to distinguish between cultural boundaries, planning boundaries and political boundaries.

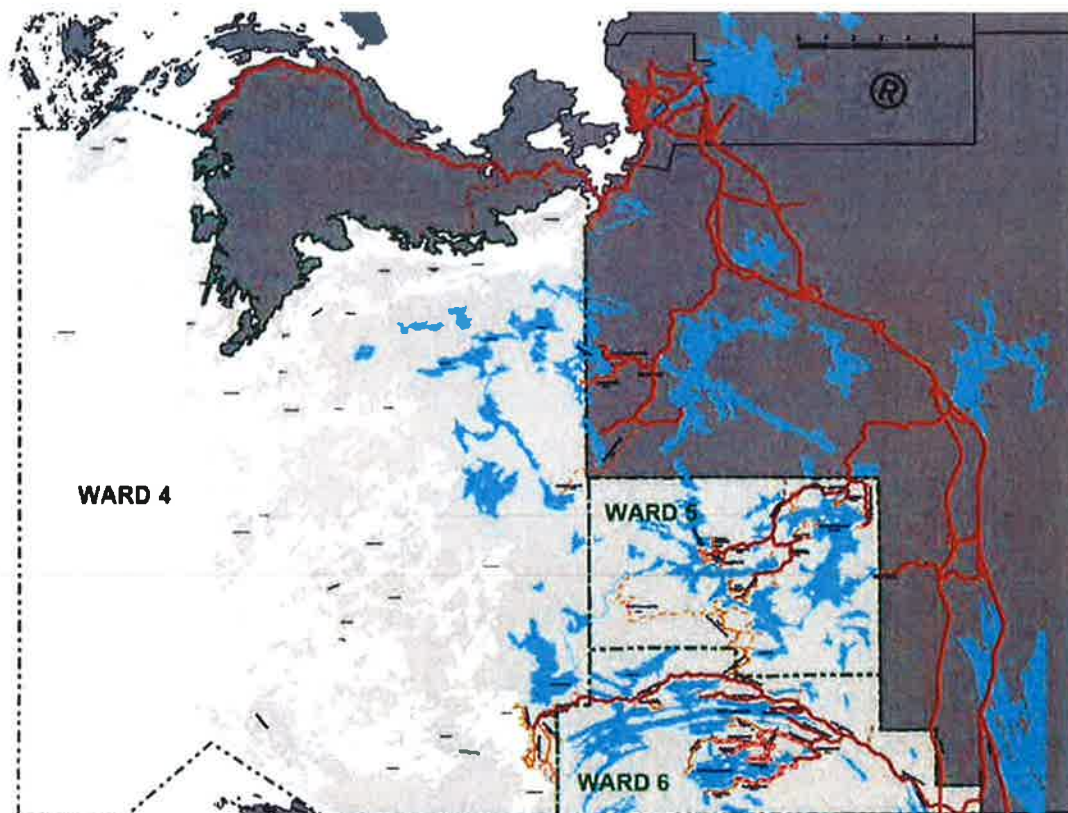
### **6.1 PLANNING BOUNDARIES**

The planning boundaries are included in the current Official Plan. A change to planning boundaries would require an Amendment to the Official Plan. Appendix B identifies the specific policies that apply to the Woods Bay Neighbourhood as well as the policies related to North Moon Channel, Sans Souci and Copperhead and Manitou. From a planning perspective, the Municipality has determined a need to establish a separate policy related to these areas. These boundaries are not intended to identify cultural boundaries.

### **6.2 POLITICAL BOUNDARIES**

The political boundaries in the Municipality are based on a Ward system that is approved as part of the legal organization of the Township of The Archipelago. The Study Area is within Ward 4. Ward 4 covers a significant portion of the islands in the southern Archipelago and, as a result of the high assessment count in the Ward it is represented by 3 Councilors on the 9 Member Council of the Township of The Archipelago. Figure 5 shows the Ward boundaries for the Municipality. Discussions of political boundaries are beyond the scope of this project.

**Figure 5 Ward Boundaries**





### 6.3 CULTURAL BOUNDARIES

Cultural boundaries are determined by the residents of the area. They are determined by the extent to which there is interaction between residents, service providers and their environment, areas of community interest, includes the waterway transportation system and cultural features. Through the public consultation process, participants were asked to identify the boundaries that were, in their opinion, the cultural boundaries of the community.

Figure 6 illustrates the cultural boundaries including:

- Service area boundary for goods and service providers located in the immediate Woods Bay community
- The cultural area boundary associated with the original school area for the Conger Public School and,
- The cultural boundary associated with membership in the Woods Bay Community Association.

Figure 6 Cultural Boundaries

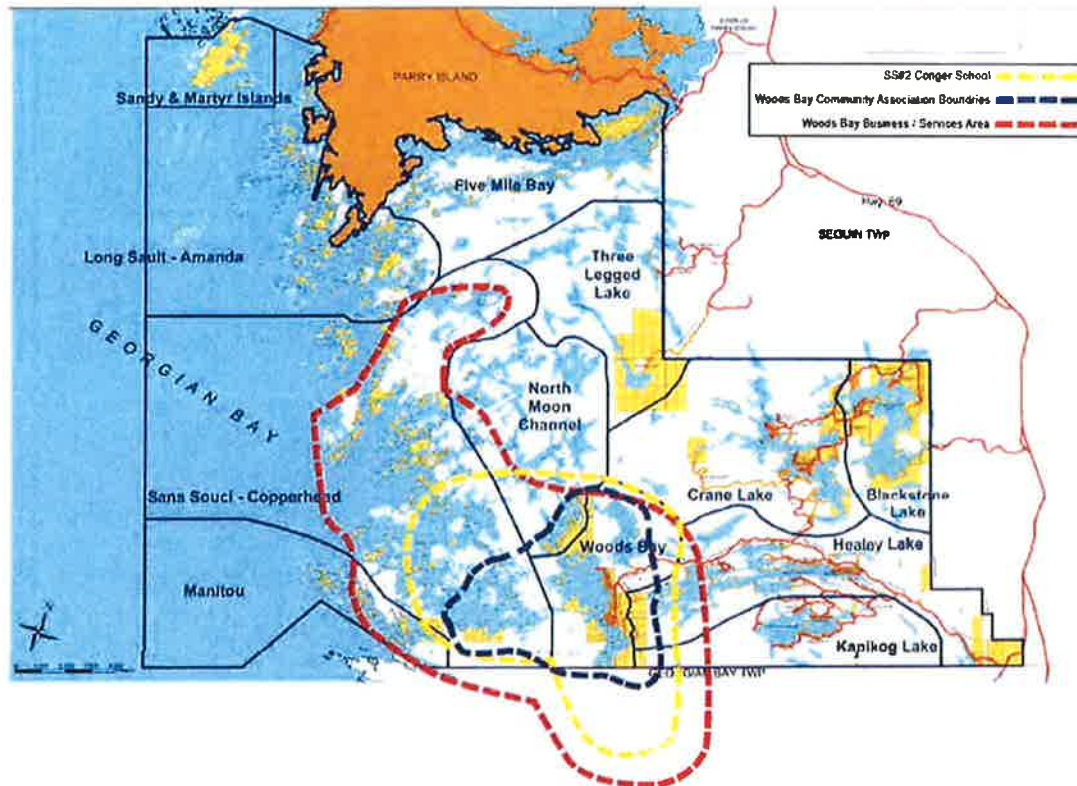
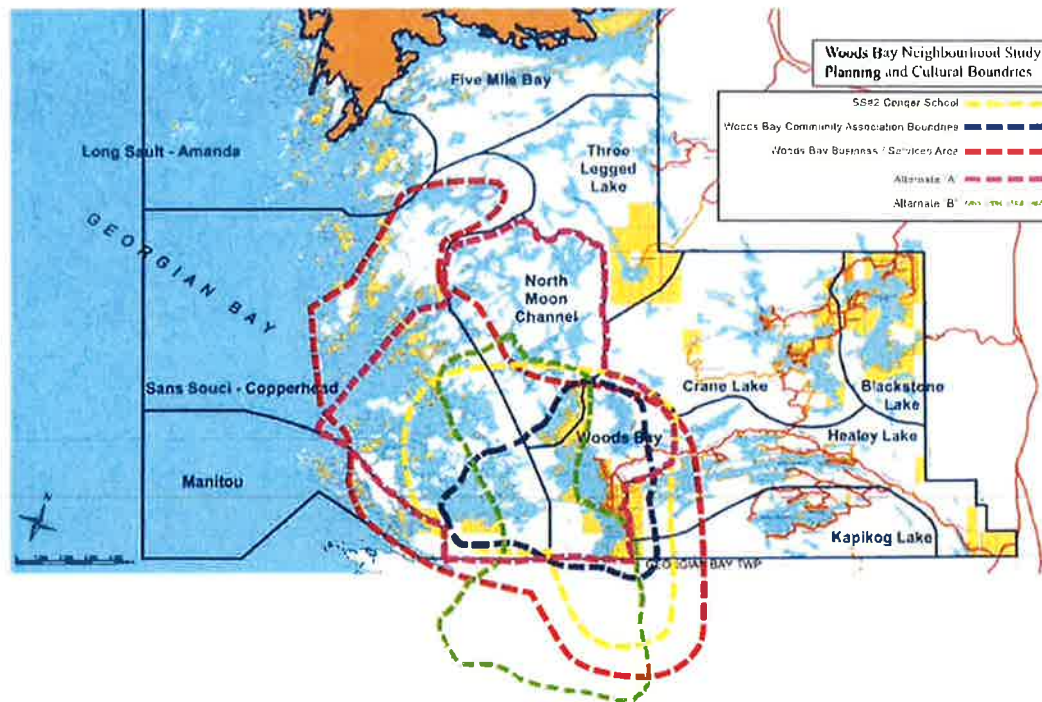


Figure 6 was presented to the participants of Workshop #4 and they were asked to identify other alternatives for boundaries for the Woods Bay neighbourhood. Those alternatives are also shown on Figure 7.

Figure 7: Planning and Cultural Boundaries



## 7.0 ASSESSMENT OF IDENTIFIED OPPORTUNITIES

Based on the work undertaken in the Phase 1 Report the following opportunities for enhancing the neighbourhood have been further examined in this Report:

1. Road signs
2. Improved access;
3. Better access for materials/land for service uses;
4. Park use of Crown lands and community facilities;
5. No change option;
6. Postal service;





7. Lands for housing workers;
8. History and heritage;
9. Planning boundary;
10. Political boundaries; and,
11. Name of the neighbourhood.

The following sections describe options for implementation and for achieving the objectives. Those issues identified by the workshop participants as having the greatest priorities are addressed in greater detail.

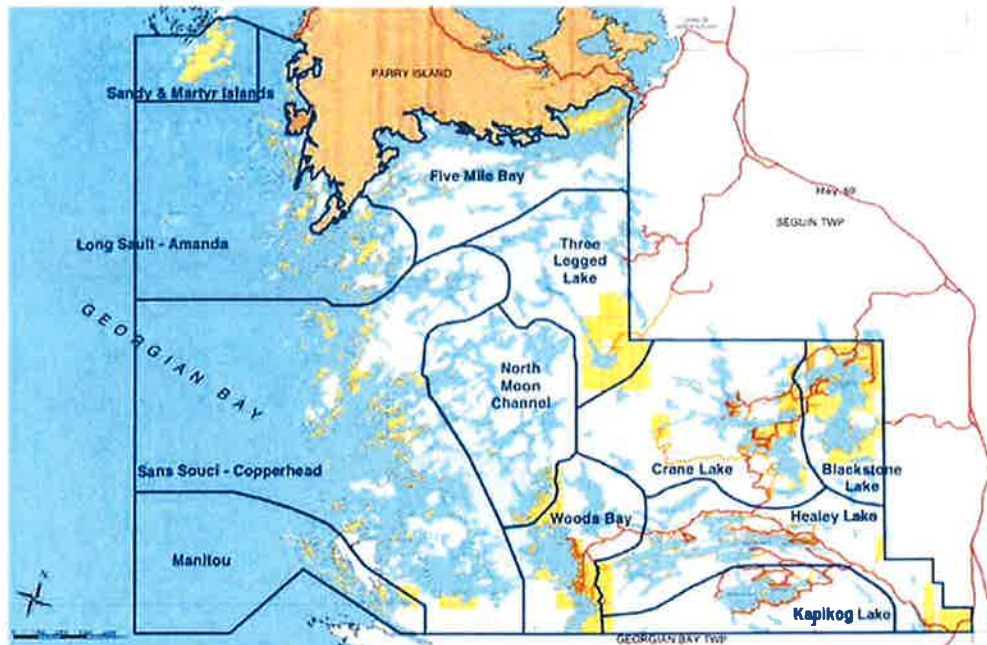
## **PRIORITY ISSUES**

### **7.1 PLANNING BOUNDARY**

The Terms of Reference for the Study outlines a desired outcome of the Study to report on the "appropriateness of the Woods Bay Neighbourhood boundaries". The Background Report identifies various cultural planning and historical boundaries for the neighbourhood. It is at this stage that a recommendation related to the boundary of the neighbourhood should be made to Council. Such consideration can then be brought forward in the Municipality's next Official Plan update.

The basis of the neighbourhood boundaries in the current Official Plan was the location of marinas along the shoreline that provided a focal point and service centre for various communities along the shoreline. The boundaries identified in the Official Plan also were loosely based on existing Cottage Associations when the Official Plan was prepared in the early 1980's.

Since that time many of the existing marinas and service facilities within the area have disappeared and there is only one full service marina, Moon River Marina located in the neighbourhood at this time. The area serviced by the neighbourhood extends beyond the current identified Woods Bay Neighbourhood boundaries for some considerable distance. However, the primary areas serviced include the area that forms the lands identified in figure 7 of the Phase 1 Report as the SS # 2 Congress School boundary and North Moon Channel. Based on the Background work completed in Phase 1 and the extensive public consultation we believe that the boundary of the neighbourhood should be expanded to include all of what is now included in the North Moon Channel neighbourhood, save and except for any portion of that neighbourhood which may be more appropriately included in the Sans Souci - Copperhead neighbourhood.



It is noted that the Manitou neighbourhood in the Official Plan also includes lands within the SS # 2 Congress School. The largest development in that area, Iron City is closely aligned with the Woods Bay neighbourhood from a goods and services and neighbourhood perspective and certainly that portion of the Sans Souci - Copperhead neighbourhood would be more appropriately located within the Woods Bay Neighbourhood. However many members of Iron City are also members of the Sans Souci-Copperhead Association.

It is noted that the only policies that relate to North Moon Channel deal with development in the vicinity of the Massasauga Provincial Park. Those policies should be included in the Woods Bay Neighbourhood given the close relationship of the neighbourhood to the Massasauga Provincial Park.

Consultation with Cottage Associations representing Manitou, Sans Souci-Copperhead and Woods Bay should be undertaken to follow the original concept established in the preparation of the neighbourhoods for the Official Plan. The neighbourhood organizations should be consulted to determine what the potential impact of changing the communities on the long-term identification of the communities and policies related to those communities.

## **7.2 NAME OF THE NEIGHBOURHOOD**

Throughout the public consultation process there has been much discussion regarding the name of the neighbourhood for the Study. The Township of the Archipelago considers the neighbourhood to be the Woods Bay Neighbourhood as defined in the Official Plan. However, this Study provides an opportunity to reconsider both the boundaries of the neighbourhood and, the name of the neighbourhood.

The Official Plan Amendment which initiated the Study makes reference to the neighbourhood as the Moon River/Woods Bay neighbourhood. Many of the long-term permanent residents refer to the neighbourhood as simply the Moon River neighbourhood as that neighbourhood existed to a greater extent before Woods Bay developed.

This is a matter that requires further consultation with the neighbourhood and should reflect the neighbourhood identity. While small portions of the former community of Moon River are located in the Township of Georgian Bay many of the key community features, school church and post office are within the Township of the Archipelago. However, at the present time there is no "Moon River" neighbourhood identified in either the Township of Georgian Bay or the Township of The Archipelago.

There would appear to be considerable support for naming the neighbourhood Moon River, particularly by those persons who have lived on a permanent basis or largely permanent basis in the community for their lives and in some cases for a number of generations. However, since the extent of the community goes well beyond the Moon River basin, out into Woods Bay there is also some support to calling the neighbourhood Woods Bay.

We would recommend further public consultation related to this matter and, as a further recommendation we recommend that the Municipality avoid the double name such as Moon River/Woods Bay. This matter should be brought forward for discussion during the Association's Annual general meeting in August 2009 and a neighbourhood submission made to Council in the fall of 2009.

Following further public consultation on this matter Council should make a decision and reflect that decision in its next Official Plan Update.

## **7.3 POLITICAL BOUNDARIES**

It is not within the mandate of this project to make recommendations regarding political representation and the ward boundaries within the Township. However, this issue was identified as one of the most significant by the workshop participants.

The boundaries of the wards and political representation of the Township were established when the Township was incorporated in 1980. Changing the wards or the representation would require an assessment of issues related to the current system and any need or justification to change that system. Council would need to support any proposed changes to the current ward boundaries or representation within the

wards. The Ministry of Municipal Affairs and Housing would need to concur with Council's desire to change the current system and finally, legislation would need to be passed to change the ward boundaries and representation. This process would likely take two to three years, assuming all parties involved, including the public, supported the proposed changes. The changes to the wards or representation can also be appealed to the Ontario Municipal Board. This could extend the process a further year.

Municipal elections occur every four years. The next election is in November 2010. There is not enough time within this current Council's mandate to embark upon the review process and see it through completion. This is a matter that would need to be initiated by a subsequent Council.

#### **7.4 BETTER ACCESS FOR MATERIALS/LAND FOR SERVICE USES**

Residents and contractors of the area indicated that there is insufficient area by the waterfront to provide for the movement of equipment and materials from Woods Bay to the water access properties. During the summer of 2008 the owners of the Moon River Marina were in the process of revising facilities at the marina to provide a lay-down yard and better barging facilities for local contractors. However, the costs to undertake this work, combined with the approval process had deterred the marina from providing this service.



The Official Plan relating to non-competition with private sector providing services limits the Municipality's ability to become involved in this process. However, the Municipality can step in where the service is required to support the objectives of the Official Plan and cannot be provided by the public sector.

The Township owns lands immediately adjacent to the marina. The lands are presently used for waste collection and removal. There has been some discussion about the potential to undertake minor modifications to that area that would prove an area for a water access facility specifically for service providers. Further examination of the potential of this work being undertaken and the related costs will be undertaken in the summer of 2009.

#### **7.5 PARK USE OF CROWN LANDS AND COMMUNITY FACILITIES**

There was considerable discussion throughout the Phase 1 consultation regarding the desire of the residents to have community facility and the inability of the community to develop such a facility given the availability of patented lands for this use. A number of options related to this matter have been considered.

During the summer of 2008 there were discussions between the Woods Bay Community Association and the Ministry of Natural Resources with respect to the use of the Calhoon Lodge lands as a community meeting place. The Association's summer 2008 Annual General Meeting was held at this site very successfully. Further discussions with the Ministry regarding the use of this site should be encouraged as the site appears to be a suitable and desirable location for such a facility. However, it is water access and that presents some limitations for year-round use.

Staff at the Ministry of Natural Resources in Parry Sound have indicated that the Ministry would free-up lands in the Woods Bay area for community facility if it was a project that was driven by the Municipality and had no adverse environmental impacts or impacts upon the Ministry's programs for their lands.

The process for utilizing Crown Lands for a community facility would be to:

1. Identify the need for the facility;
2. Prepare an overview of options for a location for such a facility; and,
3. To seek Council support by resolution to acquire the lands from the Crown.
4. Seek approvals from Ministry of Natural Resources, (contact Rob Viejou, MNR Parry Sound (705 746-4201).

The lands would need to be transferred from the Crown to the Township of the Archipelago. The Township of the Archipelago could then lease the lands to the residents association who would be responsible for the development of a community facility.

Since the Township's policies do not enable them to provide additional services or facilities it would be up to the community to develop a facility at its own cost. Any contribution to capital costs from the Municipality would be based on a user pay philosophy as described in previous sections of this report. In theory if a \$200,000 municipal capital expenditure went into the development of the facility, each of the 200 benefiting property owners would need to pay an additional \$1,000.00 in taxes over a period of time to cover those costs. Such action may be deemed contrary to the Township's Official Plan since this would be a new facility. However, the Official Plan (s12.17) does indicate that the Municipality will seek to assist communities in obtaining approvals for the use of Crown Lands for necessary and required facilities.

The permanent population of the Woods Bay area are primarily involved in the construction and property maintenance business. It is possible, that with the Municipalities assistance, if Crown Land were to be made available for the use of a community facility, the community itself could construct such a facility and occupy the lands under agreement with the Township of the Archipelago.

Further investigation of this opportunity needs to involve an assessment of the type of facility that the residents need, for example a covered shelter, screened gazebo or

building, the size of the structure and a plan for ownership and maintenance. Opportunities for a shared-use facility that could be used by the Park, the neighbourhood and possibly commercial users should also be explored. This assessment should be undertaken before potential sites are identified.

The Township would undoubtedly want some insurance against any claims that may result from the use of the structure and it would be necessary for the Association or community to develop a Board of Management. Operating costs would also be paid for on an area based charge.

## **OTHER ISSUES**

### **7.5 ROAD SIGNS**

In order to improve signage on Highway 400 to direct people to the Moon River/Woods Bay area it is necessary to receive a Council resolution requesting that the Ministry of Transportation improve signage to assist motorists to find the area. With the Council resolution the Ministry may then be contacted and will investigate the matter to determine whether or not improved signage is warranted.

The contact person at the Ministry of Transportation is Sherry Graham, Traffic Office, North Bay, ON (705) 497-5521. This work needs to be initiated by the Community. No further action on this item is anticipated at this time.

### **7.6 IMPROVED ACCESS**

Persons attending the workshop sessions indicated that the Municipality should provide waterfront access at the solid waste disposal containers located at Woods Bay. At the present time the Township is using a 66 foot wide road allowance beside the Moon River Marina for providing access to the solid waste disposal containers and recycling facilities. There is a small dock that provides the ability for people to park boats and get access to this site. Concerns raised during the public sessions related to both the ability to park vehicles on municipal land for free as well as the access to the containers. Car parking in this area prevents the Township from properly maintaining the site.

The Official Plan for the Township of the Archipelago as well as the waterfront access report clearly establish a policy against the Municipality providing services that are otherwise provided for by the private sector. It would be contrary to the Township's Official Plan for the Municipality to provide a public parking area for waterfront access directly beside a private enterprise providing that same service. Since these actions would be contrary to the Official Plan, the Municipality cannot provide parking facilities without contravening the Planning Act.



With respect to the ability to access the container site, the Municipality is presently in the process of cleaning up the site as part of its Waste Management Master Plan and is considering upgrading the dock that provides for boat parking at this site and could considering upgrading the site itself to provide better vehicular access. This work may require the acquisition of additional lands. The Township is also placing more 'no parking' signs in the area and has stepped up enforcement of its By-laws.

It is noted that the Official Plan for the Township of the Archipelago states that services will not be provided that are not currently being provided and that limited expansion of services will be permitted. However, making current services more convenient and more attractive is clearly in keeping with the provisions of the Official Plan.

#### **7.7 NO CHANGE OPTION**

The No Change option must be considered in the context of the Official Plan for the Township of the Archipelago.

Throughout the Official Plan for the Archipelago there are references to minimal changes in levels of service and deviation from this position would be clearly contrary to the Official Plan. In fact the Official Plan states that this concept of the Municipality will be strongly adhered to in order to fulfil the goals and objectives of the Plan. Based on those goals and objectives the No Change option must be considered in any actions undertaken by the Municipality. However, as with our discussion related to provision of new or expanded services there is nothing in the Official Plan that prevents improvements to the existing services to make them more convenient, attractive or capable of accommodating increased capacity resulting from increased demand.

#### **7.8 POSTAL SERVICE**

The Regional Post Office in Parry Sound indicated that it would not provide separate postal service to the Woods Bay/Moor River neighbourhood as postal service is provided in Mactier. However, following the model used at Sans Souci, the postal service can be provided by a private operator such as Moon River Marina whereby the Post Office will direct mail to be delivered to the Moon River area to the marina operator provided they have written authorization from intended recipients confirming that another party can collect and distribute the mail to them. This provides the marina operator with an opportunity to get customers into the store however, it requires daily travel to Mactier and back to collect mail.

This is another service that can be provided by the private sector rather than the government should the residents and business operators wish to arrange such a service.



## **7.9 LANDS FOR HOUSING WORKERS**

The permanent residential community in the Study Area is generally in the business of providing services to the seasonal and water access community. In the workshop with the local contractors a consistent theme was that it was difficult to find employees to assist them in providing the services and because of that the level of service that could be provided and business opportunities were limited.

It is noted that the Township of the Archipelago Zoning By-law presently provides opportunities for lodging of temporary workers on properties that have the Marine Commercial (MC) Zone. However, that provision does not also apply to the Contractor Commercial Zone. In order to receive permission to provide a dormitory for workers, contractors who are not in the Marine Commercial zone would need to amend the Zoning By-law to provide for such a use. The Municipality would have the option of considering the use as a permanent zoning provision or, they could take a tentative approach and use Temporary Use which would allow accommodation facilities for up to three years and renewable for a further three years. The Temporary Use may be problematic as it does not encourage capital expenditures on buildings. However, temporary accommodation in the form of trailers or temporary buildings may be considered under those provisions. This would require an amendment to the Zoning By-law.

In discussions related to this matter there was also concern that there was not sufficient land available for development to enable new residents could construct dwellings for housing workers and contractors in the area. The Official Plan does have special provisions that does allow limited lot creation in the Woods Bay area. However the Official Plan restricts new lots to lots that have water frontage. This requirement results in new lots carrying with them the value of waterfront lots, making it difficult for the existing families within the neighbourhood to expand and live in the community that they have grown up in. Some consideration to providing opportunities for new lots in the area on existing municipally maintained roads that do not have water access could be given without adversely affecting the purpose and intent or the goals and objectives of the Official Plan. However, the Official Plan would need to be amended to deal with this matter.

## **7.10 HISTORY AND HERITAGE**

During the workshop sessions a number of people spoke of the importance of the history and heritage of the area. A number of persons have initiated writing about the history and heritage of the area. This is not a task that is undertaken by the government. However, it is a common task taken on and completed by many communities. Many small towns in Ontario have books that are compiled by a number of people reflecting stories about the history and often photographs relating to the history of the neighbourhood. The preparation and compilation of such a book on the Moon River/Woods Bay area is something that could be taken on by members of the community.



Our background work has lead us to understand that there is a rich and very interesting history of the neighbourhood and the preparation of a document that describes the history and heritage would be of considerable interest to many people.

One matter that could be addressed by the municipality is to recognize the Study Area as a 'Significant Cultural Landscape'. These words have considerable significance in the Provincial Policy Statement for the Province of Ontario and enable the Municipality and its residents to have a further level of protection against incompatible development that would be out of character with the neighbourhood. This matter should be further investigated the next time the Township of the Archipelago updates its Official Plan. Preparation of a document, documenting the history and culture of the area would be of assistance to the Municipality in supporting such policies in the future.

## **8.0 NEXT STEPS**

This report is intended to document the characteristics of the Wood's Bay Neighbourhood and surrounding areas that have been identified as the Study Area. The findings of this report include a reflection of considerable public input, deliberation of the Steering Committee and the investigation of issues and opportunities. The Terms of Reference for this Study identify only one area where recommendations are required, that being the planning boundaries of the Wood's Bay Neighbourhood in the current Official Plan.

The end product of the Study is the identification of a series of opportunities that will enable the residents of the area to improve the area to the benefit of all. While not intended to be a strategy for Wood's Bay, this document should be used as the basis for continued involvement and interaction between the neighbourhood, the Municipality and other community stakeholders.

Given the unique characteristics of the neighbourhood and the philosophy of the Township of the Archipelago, it will be the neighbourhood and its residents who must act on the opportunities to the greatest extent. By the time this final report is completed the Township will have already advanced consideration of matters under their control such as improvements to the waste transfer station and improved access for contractors. Continued partnership and cooperation between the Township and the neighbourhood residents will ensure that many of the opportunities identified can be acted upon.

# **DRAFT**

**PROPOSED LAND DIVISION**

**LOT 40, CONCESSION 3**

**GEOGRAPHIC TOWNSHIP OF CONGER**

**(WOODS BAY)**

**APPLICANT: Richard Gates**

**Prepared With the Assistance of  
John Jackson Planner Inc.**

**April 26, 2019**

## **1.0 BACKGROUND**

The south part of the Township of The Archipelago has been the centre of discussion over the past 25 years regarding the need to establish policies that respond to local residential issues and allowing for additional commercial opportunities that ultimately meet the servicing needs of ratepayers in The Archipelago.

The historic policy of The Archipelago has been to allow a limited amount of additional new lot creation and that all new lots must have direct frontage on the water. The increased cost of waterfront land has made the availability of lands for most year round residents cost prohibitive.

A recent policy change in The Archipelago has altered this long term approach to allow for more affordable housing opportunities.

"6.7 Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand...

In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing strictly limited in scale, and without water frontage."

## **2.0 SUBJECT LAND**

There are limited opportunities where blocks of patented lands are available for possible future back lot creation.

The lands in the vicinity of Woods Bay/Moon River are limited because of Crown land, the provincial park and access constraints.

Richard Gates is the owner of a one hundred acre lot just east of the Woods Bay Shoreline that has access along Woods Bay Lane (a private access on an unopened road allowance) that leads to Healey Lake Road. The Gates property in all of Lot 40, Concession 3 in the geographic Township of Conger and is vacant excepting the dwelling where the Gates reside year round.

The Gates have been approached to determine an interest in making the parcel available for building lots.

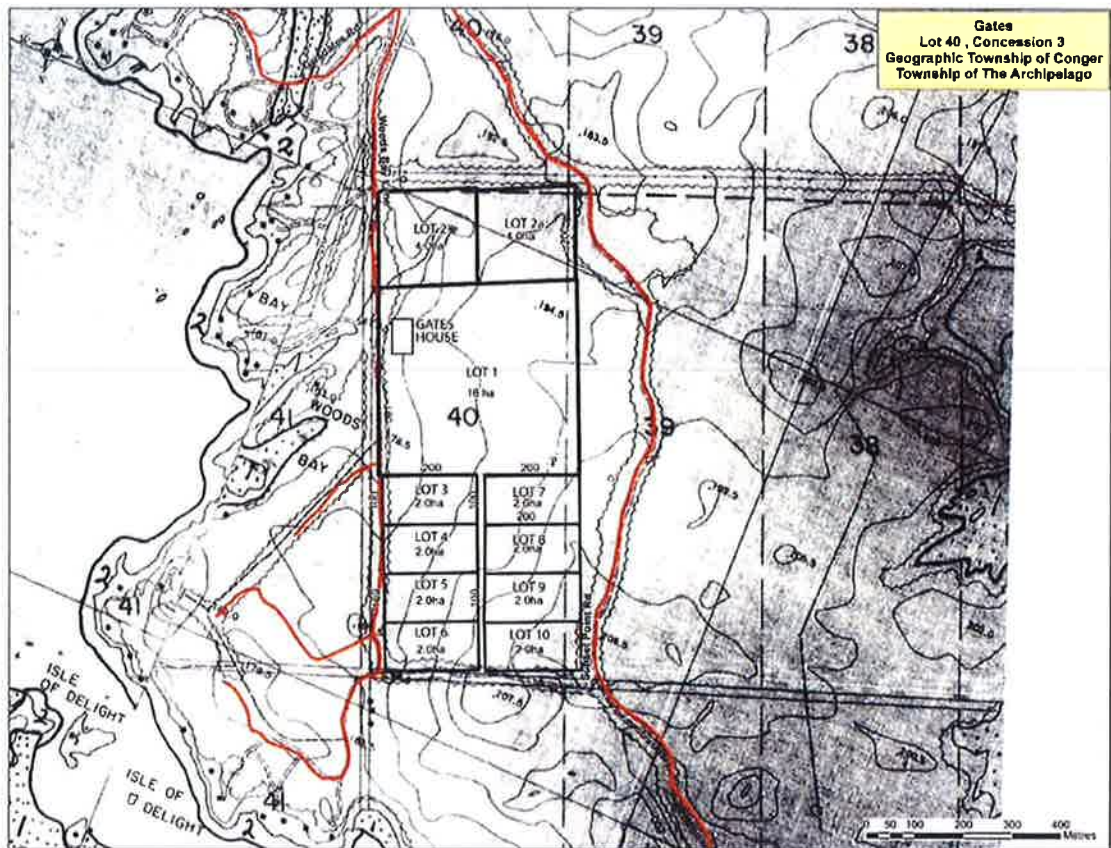
The property is relatively free from constraints to development. It has little topographic relief and is heavily forested with good drainage that slopes generally from east to west towards Georgian Bay.

There are no extensive wetlands on the property so that critical habitat for any wildlife species is likely not to be affected.

### 3.0 DEVELOPMENT PROPOSAL

In the interest of fulfilling the policy for affordable housing and to meet the needs of the residents in Moon River, the Gates have agreed to file a development scheme as set out below.

The Gates wish to retain their homestead Lot No. 1, provide two lots for their two children (Lots 2 and 3) and create 8, 2.0 hectares lots for local residents.



### 4.0 AFFORDABLE HOUSING CHALLENGES

There will be a number of "affordable" housing challenges as part of this development application. These include:

- Ensuring that the lots are available for the residents that are in need for the housing (how to ensure that the lands do not get "flipped" to serve parties not targeted as interest groups)

[Note: there is a list of potential purchasers of lots.]

- Maintaining costs at a reasonable level using some of the following techniques:
  - forego application fees wherever possible;
  - forego the typical list of studies with the understanding that the project proceeds on the basis of best practises
  - eliminate parkland fees
  - proceed by consent in contrast to a plan of subdivision

## **5.0 PLANNING DOCUMENTS**

### **5.1 Planning Act Criteria**

Under Section 2 of the Planning Act, there are a number of matters of provincial interest that must be regarded.

#### **(a) protection of natural heritage features**

The general nature of the land would signify that there are limited features that related to the subject lands.

- there are no wetlands
- the lands consist of mostly uplands forests
- the development is located beyond 500 metres of the shore of Georgian bay
- the lands are identified as being within the Healey Lake deer yard but lot sizes are well in excess of heritage guidelines

#### **(f) services**

- the lands will be serviced by private wells and septic
- the lot sizes will be large enough to prevent any cross contamination of adjoining wells,
- access is proposed along Woods Bay Lane or a new private road through the central part of the property

The access arrangement will continue to be by private road and the proponents will be expecting a private road agreement to confirm the nature of the road in terms of responsibility and to indemnify the municipality for any costs or liability.

- all utility/communication costs will be those of the proponent

**(k) employment opportunities**

- the proposal is to complement the needs of the community through the establishment of new facilities for local trades and employees of the service industry

**(j) affordable housing**

- the project is directly related to affordable housing for the Moon river community
- although the numbers are limited (eight lots) – each dwelling has the ability to generate two units (secondary dwellings)

**(p) appropriate growth**

- this limited form of new development is believed to properly achieve appropriate growth

**5.2 Provincial Policy Statements (PPS)**

The PPS are issued under section 3 of the Planning Act. The current PPS were in effect as of April, 2014. A new PPS are being prepared by the province.

A number of policies relate to the proposed development.

**"1.1.4.1 Rural areas are important to the economic success of the Province and our quality of life. ... It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.**

**1.1.4.1 a) building upon rural character, and leveraging rural amenities and assets;**

**1.1.5.2 b) resource-based recreational uses (including recreational dwellings);**

**1.1.5.2 d) home occupations and home industries;**

**1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.**

**1.4.1 a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and**

**1.4.3 b) permitting and facilitating:**

- 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and**
- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**

**2.1 Natural Heritage**

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

It is believed that the proposed development scheme on the subject lands is consistent with the above PPS policies.

**5.3 Planning Act Criteria (51(24))**

**1. (a) Matters of provincial interest**

(see above)

**2. (b) Public Interest**

The proponents have identified a demand to the extent that all of the lots are essentially spoken for.

**3. (c) Conformity to Adjacent Plans**

There are no adjacent plans.

**4. (d) Suitability of the Lands**

There are no constraints to the development of the subject lands.

**5. (d.1) Affordable Housing**

This is the core rationale for the application.

**6. (e) Access and Adequacy thereof**

Described above.

**7. (f) Lot Shapes**

All lots are large to preserve the quality of properties in terms of privacy, services and demand. (The residents of Moon River have an interest in preserving larger acreages and low densities in their living environments.)

**8. (g) Restrictions**

It is proposed that the lands will be subject to a 51(26) agreement to ensure that the owners are aware of the limitations that apply to said lots in terms of access, services, responsibilities, etc.

**9. (h) Conservation of Natural Resources**

There are not believed to be any natural resource issues.

**10. (i) Utilities/Municipal Services**

There are no municipal services apart from the transfer station.

Utilities (Hydro One) will be the responsibility of individual lot owners.

**11. (j) Schools**

If school aged children are generated, they will be bussed to local schools.

**12. (k) Public Land Dedication**

None expected.

Given the general approach/design of the land division, it is believed that the criteria of 51(24) of the Planning Act can be met.

**5.4 Official Plan**

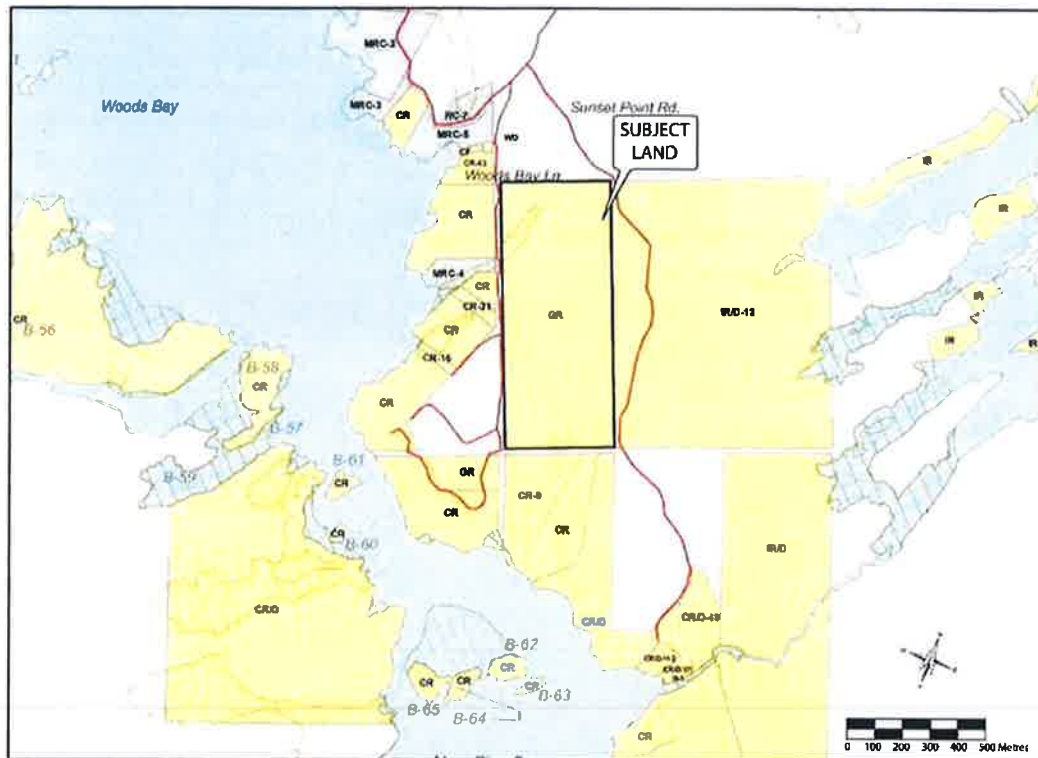
In order to achieve the affordable housing objectives of the official plan, the Council of the Township of The Archipelago must interpret its recent policy (cited above) to allow for the attached plan.

There are a number of neighbourhood and general development policies that could be interpreted to obstruct the subject proposal. However, in the opinion of the writer, a broad liberal policy interpretation must be made to achieve the intent of this area of the plan.

**5.5 Zoning By-law**

The subject lands are zoned as General Residential (GR).





These lands will need to be rezoned to reflect the proposed land division once approved.

## 5.6 Preconsultation

Representatives of the community have met with the Reeve and Ward Councillors to discuss preliminary concerns related to the Moon river neighbourhood. There has also been brief discussions with the Township planner.

There was a suggestion that the group reach out to area residents and associations. There is a public notice process with any land division/rezoning application and it's hoped that this will allow for sufficient consultation.

Respectfully,

John Jackson, R.P.P., M.C.I.P.

JJ:dh

Subject: Gates Development Application

Cale,

It is unfortunate that we could not meet to discuss this matter prior to your formalizing your opinion in your letter of June 10, 2019. In my view it may be difficult for you to come off the position expressed in this letter which will likely be the loss of any hope for the community to achieve the badly needed housing opportunities in this area of the Township.

### **Background**

As you are aware, the Moon River Métis Community has been working hard to establish a policy regime that recognizes a public need for opportunities for its residents and their children to continue to work and live in the area. These efforts have not been well received by the municipality that seemingly continued to thwart efforts in this regard despite its commitments otherwise.

This posture is well documented. It was only after a second appeal to the latest official plan update did the community understand that it achieved a monumental change to an otherwise unrelenting policy to ignore local planning needs. The province under the new, unappealable role in approving local policy seemed to incorporate change in the formerly nonresponsive policy focused in The Archipelago official plan.

It was recognized that the policy modifications imposed by the province were somewhat unclear, however, there was no doubt that the amendments were to introduce fundamental change, which could easily be achieved with discussions between the Township of the Archipelago and the Moon River Métis Community.

There were likely more questions than answers from the province's intervention into the policy construction of The Archipelago official plan. The question that resulted from this process, was to determine what this policy shift truly meant.

As a result, the proponents of change sought out a possible opportunity to give the policy some meaning and understanding.

### **Finding a Candidate Property**

As part of the local discussions to determine a possible property to realize the new policy thrusts; a single parcel seemed to qualify. This was the Gates land adjacent to the Woods Bay shoreline and surrounded by private road access. Most importantly, the Gates had indicated that they were prepared to offer their lands for this development opportunity.

For the first time in a quarter of a century, the community began to get excited that homes may be available that were within the financial capability of these Archipelago residents.

During this period, the proponents of the interests of the Moon River Métis Community maintained communication with Ward councillors and the Reeve. All of the local Council representatives seemed to support the program. No obstacles were ever believed to be imposed.

### **The Gates Application**

The Gates application presented a large number of attributes that would realize the new policy expectation. These include:

- a willing seller;
- a patented land where most lands in the vicinity are Crown and at this point are not available for residential development;
- private roads available to the subject land;
- no significant environmental constraints;
- a large interest in demand;
- the creation of large lots; and
- support by local councillors and Reeve.

#### **1. Official Plan Conformity**

The report accompanying the application has set out the need to recognize an interpretation to the official plan that gives the municipality broad powers through the modified section 6.7 that overcomes the innumerable other policies that you recite that could prohibit any such development consideration of the Gates lands.

In practical terms, a policy amendment that, in turn, requires a further policy amendment, simply is not logical. This would continue to perpetrate the "study to require further study" mentality that seems to have been the approach in Woods Bay/Moon River to date.

It is my opinion that the act of endorsing the project as proposed can be part of the act of declaring these lands as a "strategic policy area". Failing to allow this interpretation and requiring a site-specific official plan amendment or for some further general policy amendment will necessitate a one or two year process at the very minimum. The need is now.

As emphasized in the report accompanying the Gates application, there are very limited opportunities in the community to achieve the kind of development needed

to accommodate back lot development. There are very few lands that are patented and that include a willing owner with the necessary qualities to have a development like this come forward.

## 2. **Studies**

It was made clear in the application materials, that the normal practise of requiring studies would need to be waived if this project was to proceed and meet its target to qualify as affordable. This request was not made without basis.

Your demand for environmental impact assessments, hydrogeological reports, servicing option studies and other possible studies are not necessary in this instance if one follows the basic rationale attributable to establishing the need for such studies.

There are three sources where the need for further studies are identified.

### (a) **Planning Act**

The Planning Act has set out a number of matters of provincial interest in section 2. These provincial interests set out a broad range of matters including environment, affordable housing, global warming and many others. The suggestion that the project may not proceed without environmental impact assessments is simply not true.

Affordable housing is a defining issue of the Moon River/Woods Bay area. It is suggested that the project captures the essence of the provincial interest in this matter.

### (b) **Provincial Policy Statements (PPS)**

The PPS has a wide range of matters similar to those outlined in the list of provincial interests.

A guiding principle in the PPS is that they must be read in their entirety. Often there will be conflicting interests that planners need to assess to determine the priority for measuring a particular development.

This type of "screening" is needed to ensure that one is able to properly discern the practical need for assessments. To impose assessments blindly without a true understanding of their relative need or benefit is not only unfair but not responsible. Planners can and do discriminate when and where the need for such assessments apply.

With respect to the subject lands, one needs to consider the following:

- the lands consist of upland forests thereby reducing the presence of potential endangered species habitat;

- the lands have no significant or local wetland often associated with natural heritage values;
- the road pattern is fundamentally established;
- the proposed lot pattern includes lot sizes that eliminate many concerns respecting wildlife impacts; and
- there are no particular PPS issues for these lands when considering the important policy of achieving affordable housing, a key policy in this statement.

**(c) Official Plan**

The official plan has a number of references to assessments but for many of these, the studies may be interpreted to be discretionary. This is not to say that the official plan application is to be disregarded. In my opinion, these kinds of considerations have been or can be made.

- i) 7.13 protection of Coastal Wetlands – there are none on the subject lands;
- ii) 7.28 protection of endangered species – as discussed above, the kind of geography and forest cover on the subject lands are not associated with habitat for threatened and endangered species;
- iii) 7.32 site evaluations may be required for significant wildlife habitat;
- iv) 7.38 the proposed lot sizes far exceed the standards for the protection of deer yard habitat;
- v) 11.8 hydrogeological assessments are discretionary but subject to M.O.E. D-Series Guidelines and if one has experience with the application to these reasonable use criteria, it is a calculation for our geography that invariably concludes that lot sizes need to exceed 0.8 hectares to avoid cross-contamination of wells and ground water impacts from septic systems. It is clear that the subject lots are 2 1/2 times larger than this criteria.

As you are aware, I have an extensive number of years' experience related to development from both a proponent and municipal review perspective and I do not anticipate that this project will benefit in any meaningful way from any named or unnamed studies in your summary letter.

### 3. Plan of Subdivision

The question of proceeding by consent in contrast to plan of subdivision is an age-old debate that has been widely reviewed for this application.

There are a number of very basic differences in the two processes but in this instance, it is strongly believed there are a number of reasons where there is no benefit to require a plan of subdivision process.

The following considerations were assessed as part of this question.

- (a) Official Plan – to be clear, the modifications set out in 6.7 of the plan, it recognized new lots not on waterfront created by consent to achieve affordable housing;
- (b) No Advantage – in the subject instance, there would not be any benefit in proceeding by plan of subdivision;
- (c) Conditions – the Planning Act gives approval authorities all of powers for consent approval as it does for subdivisions;
- (d) Costs – plans of subdivisions have inherent additional costs where there are often outside services required including engineers or lawyers that are not believed to be necessary for this project;
- (e) Services – plans of subdivisions in many contexts by their very nature require the extension of public services but in this instance there are none;
- (f) Agreement – the consent process has the ability to require any conditions that the plan of subdivision process requires including an agreement as you are aware. The only purpose of an agreement (which is recognized) will set out the responsibility of the land owners for all of the private services and to indemnify the Township from any liability.
- (g) Need – the more robust review process often associated with plans of subdivision do not seem to apply in this instance – rather it is anticipated that such a subdivision process relying on legal technicalities would often extend approvals for up to an additional year.
- (h) Planning Act Regs – Under Regulation 644/06, plans of subdivision that permit more than five lots, are required to undertake a servicing options study and a hydrogeological report.

Regardless of this regulation, the requirements for these items for plans of subdivision, remain irrelevant for this project. There are no servicing options. The subject lands will be serviced by wells and septic. In terms of water supply, drilled wells will be the source. In the industry well drillers guarantee water supplies.

For wastewater, septics will be installed. As discussed above, the larger lots will more than satisfy reasonable use consideration. No benefit will be served by undertaking a hydrogeological report.

4. **Access**

The Gates property is adjacent to Woods Bay Lane, to the east there is close proximity to Sunset Point Road, to the south there is a municipal road allowance but the intervening land may not be available.

Consequently, a right-of-way is proposed to access the easterly lots should permission not be obtained to come off Sunset Point Road.

I do not believe that this element complicates the application but simply assures an access arrangement.

5. **Affordable Housing**

A business plan has been provided to demonstrate how affordable targets hope to be achieved.

6. **Zoning**

We recognize in the submitted materials that a rezoning will be required.

7. **Fees**

We have included, as part of submission, that Council/Planning board consider waiving fees in the interest of achieving affordable housing goals.

8. **Consultation**

The Moon River Métis residents have met with local councillors as well as the reeve.

All of the lots proposed are spoken for.

As requested by the Ward 4 Councillors and Reeve, the Moon River Métis Community has reached out to the local rate payor associations and provided them with information regarding our community and the Gates' property becoming available for affordable land/housing. Discussions have been initiated with the Woods Bay Association, the San Souci Copperhead Association and the Georgian Bay Association. These organizations support the project.

No further consultation would seem to be necessary.

9. **Business Plan**

I believe this has been forwarded to your office.

### **Conclusion**

The project is a unique pilot project.

It does not have any characteristics of a typical development.

Hopefully we can all agree that this project is responding to a wider public interest and that it has the qualities that sets it apart from any other experiences where one risks the fear of being inconsistent.

Given the journey, I can assure you that none of the people involved, from my perspective, see this as avoiding good planning but rather see it as necessary planning.

Kindest regards.



John Jackson

JJ:dh





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705-746-4243 • FAX: 705-746-7301  
[www.thearchipelago.on.ca](http://www.thearchipelago.on.ca)

Reply Attention of: Cale Henderson  
Telephone Extension: 305  
Internet Address: [chenderson@thearchipelago.on.ca](mailto:chenderson@thearchipelago.on.ca)

Delivered via email

June 10, 2019

Mr. John Jackson  
John Jackson Planner Inc.  
70 Isabella Street Unit 110  
Parry Sound, ON P2A 1M6

Dear Mr. Jackson:

**RE: Consent Application – GATES, Richard & Eleanor**

Thank you for your submission with respect to the preliminary application for 10 new lots located in the Wood's Bay Neighbourhood. After carefully reviewing the draft application, there are some matters that need to be discussed prior to further considering your proposal. Below is an outline of these matters:

**1. Official Plan Conformity:**

As previously discussed, I do not believe the current proposal conforms to the Official Plan and, as a result, would require an Official Plan Amendment to be further considered. The planning rational submitted relies heavily on Section 6.7 of the Official Plan and states that a broad liberal policy interpretation must be made to determine overall conformity. Section 6.7 of the Official Plan indicates that Council may allow for new non-waterfront lots to support affordable housing; however that is to occur within a designated strategic policy area and is to be a limited number of residential lots by consent. Council for the Township of The Archipelago has not designated Woods Bay as a strategic policy area. Further, although you have applied for a consent application, the proposal is not for a limited number of lots and would more appropriately be considered via a plan of subdivision application.

Also, as you correctly highlighted, there are many other existing policies that would not support the proposal. For example, proposing 10 new lots on a private road is not generally supported within the Official Plan, further necessitating the requirement for an Official Plan Amendment. The amendment would enable Council for the Township of The Archipelago to address the application on a site specific basis.

Overall, to appropriately consider this application, it would be recommendation to Council that an Official Plan Amendment would be required.

## 2. Completion of Appropriate Studies:

An application of this nature requires, per the requirements of the Official Plan and Planning Act, the completion of an environmental impact assessment, a hydrogeological report, a servicing options report, and other possible studies. I appreciate that these studies come with costs; however, I cannot exempt these requirements. My recommendation to Council would be that these studies be completed prior to considering the application. Once the applications are finalized, a determination can be made as to whether additional studies would be required.

## 3. Consent versus Plan of Subdivision:

As discussed previously, a Consent application is not the appropriate process for the consideration of 10 new lots. Should you wish to pursue 10 lots, it would be my recommendation that a plan of subdivision application be submitted.

## 4. Access to Proposed Lots:

In addition to the previously raised matter of private road access, the 5 proposed eastern lots do not show clearly identified or formalized access. Although a new private road is alluded to within the report, the application has not identified, nor has the applicant applied for appropriate easements to ensure appropriate legal access is provided to future owners.

## 5. Affordable Housing:

Under Section 6.7 of the Official Plan, the proposal needs to support the creation of affordable housing. The definition of affordable housing within the Official Plan and the Provincial Policy Statement is:

*"affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive."*

After consulting with the Ministry of Municipal Affairs, the 60<sup>th</sup> percentile affordable housing price for the Parry Sound District equates to \$275,600. Although there have been suggestions as to how development costs can be reduced (waiving fees, forego studies, etc.), there is limited amount of detail provided as to how these proposed lots will adhere to this affordable housing target. This policy needs to be further discussed to ascertain how this target is to be achieved.

**6. Zoning By-law Amendment:**

A Zoning By-law Amendment application will need to be submitted.

**7. Application Fees:**

Only Council and The Archipelago Area Planning Board have the ability to waive the application fees. Once the proposal is finalized, the request to have fees waived can be submitted to both of the respective approval authorities.

**8. Community Consultation Strategy:**

As previously discussed, it is important that an appropriate consultation process is completed. It is strongly recommended that, above and beyond the circulation of the affiliated planning applications, the applicants attempt to engage and consult with the larger community, as part of their community consultation strategy.

**9. Business Plan and Background:**

Section 5.6 of the report references a business plan and background report is attached. No report was provided.

When you are available, I would like to discuss these matters and explore opportunities to find solutions, prior to bringing the applications to Council and The Archipelago Area Planning Board for further consideration.

Regards,



Cale Henderson, MCIP, RPP  
Manager of Development &  
Environmental Services

**Submission By Moon River Residents**

**To the Ministry of Municipal Affairs**

**Respecting Proposed Official Plan Amendment No. 61**

**For the Township of The Archipelago**

**Five Year Review of the Official Plan**

**Prepared by Citizens in the**

**Moon River Community**

**Chris and Louise Goulding  
Shawn and Cathy (LeBlanc) Goulding Zurawski  
Bradley Goulding and Robin Forristal  
Jim and Lyn Grisdale  
George Grisdale  
Sheri Baker and Dean Courtney  
Randy Grisdale  
Aime and Marie Dion  
Anthony and Terri Dion  
Chris and Deanna Dion  
Harvey Arnold  
Josh Arnold  
Yvonne Scott  
Alvin Scott  
Jim Scott  
Ben Tolles  
Bernard and Jean Trudeau  
Mark and Maria Trudeau  
Lisa LePage  
Keith McCron  
Chris and Mallory Trudeau  
Maurice and Lisa Gregoire**

**With Support from the  
Métis Nation of Ontario (MNO)  
MNO Moon River Métis Council**

**With the Assistance of John Jackson Planner Inc.**

**April 26, 2018**

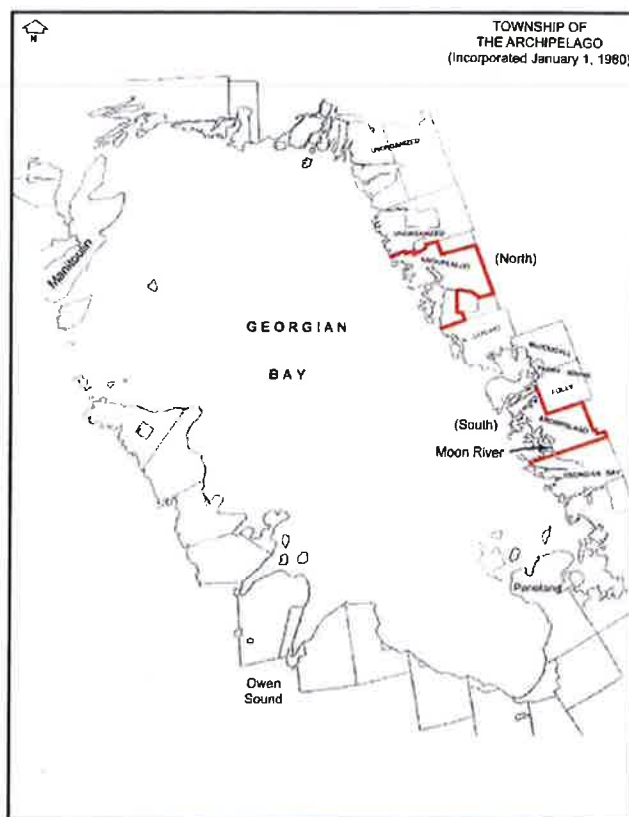
## **PURPOSE**

This submission is made to the Ministry of Municipal Affairs respecting its consideration of the Approval of **Official Plan Amendment No. 61** for the Township of The Archipelago.

The purpose of this submission is to request the Minister of Municipal Affairs to include a number of modifications to **Official Plan Amendment No. 61** that are believed to be consistent with Provincial Policy Statements made under section 3 of the Planning Act that have now recognized the aboriginal community interests including Métis peoples.

## **BACKGROUND**

For almost 20 years, there has been a group of residents in the Moon River community that has requested a policy change to the Woods Bay neighbourhood to recognize its special role in the Township of The Archipelago. The Archipelago is a municipality with two separate land masses along the shoreline of Georgian Bay that is predominantly made up of water access island properties.



The Township of The Archipelago is a cottage-based municipality made up primarily of a number unrelated neighbourhoods loosely based upon community centred marinas or inland lakes.

The primary access point in the north portion of the municipality is at Pointe au Baril Station, a long standing community where there is a large concentration of marinas and other services that cater to the cottage community. Pointe au Baril Station is often referred to as the distinct community apart from the remaining eighteen cottage neighbourhoods in The Archipelago.

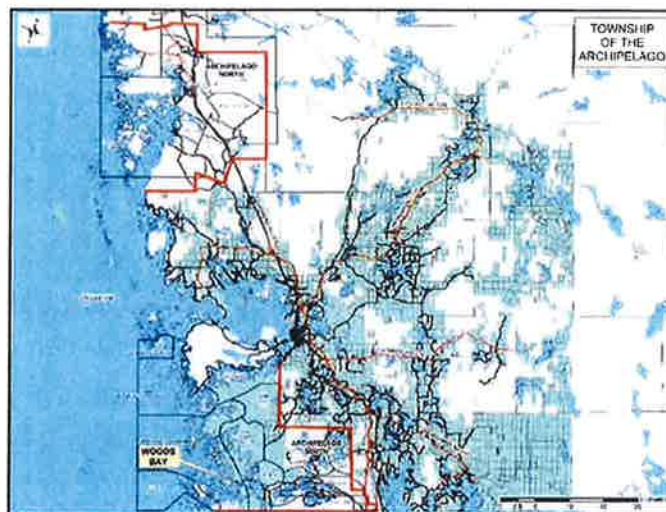
### **History of the Municipality**

The Archipelago is a relatively new municipality having been formed by the District of Parry Sound Local Government Act (Bill 100) on January 1, 1980. In the 1970's, the District of Parry Sound was made up of approximately 50 geographic townships half of which were unincorporated. Aside from cottage interests, there was very little pressure for growth, there was an abundance of Crown land and development constraints did not attract the kinds of growth pressures occurring in southern Ontario.

The incorporation of The Archipelago from four previously unincorporated geographic townships along the Georgian Bay more or less adopted the loosely knit group of cottager associations representing a subset of the more expansive Georgian Bay Association of cottagers groups along the entire east coast of the Bay.

This was an assembly of seasonal property owners with a genuine interest in preserving the quality of their environment as well as the culture and character they came to cherish in the region. One of the priorities for the new municipality was to establish a land use plan that identified and respected its goals, objectives and principles.

Hence the nature of the official plan for The Archipelago became established as a "status quo" policy regime for all of its neighbourhoods excepting Pointe au Baril Station. The Archipelago became commonly referred to as "unique" in the contrast to other municipalities in the Province. It did not support growth, embraced no servicing policies and would not support any new or upgraded roads. Its very nature was the antithesis of typical local governments.





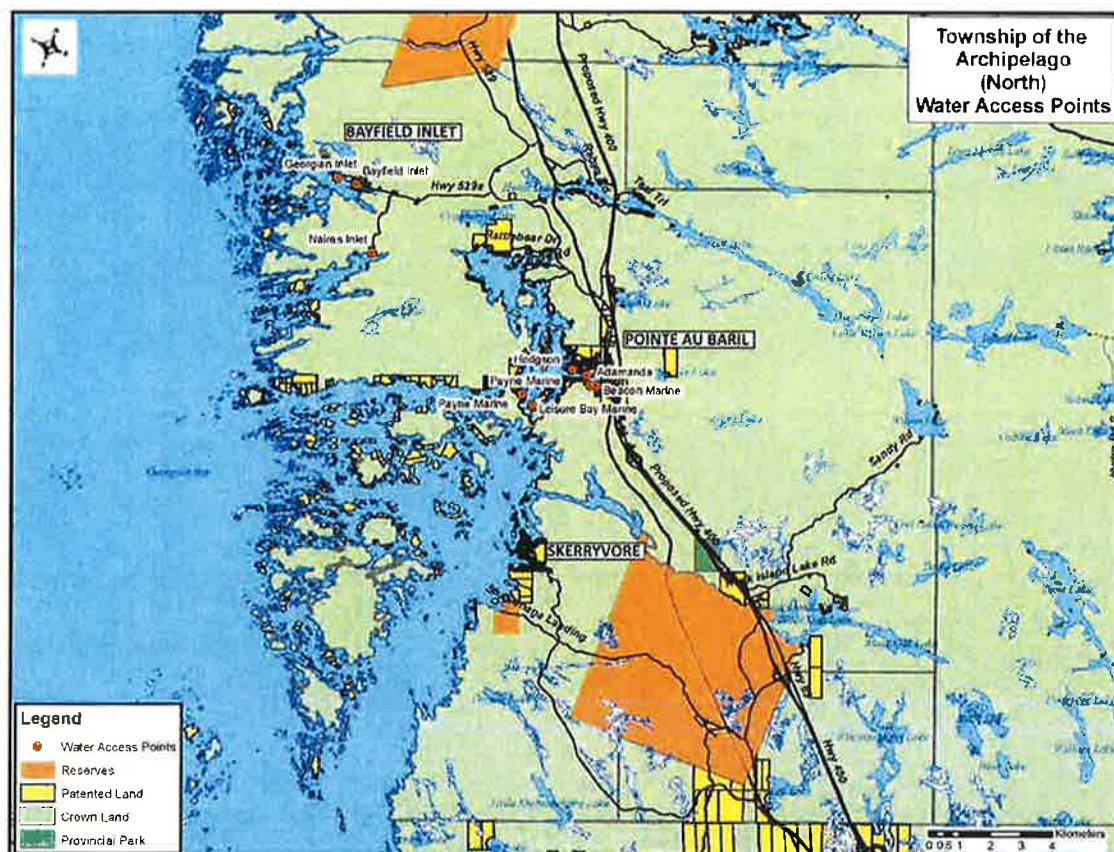
## SERVICING THE TOWNSHIP

The early period after the creation of the Township necessitated a number of learning curves including a transformation of basic services like local roads from Local Roads Boards and waste management from the then Ministry of Natural Resources.

In the north part of the municipality there was good infrastructure within the Township at Pointe au Baril Station. The numerous marinas at Pointe au Baril were augmented by additional Georgian Bay access at Bayfield Inlet and to a lesser extent at Skerryvore.

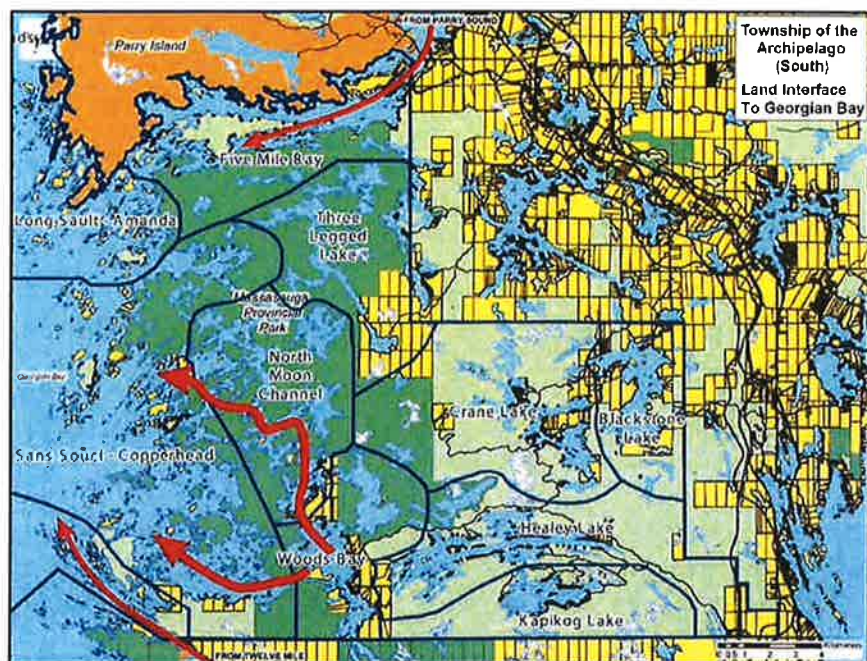
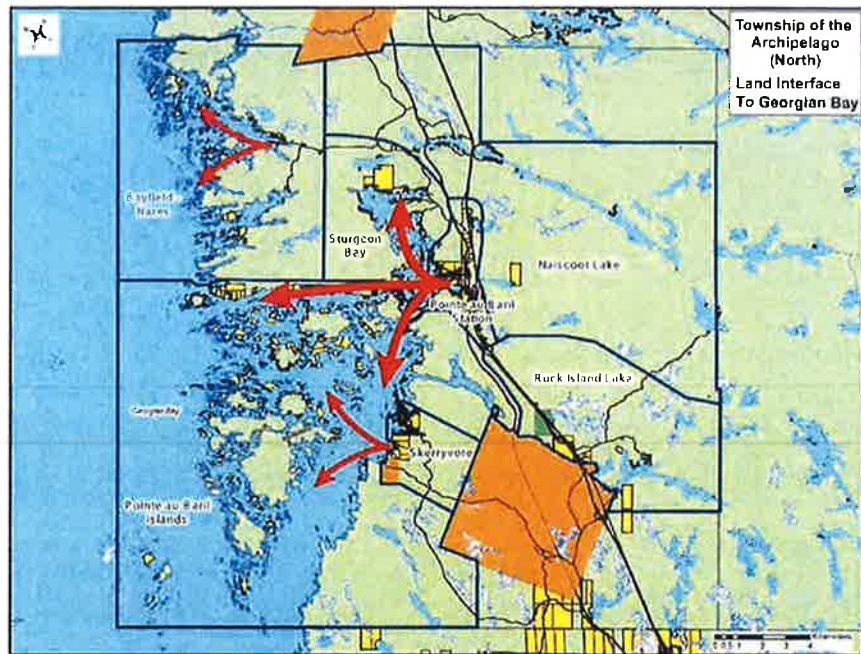
	NORTH	SOUTH
Estimated Cottages	1416	1935
Estimated Boat Slips	856	183
Public Roads	20.4 km	56. km

The sketch below illustrates the general access points within the north part of the municipality.



The north part of the municipality has a significantly shorter public roads network in contrast to the south. This is somewhat peculiar given the limited number of similar access opportunities that are available to Georgian Bay in the south part of the Township.

The Georgian Bay islands in the south area of The Archipelago have been primarily accessed from outside the Township in the Town of Parry Sound or at Moose Deer Pointe. The graphic sketches set out above and below illustrate these features.





## **EVOLVING CONDITIONS IN THE ARCHIPELAGO**

As The Archipelago matured and conditions changed throughout the municipality, decisions at the local level needed to respond appropriately. A number of the changes related to the whole of the Township. However, for the purpose of this submission, the primary impacts discussed are concentrated on the southern Georgian Bay communities in the vicinity of Woods Bay.<sup>1</sup>

- Woods Bay was designated similar to other Archipelago cottage neighbourhoods. At the time of incorporation, services at Woods Bay were relatively primitive. There were a limited number of "ma and pa" campsites, few boat slips, limited marina services, poor road access and no municipal presence;
- there was no provincial park;
- there were no conservation reserves;
- the south Georgian Bay area of the Township continued as a water-access community, e.g. schools, churches, restaurants, lodges, groceries, dumps, all existed amongst the island;
- the Healey Lake road was a gravel road in poor condition;
- for the most part, the primary access to Ward 4 water access properties remained outside the Township; either Parry Sound from the north or Twelve Mile Bay from the south

### **Changes in The Archipelago and in Woods Bay**

A number of factors influenced the changing character in The Archipelago over the first two decades of this young municipality. These factors included the greater understanding of its landscape, people and decisions made both provincially and locally.

The charter official plan was reviewed after approximately 10 years.

The updated official plan in September, 1991 did not fundamentally alter the general policy structures but further refined and reinforced these policies. These policies went on to:

- recognize the new provincial park
- emphasized the status quo
- discouraged additional commercial uses
- strengthened environmental protection policies

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<sup>1</sup>(**Township of The Archipelago Discussion Papers**, April 1982, J. Ross Raymond as Associates – This series of 37 Discussion Papers provide a snapshot in time of the early Archipelago where issues, concerns and problems related to land use planning were first catalogued.)

- recognized Pointe au Baril as the only growth community
- provide no significant changes to remaining neighbourhood policies

The first decade of the Township did not generate any material change in the policy framework of the official plan. This is reflected in Official Plan Amendment No. 14, the first major update to the plan.

The nineteen-nineties saw a number of shifts in the planning landscapes both provincially and locally.

Provincially, the numerous ministries were bombarding municipalities with publications on many land use related topics:

- M.O.E. on D- Series Guidelines;
- M.N.R. on natural heritage/fisheries;
- M.N.R. on flood plains;
- M.N.R. on aggregates;
- M.M.A. on growth and settlement; and

many more culminating in hundreds of pages of policy documents in a manual referred to as a Comprehensive Set of Policy Statements.

In the Moon River area of The Archipelago as well as other parts of the municipality, there were numerous changes taking place. There was a major shift in the nature of the facilities in The Archipelago. There was a pronounced shift in water access facilities to more mainland services including transfer stations, closing resorts and water access marinas.

In the Moon River area, the Woods Bay Neighbourhood was experiencing a significant shift in the quantity and quality of services. The new provincial park was regulated and opened; Healey Lake Road was upgraded and paved; the Township established a public landing and transfer station at Woods Bay.

Marina facilities in this area were expanding in response to a growing demand, services were expanding and improving to meet new demands including groceries and alcohol sales and contractor services. There was evidence of a marked shift from access facilities beyond The Archipelago to the marinas and services at Woods Bay.

By the end of the decade, new provincial rules became part of a planning reform that saw a shift in the balance of land use authority from the province to local municipalities. The 1997 Provincial Policy Statements saw a significant reduction in the role of the province in local land use planning.

### **2002 – 2007 Official Plan Update**

The second major update of the young municipality's official plan began in 2002 and resulted in revised policies being adopted in 2005 and approved by the Ontario Municipal Board in 2007.

It was early in this review that submissions were made to reflect the true nature of the Woods Bay Neighbourhood. Chris Goulding wrote on June 6, 2002:

**"It is high time that the Woods Bay area is recognized by the Township for its importance in the southern part of The Archipelago. Woods Bay should be as important to the Township as is Pointe au Baril Station in the north. Woods Bay provides the only road access the Georgian Bay that is within the Township of The Archipelago [South]. The marinas in Woods Bay need to be supported and recognized for their importance to our Township, especially since we all know our Township is water based."**<sup>2</sup>

Similar sentiments are expressed in a letter of a local fishing club attached to this submission.

Changes to the language of Woods Bay Neighbourhood policy were proposed in the update as follows:

**"Woods Bay is the only area in the south portion of the Township where road access is available to Georgian Bay. Given the importance of ensuring that there are water access facilities available to many water access properties in the Township, it may become necessary to support an increase in the development of marina facilities in the Woods Bay Neighbourhood subject to other policies of this Plan."**

There were a number of submissions both in support of and against this proposed change in policy.

In the end, the proposed policy was removed. The absence of including a policy that recognized the reality of Woods Bay was appealed by a group of local residents. A lawyer and professional planner were retained in anticipation of proceeding to an Ontario Municipal Board hearing on the matter.

Prior to the commencement of a hearing, the appellants and the Council of The Archipelago agreed to a settlement based upon the following paragraphs being added to the policy related to Woods Bay.

**"10.35 The Woods Bay/Moon River area is comprised of permanent and seasonal residents. Some of these residents operate businesses and provide goods and services to the water-based neighbourhoods of Woods Bay, North Moon Channel, Manitou and Sans Souci-Copperhead.**

**10.36 Council will undertake a planning study in the Woods Bay/Moon River area. This study will include an examination of the character of the area and residential profile, infrastructure facilities and services. Following completion of this study, Council may consider policies to guide this area's future development."**

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<sup>2</sup> Excerpt of a letter submitted by Chris Goulding on June 6, 2002 to Council outlining his support for official plan changes.

## **THE WOODS BAY NEIGHBOURHOOD STUDY**

The Council established a steering committee to conduct a study for Woods Bay. A consultant was hired and a series of workshops were held. A copy of the study terms of reference are attached.

The study terms of reference seems to qualify the nature of the work to almost suggest that there will be no furtherance of a policy scheme that will recognize the real sense of community. Consider:

**"This study will be undertaken in a strategic manner, recognizing that the Township of the Archipelago provides limited services and has clearly enunciated in its Official Plan its intent to minimize municipal servicing and public works costs. Consideration must be given to the ability to provide an appropriate level of services through the municipality, the associations and the private individuals who are in the business of providing services."**

The study produced a number of findings but made no particular recommendations that would respond to the language set out in the wording of the settlement wording identified above in section 10.36. The study provided some interesting dialogue, but in the absence of any pointed direction, it would have little value to the interests it was intended to serve. The language of the study includes a number of open-ended uncertainties.

On the community name: (page 50)

**"We would recommend further public consultation..."**

On the need for a commercial access point: (page 51)

**"Further examination of this work being undertaken... [will follow]"**

On community facilities: (page 52)

**"Further investigation of this opportunity needs to involve an assessment..."**

On improved access: (page 53)

**"... these actions would be contrary to the Official Plan."**

On affordable housing: (page 55)

**"an official plan amendment would be needed to deal with this matter..."**

On Heritage: (page 56)

**"this matter should be further investigated..."**

On Next Steps: (page 56)

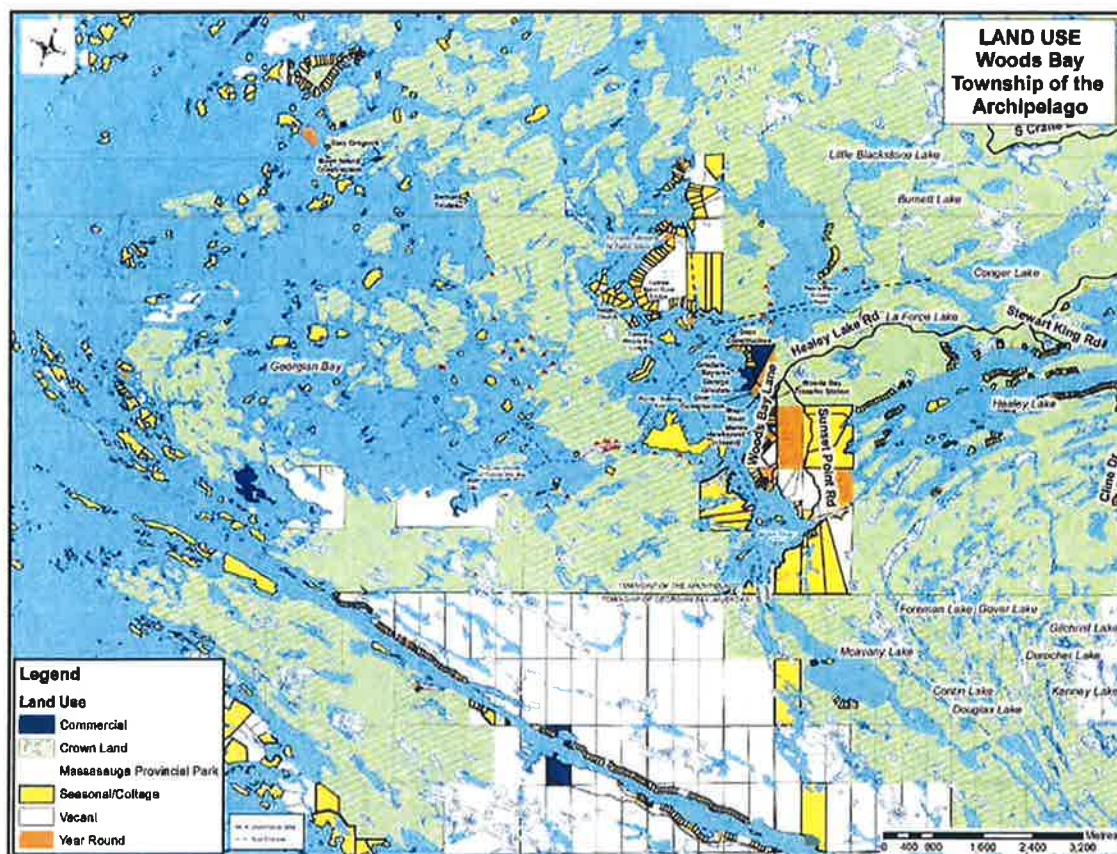
**"[this document] Is not intended to be a strategy for Woods Bay..."**

The study and its general content provides little more than a guideline for future investigations. With respect, it falls short of responding to the interests or needs of the Moon River community.

### **LAND USE – MOON RIVER**

The sketch below illustrates the general land uses at Woods Bay.

It confirms the limited land and road network but it hi-lites the importance of the Georgian Bay access interface.



Many of the features of the community are out-lined in the Woods Bay Neighbourhood study. These features include:

- concentration of businesses along the mainland;
- the ±200 cottage boat slips at Woods Bay;
- the large presence of the Massasauga Provincial Park;
- the large number of services available at Woods Bay;
- the significant trading area that extends to surrounding neighbourhoods;
- the small number of year round residents;
- limited public roads

Although not apparent from the land use information, there are significant pressures for new and expanded businesses at Moon River.

The new pressure comes from a variety of sources including the general improvement in the quality of services at Woods Bay, improved access, changing and increased demands by the island communities.

There is no question that the Woods Bay – Moon River community has evolved in to a distinct service community, perhaps not to the extent of its northern sister, Pointe au Baril Station, but sufficiently distinct from the remaining cottager neighbourhoods.

### **Planning Issues in Moon River**

In relative terms, there have been few planning issues in the Woods Bay/Moon River region. Apart from the establishment of the Blackstone Provincial Park, all of the planning issues relate to the general transformation of Woods Bay to a more significant service centre.

These issues include marina expansion conflicts. There were conflicts at Woods Bay Marina (Grisdale), dredging and expansion issues at Moon River Marina and most recently applications by Moon River Marina to acquire Crown land for expansion purposes.

Business expansion plans have been thwarted by cottagers opposing attempts to rezone lands (Aime Dion and Anthony Dion) for commercial uses.

Expanded road attempts have been opposed because of anti-roads policies in some of the Woods Bay neighbourhood (residents at Healey Creek).

Finally, attempts by local residents to secure recognition of the area as a southern service centre with special policies have failed over the course of two official plan updates.

### **Submissions to Proposed Official Plan Update**

Local residents continued to engage in changes they felt appropriate to meet the needs of the Woods Bay/Moon River community.

The continued submissions seem to receive no acceptance on the part of the municipality. The absence of any positive changes to recognize the new reality at Moon River is most confounding.

Because of the rich Métis heritage of the area, changes in rights of the Métis and changes to the provincial policy statement (PPS) respecting aboriginal interests, the Métis Nation of Ontario have also made submissions in support of the Moon River submissions. Given the response, or lack of response, it is believed that the updated official plan policies are: **not consistent with the PPS; do not comply with the Growth Plan of Northern Ontario; and do not properly recognize the intrinsic rights of Métis peoples as set out in recent court rulings.**

The submissions of the Métis Nation of Ontario and the response by The Archipelago are attached.

The proposed amendments to the official plan do very little in terms of furthering the needs of Moon river community nor the interests of the Métis community.

1. There is no reference in the basis of the amendment to reflect the interests of Moon River.
2. There is a reference to section 5.7 (the Concept of the Plan – a non-policy component) that describes:

**"Following the First Nations and Métis people, the first European settlers of The Archipelago were interested in fur trading, lumbering and commercial fishing."**

This change has no meaningful impact.

3. The following paragraph is added to 10.33 – Woods Bay:

**"Woods Bay and Moon River Basin has a rich Métis heritage."**

This insertion provides no meaningful direction to the interests of the residents.

4. A new section on aboriginal consultation is added to 14.63:

**"The Township will work to ensure consultation is undertaken with interested Aboriginal communities as appropriate..."**

This general statement would not affect any reasonable change as a result of consultation.

### **Provincial Policies**

The land use planning system in Ontario is intended to be a policy-led system recognizing the inter-relationships among environmental, economic and social factors. Part III of the Provincial Policy Statement (PPS) supports a comprehensive, integrated and long-term approach to planning and recognizes linkages among policy areas.

The current provincial PPS were updated in April 2014. It is of some interest that the Woods Bay Neighbourhood Study was undertaken under the 2005 PPS.

The trend has been towards more direct control of local planning matters by the province through the interpretation and application of provincial policies. This is often not a welcomed approach by local municipalities but is reflective of the "top down" planning framework mandated by the province.

### **Provincial Plans**

**"Provincial plans are to be read in conjunction with the Provincial Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be."**

The Archipelago is subject to the Growth Plan for Northern Ontario. Many of the Moon River submissions are supported by this provincial plan. There is no evidence that the concerns of the residents have been addressed in this provincial plan.

Part V of the PPS recognizes a broad range of policies that integrate efficient land use and development patterns that are sustainable and promote strong, liveable, healthy and resilient communities and facilitating economic growth.

It is understood that there can be a fundamental difference in the core principles in the objectives of local residents in contrast to those of the community wanting to preserve the status quo. However, these interests must work to recognize and respect the divergent perspectives to move a community forward.

### **Settlement Areas**

While the PPS recognizes different types of settlement areas and the belief is that Moon River could qualify based on the previous study and the discussion above, the residents would be satisfied with a special policy that recognizes the needs for this area of the Township. Such a recognition would satisfy the current and long term needs of Moon River.

A recommended policy wording is set out in the attached schedule.



Under the Coordination heading in the PPS:

**"1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:**

- a) managing and/or promoting growth and development;**
- b) economic development strategies;**
- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;**
- d) infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems;**
- e) ecosystem, shoreline, watershed, and Great Lakes related issues;**
- f) natural and human-made hazards;**
- g) population, housing and employment projections, based on regional market areas; and**
- h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement.**

**1.2.2 Planning authorities are encouraged to coordinate planning matters with Aboriginal communities."**

It is respectfully submitted that the proposed official plan update fails to be consistent with this provincial policy.

### **"1.3 Employment**

**1.3.1 Planning authorities shall promote economic development and competitiveness by:**

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;**
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;**
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and**
- d) ensuring the necessary infrastructure is provided to support current and projected needs."**

Without the special policy recognition of Moon River, these policies cannot begin to be achieved.

It is challenging for a municipality that prefers to achieve no growth outside of Pointe au Baril Station to be able to accommodate the needs of Woods Bay/Moon River. It is submitted that such a perspective undermines the core planning principles of the PPS.

The "unique" nature of The Archipelago cannot properly be sustained in Moon River. This area begs for a revised approach to meet the needs of this region. A good example of council's recognition of this fact is described in its resolution (no. 17-079) to support the sale of Crown land to Moon River Marina (see copy attached).

### **Housing**

The PPS has a number of policies relating to housing (1.4). These policies anticipate the preparation of strategies that meet housing needs in the community and place some emphasis on affordable housing.

#### **"1.4 Housing**

**1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:**

- a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and**
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.**

**1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:**

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;**
- b) permitting and facilitating:**
  - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and**
  - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;"**

While it is arguably not possible to establish affordable housing targets in a cottage community, the dilemma was discussed as part of the Woods Bay Neighbourhood Study. Growth of the community cannot occur when only waterfront properties are allowed and there is no availability of less expensive back lots that may be developed. However, this is a policy that is available to the Township to recognize the need.

## **2.6 Cultural Heritage**

Under section 2.6.5:

**"Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources."**

This is a new provincial policy established in the 2014 PPS

Based upon the findings below it is believed that the proposed O.P.A. No. 61 is not consistent with this policy.

### **The Métis Heritage in Moon River**

Research has shown that the Moon River community has a strong connection to the Métis who migrated from Drummond Island to Penetanguishene Bay in 1828. These Métis families were granted land in Penetanguishene.<sup>3</sup>

After a number of years, a group of Métis moved northward along the eastern shore of Georgian Bay to the Moon River area. Many descendants of these families continue to inhabit this community.

A history of the Métis illustrates a very resilient and adaptive people willing to work the resources of the lands and waters and provide services as required.

The sketch below shows the results of land registry searches where land grants were made, including to some of the descendants of Métis from the Drummond Island migration.

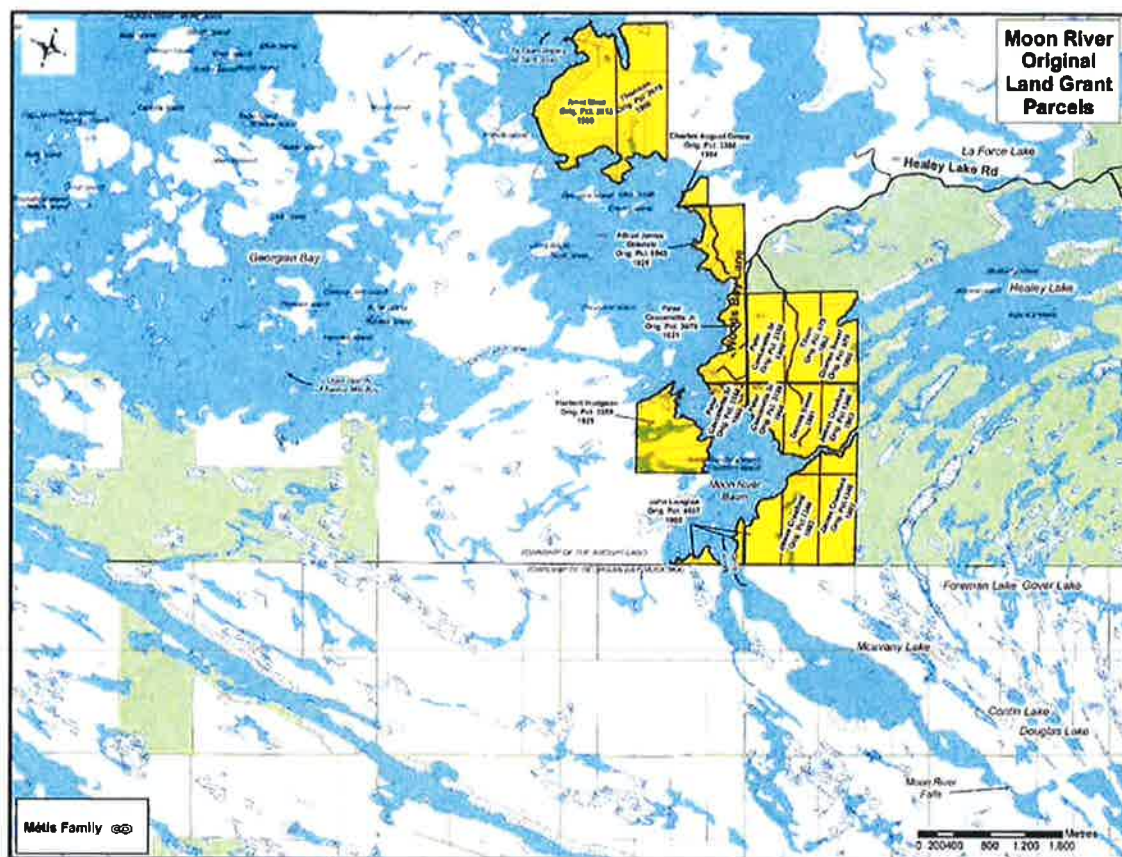
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<sup>3</sup> My Life On The Moon River, 2006 by Pete Grisdale

From the Straits of Mackinac to Georgian Bay: 300 Years of Metis History, Micheline Marchand and Daniel Marchildon, Moon River Métis Council, December, 2006

Robinson Huron Treaty

In Our Blood – An Oral History of the Georgian Bay Métis, Moon River Metis Council, Métis Nation of Ontario, 2013



### **The Powley Decision**

On September 19, 2003, a unanimous decision of the Supreme Court of Canada recognized the rights of the Métis, aboriginal rights that are protected by s.35 of the constitution. Attached is a summary of the Powley decision.

The decision set out a 10-part test called the Powley test for determining the assertion of Métis rights under the constitution. There is no question that the Moon River Métis qualify for asserting aboriginal rights in this area.

### **CONCLUSION**

1. Official Plan Amendment No. 61 (O.P.A. 61) of the Township of The Archipelago fails to respond to the legitimate planning concerns of a number of residents in Moon River.
2. O.P.A. 61 fails to be consistent with the PPS on a number of core policies.

3. The amendments made to the adopted O.P.A. 61 to reference the Métis heritage have no meaning in terms of policy content. O.P.A. 61 fails to respond to recognize heritage interests of the Moon River Métis.
4. The request to alter the name of the neighbourhood to reflect the rich heritage of the Moon River community is a minor request but important to the community. There is no particular sanctioning to the neighbourhood name "Woods Bay". Like many of the neighbourhood names and boundaries, there is some degree of arbitrariness. There is no reason to not agree to alter the name to Woods Bay – Moon River Neighbourhood.
5. The Woods Bay – Moon River neighbourhood must include a policy content that correctly describes the new reality of the community. This new policy need not refer to a "settlement area" as contemplated under the PPS but it should clearly reflect the support for the recognition of the kinds of needs associated with the Moon River community.
6. The revised neighbourhood policy should include references to support Crown land disposition for community interests, facilities and roads.
7. There are few public roads in the Moon river area. In order to achieve the needed development opportunities for lower cost housing, new lots on private roads would need to be available. This type of limited development may be accommodated with adequate terms and conditions to protect the municipality (see Town of Hearst official plan). These provisions will need to cross reference a number of existing official plan sections (private roads, services, Crown land, affordable housing).

### **RECOMMENDATION**

The Ministry of Municipal Affairs is requested to modify O.P.A. 61 as set out on the attached schedule.

Respectfully submitted,



John Jackson, R.P.P., M.C.I.P.

JJ:dh

**Schedule of Requested Modification  
Official Plan Amendment No. 61  
Township of The Archipelago**

1. Section 3 – BASIS of the amendment is hereby modified by adding the following paragraph after paragraph 3.29.

**"3.30 Policies have been added to recognize the importance of Woods Bay as a service centre for a large area in the south part of the Township. This recognition has been established by the undertaking of the Woods Bay Neighbourhood Study as well as submissions by local residents, businesses and the Métis Nation of Ontario. These policies are scattered throughout the official plan to ensure that this recognition may be implemented. In addition, the name of the Woods Bay Neighbourhood will be expanded to now be referred to the Woods Bay – Moon River Neighbourhood to more accurately identify the history and heritage of the community."**

2. Section 5 – Secondary Objectives is modified by adding the following as objective no. 13.

**"13. Recognizing the specific interests and needs of the Métis community of Woods Bay – Moon River by allowing new development on and off the water on both private and public or Crown roads and supporting new and expanded commercial growth in the neighbourhood while respecting the above objectives."**

3. Section 12 – is hereby modified by deleting the paragraph and replacing it with:

**"12. The first paragraph of section 5.6 Neighbourhoods is hereby amended by deleting "parts of Georgian Bay shoreline" in the last sentence and replacing it with "Woods Bay – Moon River Neighbourhood"."**

The first sentence of the first paragraph of subsection 5.7 is amended to read as follows:

**"Being the first settlers of Moon River, in The Archipelago, the First Nations and Métis people continued their way of life. Besides living off the land and water, the Métis in the area were also involved in fur trading, fishing, farming, guiding and eventually lumbering. The whole geographic area that is now the Township of The Archipelago was used by the Métis people for hunting, fishing and gathering and other aspects of their traditional way of life."**

A new second paragraph is inserted between the first and second paragraph of 5.7 as follows:

**"As Drummond Island to the north, was to be ceded to the Americans, the British garrison from Drummond Island was moved to Penetanguishene in 1828, the move included many Métis families. The Métis were granted land in Penetanguishene Bay at that time. Some descendants of those early Métis settlers were also granted Crown lands in Woods Bay – Moon River region in the late 1800's and early 1900's. In many cases Métis people were given land in Moon River by the Government of Canada as payment for their services in the armed forces."**

4. Section 13 is hereby modified by adding the following paragraph to the section:

**"In the third paragraph of Section 5.10, the words "and the Woods Bay – Moon River Neighbourhood" after the words "Pointe au Baril Station Neighbourhood" in the last sentence."**

5. Section 14 is hereby modified by adding the following second paragraph to the section:

**"Sections 5.15.2 and 5.15.5 are hereby amended by adding the words "and Métis" after the words "First Nations" in the second and first paragraph respectively."**

6. **"Section 5.15.21 is hereby amended by adding "and communities like Woods Bay – Moon River" after Pointe au Baril."**

7. Section 18 is hereby modified by adding the following second paragraph to the section:

**"The second paragraph of Section 6.2 is amended by adding "and the Woods Bay – Moon River Neighbourhood" after the words "Skerryvore (Section 9)" in the second sentence.**

**"Section 6.3 will be amended by adding "and the Woods Bay – Moon River Neighbourhood" after the words "Skerryvore (Section 9)" in the second sentence."**

**"Section 6.6 is amended by adding "and Woods Bay – Moon River Neighbourhoods" after "Pointe au Baril Station" in the first sentence."**

**"Section 6.8 is amended by adding the words "and the Woods Bay – Moon River Neighbourhood" at the end of the section."**

8. **"Section 7.33 is hereby amended by including "Cenotaph" after the word "artifacts"."**

9. Paragraph 84 is hereby modified by deleting the paragraph and replacing it with the following:

**"84. Section 10 – Neighbourhood Growth Policies is hereby amended by:**

**"Renaming "Woods Bay" in paragraph 10.1 as "Woods Bay – Moon River";**

Section 10.33 Woods Bay is amended by deleting the section and replacing it with the following.

**"Woods Bay – Moon River**

- 10.33 Woods Bay – Moon River is an area at the southern end of the south part of the Township adjacent to the Township of Georgian Bay. It is the only area in the south part of the Township of The Archipelago that has road access to the Georgian Bay.**

**Because of this access, there are a number of local businesses including tourist operators, marinas and contractors that provide a variety of essential services to the Moon River basin and beyond. In addition, this area is the prime access point for the Massasauga Provincial Park.**

The Moon River area has a rich Métis heritage. The Métis that live in the area continue to partake in their traditional way of life and many provide the kinds of business services that are in demand by cottagers in the region.

- 10.34 Woods Bay – Moon River is recognized as a special policy area where there is potential for new lot development. Previous policy would only permit new lot creation on lands with Georgian Bay waterfront. While new waterfront lots may continue to be permitted as set out below, a number of new nonwaterfront lots are now eligible to be created in the Woods Bay – Moon River neighbourhood as set out below.

10.34.1 Waterfront Lots

Consents involving the creation of one new waterfront lot per holding greater than two hectares may be considered. Consents involving the creation of up to two new lots per holding may be considered on parcels greater than five hectares or land division resulting in the creation of three or four new lots on parcels greater than fifteen and twenty acres respectively subject to Section 14 – Development Procedures and Standards and any other applicable policies.

10.34.2 Backlots

Backlots fronting on public roads or private rights-of-way will be permitted in the Woods Bay – Moon River Neighbourhood by consent subject to:

- a) a minimum lot size of one hectare;
- b) Section 14 – Development Procedures and Standards were applicable; and
- c) new lots created on private rights-of-way will need to demonstrate adequacy in terms of design, length, maintenance and that an agreement is registered on title to confirm access limitations as well as to indemnify the Township from any responsibility for maintenance or liability.

34.3 Commercial Retention and Expansion

New and expanded commercial uses that cater to the areas service needs will be supported in the Woods Bay – Moon River Neighbourhood subject to the other applicable policies of this Plan.

34.4 Crown Land

The Township will support new community facilities, residences and commercial uses on Crown land that serve the Woods Bay – Moon River Neighbourhood subject to any terms and conditions that are imposed by the Crown. This policy will be subject to the limited services policy of this plan.

The Township will support the alienation of Crown lands that furthers the interests of the community's Métis population subject to the terms and conditions imposed by the Crown."



10. Section 10.53 is hereby amending by adding at the end of the second sentence:

**"other than any allowances of a back lot development in the Woods Bay – Moon River Neighbourhood".**

11. Section 10.54 is hereby amended by adding at the end of the section, at the end of the last sentence **"with the exception of Woods Bay – Moon River Neighbourhood".**

12. Section 10.55 is hereby amended by adding to the end of the section **"and backlots that may be permitted in the Woods Bay – Moon River Neighbourhood".**

13. Paragraph 95 is modified by adding the following to the end of the paragraph.

**"Section 12.29 is amended by adding the words "and Métis" after the word "First Nation"".**

14. Paragraph 132 is hereby modified by adding the following paragraphs:

**"Section 13.13 xi) is hereby deleted"**

Section 13.14 is amended by deleting subparagraph x) and replacing it with:

**"Woods Bay – Moon River Neighbourhood".**

15. Paragraph 167 is hereby modified by adding the following paragraph.

**"Section 18.11 is amended by deleting the section and replacing it with:**

**Woods Bay – Moon River Neighbourhood**

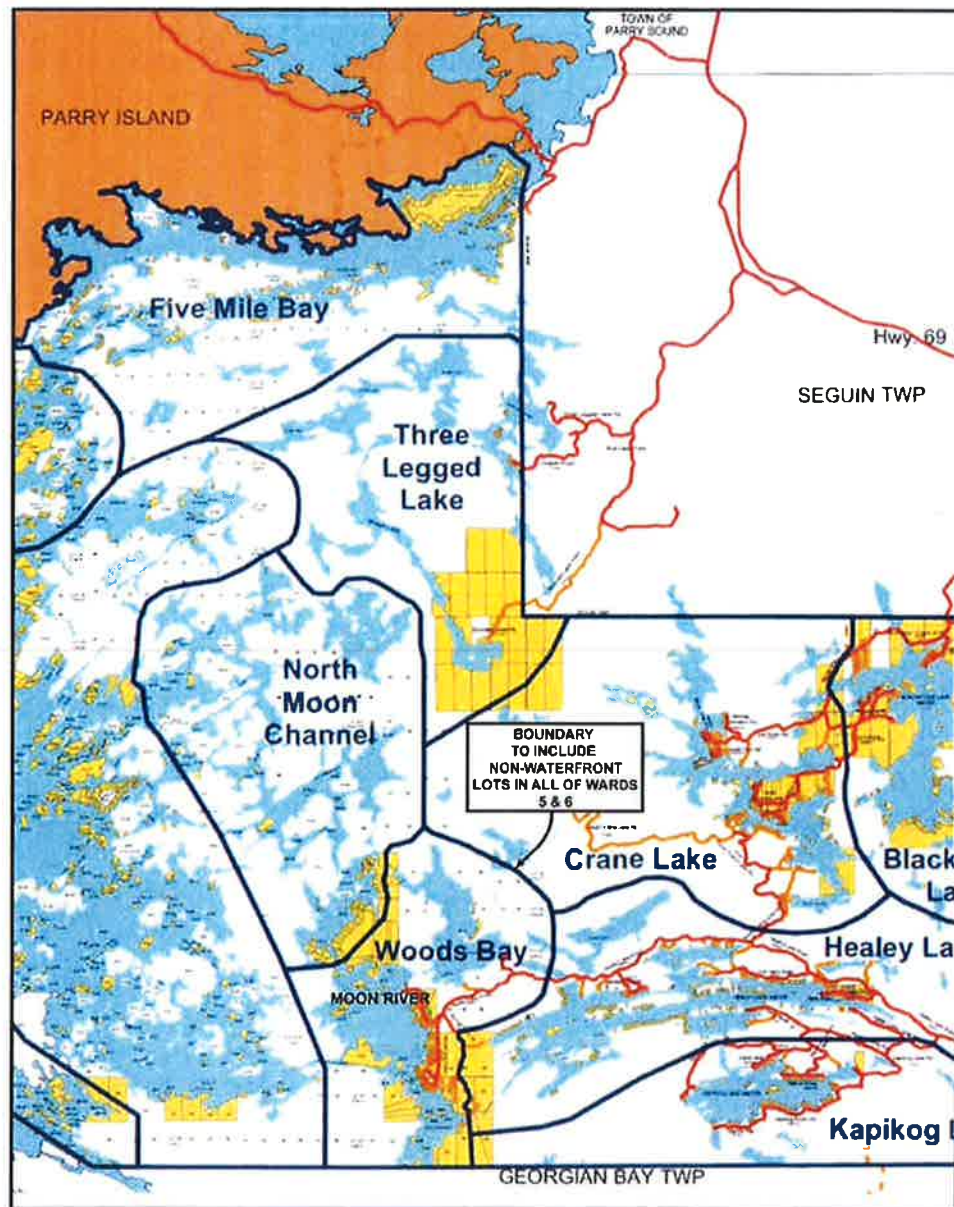
**18.11 Woods Bay – Moon River is the only neighbourhood within the south part of the Township of The Archipelago where road access marinas are available on Georgian Bay. There is currently a limited supply of docking facilities to serve a growing demand for additional slips. It will be the policy of the Township to support expanding and new marina facilities to accommodate the growing demand for boat docking facility alternatives to serve water access properties in the region.**

**Proposed expansions or new facilities will need to be supported by a planning report including an assessment of social, economic physical and environmental impacts."**

16. **South Archipelago Neighbourhood Schedule**

Woods Bay Neighbourhood Boundaries – this needs to be changed and renamed because some potential back lots and development in Moon River could be in existing neighbourhoods, such as: Kapikog Lake, Healey Lake, North Moon Channel and Sans Souci Copperhead.

The Neighbourhood boundary map of the official plan is hereby amended by deleting the map and replaced with the map below.



# **Iron City Fishing Club**

SUMMER ADDRESS: P.O. Box 308, Parry Sound, Ontario P2A-2X4

WINTER ADDRESS: P.O. Box 38221, Pittsburgh, PA 15238

August 28<sup>th</sup>, 2004

Corporation of The Township of the Archipelago  
9 James Street  
Parry Sound, Ontario  
P2A 1T4

Re: OPA NO. 45 – Official Plan Review 2004

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As you well know, Iron City members utilize marina facilities in the Wood's Bay area in order to access their club. We recognize the necessity of providing services to us as well as to other seasonal residents as well as contractors using that area of Georgian Bay. It is important that not only are services provided, but, that marine operators are successful in order that they can continue to satisfy the needs of those who have water access only properties.

It is our understanding that certain changes are being contemplated by council to the proposed wording as was circulated regarding section 10.35 of the official plan. It seems given the importance of these facilities to those using Woods Bay as an embarking point, particularly Iron City, that we be notified and circulated as such.

I thank you for the opportunity to participate.

Fred Crawford, President

   
c.c. Mr. James Beatty  
JAB/bb

**(Draft)**  
**Terms of Reference**  
**Moon River - Woods Bay**  
**Township of The Archipelago**

**INTRODUCTION**

This Terms of Reference forms the basis on which a Community Planning Study would be undertaken for the area known as Moon River - Woods Bay (the "Community") in the Township of The Archipelago (the "Township"). The Community Planning Study arises from a growing recognition by members of the Community that there is a developing, identifiable and functioning "community" in the area that is not recognized in the Township of The Archipelago's Official Plan or other municipal policies.

In 2006 the Township Council passed Official Plan Amendment No. 45 ("OPA 45"). This Amendment, which is the result of a mandated review every 5 years under the Planning Act, looked into reviewing existing policies and implementing any necessary revisions within the Official Plan. Through this process a number of residents in the Moon River-Woods Bay area familiarized themselves with the existing and proposed policies and recognized that the Official Plan did not adequately deal with the existing community. Two residents appealed OPA 45 to the Ontario Municipal Board. The result of settlement discussions between those residents and the Municipality determined that the hearing of the appeals would be delayed for a sufficient period of time to enable the Community to go through a Community Planning Study of the area. Following completion of the Community Planning Study, the Township may be asked to consider policies in its Official Plan that would reflect the current status and future aspirations of the Community.

Many community services in the area have historically been provided by community associations including: Woods Bay Community Association and Sans Souci Copperhead Association. These associations and their members have done an excellent job of providing cultural and recreational services to their members. However, residents of the Moon River - Woods Bay area are concerned that those associations cannot provide services normally attributed to municipal government. Those services include: emergency services, public access to the water, garbage disposal and public facilities.

This study will be undertaken in a strategic manner, recognizing that the Township of the Archipelago provides limited services and has clearly enunciated in its Official Plan its intent to minimize municipal servicing and public works costs. Consideration must be given to the ability to provide an appropriate level of services through the municipality, the associations and the private individuals who are in the business of providing services.

## **2.0 WORK PROGRAM**

The following describes the proposed work program

### **2.1 COMMUNITY WORKSHOP**

A community workshop will be held in August 2007 to engage as many members of the community as possible in the discussions and following themes.

#### **2.1.1 Identify the Community**

There is a need to identify if there is a definable "community" that is not simply bounded by the boundaries of the various community associations identified above. Communities are identified by groups of people having shared interests. In this instance shared interests may include access, schools, post office, church, location of permanent residents and community facilities. It is not the intent to change the existing boundaries of the Woods Bay, North Moon Channel, and Sans Souci Copperhead "Neighbourhoods", as identified in the Official Plan. Consideration needs to be given to the overlap of those "Neighbourhoods" as parts of a Community and the common interests of the residents, permanent, semi-permanent and seasonal, from a community interaction and service related perspective.

#### **2.1.2 Define Community Character**

Participants of the workshop will be asked to assist in the definition of the character of the community or 'sense of place'. This exercise includes defining human built and natural features that define the extent and nature of a community and help shape the character of that community. Typically, these features would be identified, preserved and enhanced in order to promote the well being of the community.

#### **2.1.3 Issues Identification**

In this step we will identify specific issues that are facing the community. Work previously undertaken by some individual community members along with the Woods Bay Community Association identified the following issues:

- Fire/emergency services;
- Community hall;
- Public & Contractor water access point;
- Public boat launch;
- Public recreational areas/services;
- Provincial park/Crown lands.

In addition, we would focus on understanding other important features and needs, such as but not limited to:

- Heritage
- Culture
- A gathering place focussed on a dock/community centre



**Métis Nation of Ontario**  
Lands, Resources and Consultations

April 4, 2017

Peter Ketchum  
Reeve of the Township of the Archipelago  
9 James Street,  
Parry Sound, ON  
P2A 1T4

Dear Mr. Ketchum:

**Re: Township of the Archipelago Five Year Official Plan Review #61**

I am writing to you on behalf of the Métis Nation of Ontario (including the Moon River Métis Council, the Georgian Bay Métis Council and the Great Lakes Métis Council, collectively known as the Georgian Bay Traditional Territory Consultation Committee). Please find attached the Métis Nation of Ontario's (the "MNO") comments on the Township of the Archipelago's Official Plan.

As you know, the Métis are one of three distinct Aboriginal peoples in Canada, whose rights, interests and way of life are constitutionally protected under section 35 of the *Constitution Act, 1982*. The MNO has Aboriginal rights in the lands, waters and natural resources in the area in respect of which the Official Plan is being proposed. These rights are held as collective rights by the regional rights-bearing Métis community defined as the Georgian Bay Traditional Harvesting Territory, as represented by the MNO. The Crown therefore has a duty to consult with the Métis before making a decision, taking any action, or issuing an approval that could have any impact on such Aboriginal rights, interests or way of life.

The MNO initially contacted the Township of the Archipelago to discuss the Official Plan review in October 2016. To further clarify the concerns of the MNO, we have included a summary of concerns below and are attaching a condensed version of the Draft Policy Comparison Table of the Archipelago Official Plan with the MNO's requested revisions.

**Métis Heritage**

The Township of Archipelago has a rich Métis history that played an important role in the development of the township and surrounding areas. In the Official Plan, it is requested that where the history of the Township of Archipelago is discussed, the rich Métis heritage of the region should also be mentioned. Likewise, anytime the Official Plan

the Métis  
Nation of  
Ontario

makes mention of First Nations (i.e., consultations, notifications) the MNO should be similarly mentioned.

#### Woods Bay vs. Moon River

What is currently referred to as the Woods Bay neighbourhood was historically known as the Moon River neighbourhood. We have attached documentation to this effect in the form of a baptismal record and an image of the local cenotaph. The Moon River name has an historical connection for the Métis and we ask that this area have its historic name returned. This issue was mentioned multiple times in the Township of the Archipelago Study Findings Report which resulted from the 2006 Official Plan Review. The report indicates, on page 12, that the original name for the community was Moon River.

#### Backlot Development

The blanket restriction on all backlot development proposed in the Official Plan was found to put pressure on future generations of Métis wishing to follow their traditional way of life within the Township of Archipelago. As such, we ask that this restriction be amended in such a way as to allow greater choice in lot options.

We look forward to your response to our comments as well as notification of any updates that are made to the Official Plan prior to its final submission to the Ontario Ministry of Municipal Affairs and Housing for final approval.

Should you have any questions or concerns regarding this letter or the enclosures, please do not hesitate to contact Mr. Jesse Fieldwebster, MNO Lands, Resources and Consultations Branch Consultation Assessment Coordinator by telephone at 705.526.6335 ext. 220 or via email at [jessef@metisnation.org](mailto:jessef@metisnation.org).

Yours truly,



Pauline Richardson

Chair, Georgian Bay Traditional Territory Consultation Committee  
Region 7 Councillor – Provisional Council of the Métis Nation of Ontario

*the* Métis  
Nation of  
Ontario

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c.c.

Margaret Froh, President, Métis Nation of Ontario

Georgian Bay Traditional Territory Consultation Committee, Métis Nation of Ontario

Peter Coture, President, MNO Great Lakes Métis Council  
 David Dusome, President, MNO Georgian Bay Métis Council  
 Larry Duval, Senator, MNO Moon River Métis Council  
 Greg Garratt, Captain of the Hunt, MNO Region 7

Wenda Watteyne, A/Chief Operating Officer, Métis Nation of Ontario

Aly N. Alibhai Director, Lands, Resources and Consultations Branch of the Métis Nation of Ontario

Jesse Fieldwebster, Consultation Assessment Coordinator, Lands, Resources and Consultations Branch of the Métis Nation of Ontario





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Reply Attention of: Cale Henderson  
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Internet Address: [chenderson@thearchipelago.on.ca](mailto:chenderson@thearchipelago.on.ca)

April 28, 2017

Métis Nation of Ontario  
355 Cranston Crescent – Box 4  
Midland, ON L4R 4K6

Attention: Pauline Richardson  
Chair Georgian Bay Traditional Territory Consultation Committee  
Region 7 Councillor – Provisional Council of the Métis Nation of Ontario

Dear Ms. Richardson:

**RE: Official Plan Review: Métis Nation of Ontario Comments**

Thank you for your comments and continued interest in the Official Plan for the Township of The Archipelago. A copy of your letter and supporting documentation was provided to the Planning & Building Committee on April 20, 2017. In addition, staff prepared a brief report to frame the policy context and facilitate discussion for the benefit of the Committee.

**Métis Heritage**

The committee directed staff to incorporate the recommended changes with respect to the recognition of Métis heritage and history within the Township of The Archipelago. Staff will incorporate the recommended changes prior to Council's adoption of the draft amendment.

**Woods Bay vs. Moon River**

The identification and naming of the neighbourhoods was established in 1983, with the adoption of the first Official Plan for the Township of The Archipelago. The neighbourhoods were based on marina-centred communities, activity patterns, and density. In total, 19 neighbourhoods were identified and named within the Township. Generally, the neighbourhood nomenclature was based on major water/island features within the area (i.e. Inlet, Bay, Lake, Island, etc.). The naming of the Woods Bay Neighbourhood was based on one of the predominant bays within the Neighbourhood; being Woods Bay.

Your comments and supporting documentation was reviewed and staff provided three

options for the Committee's consideration; maintain status quo, change the neighbourhood name to Moon River, or combine the names (i.e. Woods Bay – Moon River Neighbourhood). Council indicated that the name is well established amongst a majority of the members of the community and, without stronger consensus from the community as a whole, they are not prepared to change the name at the present time.

### Settlement Area

The term 'Settlement Area' is a provincial term and designation within the Provincial Policy Statement (2014). It is defined as:

*"Settlement Area: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:*

- a) Built up areas where development is concentrated and which have a mix of land uses; and*
- b) Lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.*

The Provincial Policy Statement (2014) has a considerable amount of policy outlining the purpose and intent of identifying Settlement Areas. Section 1.1.3 of the Provincial Policy Statement provides an overview, it states the following:

#### **1.1.3 Settlement Areas**

*Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.*

*The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.*

**1.1.3.1 Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.**

**1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be**

*accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

As per the aforementioned policies, 'Settlement Areas' are to be the focus for intensification and redevelopment and the area within a municipality that is to accommodate anticipated growth.

The Woods Bay Neighbourhood is not currently defined as a 'Settlement Area', and therefore, the Township would be required to undertake a comprehensive review, per Section 1.1.3.8 of the Provincial Policy Statement, in order to obtain approval from the Province. Section 1.1.3.8 states:

*'A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:*

- a) Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment; ...'*

Based on census information from 2016, the permanent population for the Township of The Archipelago has decreased since 2011 by 6.2%. Further, there is a significant lack of existing or planned infrastructure (public roads, sidewalks, sewer or water, etc.) and public service facilities (community centre, recreational facilities, health and educational facilities, etc.) within the Woods Bay Neighbourhood. As a result, based on a lack of expected growth, the insufficient existing and planned infrastructure, and public service facilities, it would not appear appropriate or feasible to further pursue the identification of the Woods Bay Neighbourhood as a 'Settlement Area' within The Archipelago, in accordance with the Province of Ontario legislation.

#### Backlot Development

It is important to point out that not all additional lot creation is required to be within a defined 'Settlement Area'. As a result, additional backlot development is plausible without identifying the Woods Bay Neighbourhood as a Settlement Area. That being said any proposed development must continue to be appropriate. There are many factors when

considering the appropriateness of new lot creation; however, one significant factor is access. In order for access to be considered appropriate for backlots, access should be obtained via a municipally owned and maintained public road, as opposed to a private road. Based on a preliminary review, there does not appear to be any private lands, with development potential, fronting a municipally owned and maintained public road. As a result, The Township would not consider it appropriate to amend the Official Plan to permit backlot development within the Woods Bay Neighbourhood.

#### Special Policy Area

With respect to the alternative suggestion of creation a new "Special Policy Area" within the Official Plan for the purposes of creating neighbourhood specific policies, the layout of the Official Plan, specifically Sections 10 & 18, already allow for policies to be specific to a Neighbourhood. A 'Special Policy Area' as suggested, would only appear to be needed if there was a significant policy change. An example of that would be identifying the Woods Bay Neighbourhood as a 'Settlement Area'. As it does not appear appropriate to identify the Woods Bay Neighbourhood as a 'Settlement Area', nor permit additional backlot development, it would not appear necessary to identify the area as a 'Special Policy Area'.

Council values your input and I would be pleased to further discuss this letter and answer any questions you may have.

Sincerely,



Cale Henderson, MCIP, RPP  
Manager of Development & Environmental Services

c.c. (via email)

- Margaret Froh, President, Métis Nation of Ontario
- Aly N. Alibhai, Director, Lands, Resources and Consultations Branch of the Métis Nation of Ontario
- Jesse Fieldwebster, Consultation Assessment Coordinator, Lands, Resources and Consultation Branch of the Métis Nation of Ontario
- David Wellwood, Planner, Municipal Services Office North, Ministry of Municipal Affairs (MMA) and Ministry of Housing (MOH)

**10. DEPUTATIONS**

**Jim Beatty and Chris Holmes, Moon River Marina**

Jim Beatty reviewed the application that was submitted to the Ministry of Natural Resources by Chris Holmes, for the purchase on Crown Land.

Chris Holmes, owner of Moon River Marina, explained his motivation for the purchase and requested support from the Township.

**Proposed Sale Of Crown Land**

**Part 1 on Plan 42R-8054 and Part 3 on Plan 42R-13583 Harrison**  
**(Moon River Marina Limited)**

**17-079**

**Moved by Councillor Walker**  
**Seconded by Councillor French**

**WHEREAS** the Township is in receipt of correspondence from Moon River Marina Limited requesting municipal comments with respect to the purchase of Crown land and its addition to the existing marina property;

**AND WHEREAS** the owners have stated the portion of Crown land is situated back from Georgian Bay, east of the marina property between Wood Bay Lane and Sunset Point Road, located in Concession 4, Part Lot 40, in the geographic township of Conger;

**AND WHEREAS** Council recognizes the vital and essential role marinas provide in the provision of access and other services to the area's residents and visitors and for their important contribution to the local economy, as outlined in the findings of the Water Access Task Force and the adoption of Official Plan Amendment No. 52 - Water Access.

**AND WHEREAS** as outlined in the findings report of the Township of The Archipelago Woods Bay Neighbourhood Study, the proposed marina expansion will also address local issues with respect to insufficient area by the waterfront to provide for the movement of equipment and materials and generally improve overall access to Georgian Bay.

**NOW THEREFORE BE IT RESOLVED** the applicant be advised that Council resolves it has no objection and agrees in principle to the proposed sale of Crown land, being approximately 9.7 hectares (24 acres) in size, in order to initiate the process with the Ministry of Natural Resources, as Council recognizes that municipal comments are required as part of the Ministry of Natural Resources application;

**AND FURTHER BE IT RESOLVED** the applicant be informed that if the proposed sale of Crown land is approved by the Ministry of Natural Resources, the lands must undergo a Zoning By-law amendment, as well as be subject to the stipulations of Sections 6.11 and 12.28 of the Township's Official Plan, which requires the submission of a planning review, including the following:

- that the primary function of the commercial marina is to cater to the water-access needs of the residents of The Archipelago; and
- through assurances, that the commercial marina would be the primary commercial use and not be converted to other commercial uses; and
- that there is a need for the new or expanded facility;
- that there are no adverse impacts on the subject and adjacent lands and waters; and
- that appropriate development standards are met through an amendment to the site plan agreement, between the property owner and Council, which was registered on title.

Council may require that the above issues be addressed through an appropriate study such as, but not limited to, an environmental study, a planning study and/or a marketing study.

Carried.

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# **R. v. Powley**

## **A Summary of the Supreme Court of Canada Reasons for Judgment**

This *Powley Summary* was written and prepared by Jean Teillet. Ms. Teillet is an Aboriginal rights lawyer with the law firm of Pape & Salter. She is also the great grand niece of Louis Riel.

Jean Teillet was legal counsel for the Powleys at all levels of court. Co-counsel at trial was Clayton Ruby. Co-counsel at the Ontario Court of Appeal and at the Supreme Court of Canada was Arthur Pape.

### **In Brief— what the Court said**

In a unanimous decision, the Supreme Court of Canada confirmed the constitutional protection for the harvesting rights of the Métis.

The Court set out a general test for determining Métis rights within s. 35 of the *Constitution Act, 1982*. In this decision the Court applied that test to the Sault Ste Marie Métis community and to the Powleys. However, this does not mean that the case is limited in its application only to the Sault Ste Marie Métis community. The test applies to Métis communities across Canada.

The Court said that the Métis were included as one of the “aboriginal peoples of Canada” in s. 35 to recognize them, to value distinctive Métis cultures, and to enhance their survival.

The Court also spoke about the urgent need to develop more systematic methods to identify Métis rights-holders. In answer to government claims about the identification problems, the Court said that it was not an insurmountable problem and that the difficulties must not be exaggerated in order to defeat Métis claims.

### **The Powley Story**

On October 22, 1993, Steve and Roddy Powley killed a bull moose just outside Sault Ste Marie, Ontario. They tagged their catch with a Métis card and a note that read “harvesting my meat for winter”. The Powleys were charged with hunting moose without a license and unlawful possession of moose.

In 1998, the trial judge ruled that the Powleys have a Métis right to hunt that is protected by s. 35 of the *Constitution Act, 1982*. The charges were dismissed, but the Crown appealed the decision. In January 2000, the Ontario Superior Court of Justice confirmed the trial decision and dismissed the Crown's appeal. The Crown appealed the decision to the Ontario Court of Appeal. On February 23, 2001 the Court of Appeal unanimously upheld the earlier decisions and confirmed that the Powleys have an Aboriginal right to hunt as Métis. The Crown then appealed to the Supreme Court of Canada.

On September 19, 2003 the Supreme Court of Canada, in a unanimous judgment, said that the Powleys as members of the Sault Ste Marie Métis community, can exercise a Métis right to hunt that is protected by s. 35 of the constitution.

## The Text of s. 35 of the *Constitution Act, 1982*

- 35 (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.
- (2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

## The Purpose for Including Métis in s. 35

The Métis were included in s. 35 because Canada made a commitment to recognize and value the Métis and to enhance their survival as distinctive communities.

The purpose and the promise of s. 35 is to protect as "rights" practices that were historically important to the Métis, and which have continued to be important in modern Métis communities. The Court describes these practices as "integral" to the Métis.

The Court said that the framers of the *Constitution Act, 1982* recognized that Métis communities must be protected along with other Aboriginal communities.

## Who are the Métis in s. 35?

This question was discussed at length before the Court. Many of the Crown lawyers argued that there were no Métis "peoples" and that there were only individuals with mixed Indian and European heritage.

The Court made a distinction between Métis identity (eg: for citizenship, cultural purposes, etc.) and Métis rights-holders. The decision only relates to Métis rights-holders.

The Court did not set out a comprehensive definition of Métis. Instead, the Court set out who the Métis are for the purposes of s. 35. The Court said that the term "Métis" in s. 35 refers to distinctive Métis peoples who, in addition to their mixed ancestry, developed their own customs, way of life, and group identity – separate from their Indian, Inuit or European forebears.

The Court said that the term "Métis" in s. 35 does not include all individuals with mixed Indian and European heritage.

**"The inclusion of the Métis in s. 35 is based on a commitment to recognizing the Métis and enhancing their survival as distinctive communities."**



### The Powley Test - the New Test to Define s. 35 Métis Rights

The Supreme Court said that the appropriate way to define Métis rights in s. 35 is to modify the test used to define the Aboriginal rights of Indians (the *Van der Peet* test). This Métis test will now be called the *Powley* test.

The test is set out in ten parts:

1. **Characterization of the right** – for a harvesting right, the term “characterization” refers to the ultimate use of the harvest. Is it for food, exchange or commercial purposes? The Court said that the Métis right to hunt is not limited to moose just because that is what the Powleys were hunting. Métis don’t have to separately prove a right to hunt every species of wildlife or fish they depend on. The right to hunt is not species-specific. It is a general right to hunt for food in the traditional hunting grounds of the Métis community.
2. **Identification of the historic rights bearing community** - An historic Métis community was a group of Métis with a distinctive collective identity, who lived together in the same geographic area and shared a common way of life. The historic Métis community must be shown to have existed as an identifiable Métis community prior to the time when Europeans effectively established political and legal control in a particular area.
3. **Identification of the contemporary rights bearing community** - Métis community identification requires two things. First, the community must self-identify as a Métis community. Second, there must be proof that the contemporary Métis community is a continuation of the historic Métis community.
4. **Verification of membership in the contemporary Métis community** – There must be an “objectively verifiable process” to identify members of the community. This means a process that is based on reasonable principles and historical fact that can be documented. The Court did not set out a comprehensive definition of Métis for all purposes. However, it set out three components to guide the identification of Métis rights-holders: self-identification, ancestral connection to the historic Métis community, and community acceptance. Difficulty in determining membership in the Métis community does not mean that Métis people do not have rights.
5. **Identification of the relevant time** – In order to identify whether a practice was “integral” to the historic Aboriginal community, the Court looks for a relevant time. Ideally, this is a time when the practice can be identified and before it is forever changed by European influence. For Indians, the Court looks to a “pre-contact” time. The Court modified this test for Métis in recognition of the fact that Métis arose as an Aboriginal people after contact with Europeans. The Court called the appropriate time test for Métis the “post contact but pre-control” test and said that the focus should be on the period after a particular Métis community arose and before it came under the effective control and influence of European laws and customs.

The Court made no decision, and said it was not necessary for it to decide if a specific Métis community is also a Métis “people” or whether it forms part of a larger Métis people that extends over a wider area.



“... the test for Métis practices should focus on identifying those practices, customs and traditions that are integral to the Métis community's distinctive existence and relationship to the land.”

“We reject the appellant's argument that Métis rights must find their origin in the pre-contact practices of the Métis' Aboriginal ancestors. This theory in effect would deny to Métis their full status as distinctive rights-bearing peoples whose own integral practices are entitled to constitutional protection under s. 35(1).”

6. **Was the practice integral to the claimant's distinctive culture** - The Court asks whether the practice - subsistence hunting - is an important aspect of Métis life and a defining feature of their special relationship to the land. The Court specifically noted that the availability of a particular species over time is not relevant. So even though the case may be about moose hunting, as it was with the Powleys, the issue is really about the right to hunt generally. The Court found that, for the historic Sault Ste Marie Métis community, hunting for food was an important and defining feature of their special relationship with the land.
7. **Continuity between the historic practice and the contemporary right** - There must be some evidence to support the claim that the contemporary practice is in continuity with the historic practice. Aboriginal practices can evolve and develop over time. The Court found that the Sault Ste Marie Métis community had shown sufficient evidence to prove that hunting for food continues to be an integral practice.
8. **Extinguishment** - The doctrine of extinguishment applies equally to Métis and First Nation claims. Extinguishment means that the Crown has eliminated the Aboriginal right. Before 1982 this could be done by the constitution, legislation or by agreement with the Aboriginal people. In the case of the Sault Ste Marie Métis community, there was no evidence of extinguishment by any of these means. The *Robinson Huron Treaty* did not extinguish the Aboriginal rights of the Métis because they were, as a collective, explicitly excluded from the treaty. A Métis individual, who is ancestrally connected to the historic Métis community, can claim Métis identity or rights even if he or she had ancestors who took treaty benefits in the past.
9. **Infringement** - No rights are absolute and this is as true for Métis rights as for any other rights. This means that Métis rights can be limited (infringed) for various reasons. If the infringement is found to have happened, then the government may be able to justify (excuse) its action. The Court said here that the total failure to recognize any Métis right to hunt for food or any special access rights to natural resources was an infringement of the Métis Aboriginal right.
10. **Justification** - Conservation, health and safety are all reasons that government can use to justify infringing an Aboriginal right. But they have to prove that there is a real threat. Here there was no evidence that the moose population was under threat. Even if it was, the Court said that the Métis would still be entitled to a priority allocation to satisfy their subsistence needs in accordance with the criteria set out in *Sparrow*. Ontario's blanket denial of any Métis right to hunt for food could not be justified.

## **Métis Identification**

The Court did not set out a comprehensive definition of Métis for all purposes. It did, however, set out the basic means to identify Métis rights-holders. The Court identified three broad factors: self-identification, ancestral connection to the historic Métis community, and community acceptance.

**Self-identification** – the individual must self-identify as a member of a Métis community. It is not enough to self-identify as Metis, that identification must have an ongoing connection to an historic Metis community.

**Ancestral Connection** – There is no minimum “blood quantum” requirement, but Métis rights-holders must have some proof of ancestral connection to the historic Métis community whose collective rights they are exercising. The Court said the “ancestral connection” is by birth, adoption or other means. “Other means” of connection to the historic Métis community did not arise with the Powleys and will have to be determined in another case.

**Community Acceptance** – there must be proof of acceptance by the modern community. Membership in a Métis political organization may be relevant but the membership requirements of the organization and its role in the Métis community must also be put into evidence. The evidence must be “objectively verifiable.” That means that there must be documented proof and a fair process for community acceptance.

The Court said that the core of community acceptance is about past and ongoing participation in a shared culture, in the customs and traditions that reveal a Métis community’s identity. Other evidence might include participation in community activities and testimony from other community members about a person’s connection to the community and its culture. There must be proof of a “solid bond of past and present mutual identification” between the person and the other members of the Métis community.

What can be understood from this community acceptance requirement is that in order to claim s. 35 rights it is not enough to prove a genealogical connection to a historic Métis community and then join a Métis organization. One must have a “past and ongoing” relationship to the Métis community.

*“The development of a more systematic method of identifying Métis rights-holders...is an urgent priority.”*

*“The difficulty in identifying members of the Métis community must not be exaggerated as a basis for defeating their rights under the Constitution of Canada.”*

## FAQs – frequently asked questions

### ***I have a provincial Métis Nation card – can I hunt?***

Yes, if you can also provide proof of an ancestral and ongoing connection to an historic Métis community in the territory where you are hunting.

### ***What does “ancestral connection” to the historic Métis community mean?***

This means that one of your ancestors was a member of the historic Métis community.

### ***Are Métis harvesting rights the same as Indian harvesting rights?***

In general, yes. Métis and Indians are to get the same priority allocations of the harvest. However, in some places Indian harvesting rights have been extinguished or are now set out in a treaty. In such cases, Métis may have harvesting rights that are different. On the Prairie Provinces, Indians have two layers of constitutional protection – s. 35 and the *Natural Resources Transfer Agreement* (NRTA). Métis, as a result of the recent Supreme Court of Canada decision in *Blais*, cannot claim the additional protection of the NRTA. This does not mean that Métis do not have constitutional protection for their harvesting rights in the Prairies, it simply means that Métis harvesting on the Prairies has only one layer of constitutional protection – s. 35.

### ***The Court said these rights are “site-specific” – what does that mean?***

This does not mean an individual lake or camp. It refers to the general region that should equate to the traditional hunting territory of the Métis community. Métis “site-specific” harvesting rights may be exercised in that geographic area.

### ***How do we define a Métis community?***

A community could be defined in many ways. It could be a town, city or village. It could include outlying areas. It could be a regional community or a community of interests. The Court did not decide whether the Sault Ste Marie Métis community was itself an “Aboriginal people” or part of a larger regional people or an even larger body.

### ***Does this case apply only to Sault Ste Marie?***

No. The Court set out a test that applies to all Métis across the country.

### ***What happened to the stay application by the Ontario Crown?***

The Court of Appeal granted a one-year stay (suspension) of its judgment. The Crown, before the Supreme Court of Canada, asked for another stay. The Supreme Court affirmed the Appeal Court’s jurisdiction to grant the stay, but declined to grant another. The Court noted that more than a year had elapsed since the expiry of the stay and “chaos does not appear to have ensued”. The court saw no compelling reason to issue an additional stay.

**Pape & Salter**  
**Barristers & Solicitors**

**Contact**  
**Jean Teillet**  
**at**

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**A general overview of Métis law can be found in the *Métis Law Summary – 2003*, written and updated annually by Jean Teillet.**

**An electronic version of the *Métis Law Summary-2003* can be found on the website of the Métis Nation of Ontario at [www.metisnation.org](http://www.metisnation.org) or on the website of the Métis National Council at [www.metisnation.ca](http://www.metisnation.ca)**

## **Directions from the Court**

The Court gave several specific directions with respect to Métis.

The first is that the identification of Métis rights holders is an “urgent priority”. Both the provincial and federal governments have been saying that they could not recognize Métis rights because they were uncertain as to who the Métis were. The Court said that it is not an “insurmountable task” to identify Métis rights-holders and that the difficulties are not to be exaggerated in order to deny Métis constitutional rights.

The Court also said that regulatory regimes that do not recognize and affirm Métis rights and afford them a priority allocation equal to First Nations are unjustifiable infringements of Métis rights.

The Court said that membership requirements in Métis organizations must become more standardized.

While the Court did not order negotiations, it gave clear directions that it expects a combination of negotiation and judicial settlement to more clearly define the contours of the Métis right to hunt.

## **About this Powley Summary**

This *Powley Summary* has been prepared by the law firm of Pape & Salter. It is intended to be an easy to read guide to the Supreme Court of Canada’s decision in *R. v. Powley*. It should not be used as a legal opinion.

## **About Pape & Salter**

Pape & Salter is a small law firm based in Toronto and Vancouver. We specialize in Aboriginal rights law. For over twenty years our firm has been involved in Aboriginal rights litigation at all levels of court for First Nations and for Métis. We have also acted as legal counsel in land claims negotiations in the Yukon, NWT and British Columbia.

We were honored to represent the Powleys at all levels of court and to be part of the legal team for the Métis National Council in its interventions in *Blais*.



## ADVANCING RECONCILIATION



# MNO, Canada and Ontario sign Framework Agreement for Advancing Reconciliation

MNO Staff

**I**n 2017, the Métis Nation of Ontario (MNO) made considerable progress in its efforts to advance the Métis rights agenda and reconciliation.

On February 3, Canada and the MNO signed a Memorandum of Understanding on Advancing Reconciliation. This set the stage for exploratory discussions that identified a mutually acceptable path to advance reconciliation between the Crown and Métis in Ontario as represented by the MNO, in which the Government of Ontario was invited to participate. These discussions led to the signing on December 11 of the MNO/Canada/Ontario Framework Agreement for Advancing Reconciliation.

The Framework Agreement was signed in the Centre Block of Parliament in Ottawa with almost all members of the Provisional Council of the Métis Nation of Ontario (PCMNO) participating along with leaders for several community councils. Among the many leaders and officials with the Governments of Canada and Ontario in attendance were Crown-Indigenous and Reconciliation Minister Dr. Carolyn Bennett and Parliamentary Assistant to the Ontario Minister of Indigenous Relations and Reconciliation Sophie Kiwala, who each signed for their respective governments.

"As the home of the Supreme Court of Canada's landmark decision on Métis rights in *R. v. Powley*, the signing of this Framework Agreement has special significance

*This agreement sets out a new path forward where Métis self-government, rights and outstanding claims can be addressed through negotiations – not just through the courts. This is an exciting day for our citizens and Métis communities here in Ontario.*

Margaret Froh, MNO President

for the Métis Nation of Ontario. This agreement sets out a new path forward where Métis self-government, rights and outstanding claims can be addressed through negotiations—not just through the courts. This is truly an exciting day for our citizens and Métis communities here in Ontario," said MNO President Margaret Froh.

In the new Framework Agreement, the MNO and the Governments of Canada and Ontario are committed to working together to foster reconciliation and build stronger relationships through a co-operative and respectful dialogue.

"Today we are taking a key step forward, along with the Ontario government, in our shared journey toward reconciliation with the Métis Nation of Ontario. We are setting the stage to renew the government-to-government relationship through a co-operative dialogue that will help end the status quo and build a brighter future for the Métis people of Ontario," said Minister Bennett.

Under the Framework Agreement, Canada, Ontario and the MNO will begin negotiations toward shared and balanced solutions that advance

reconciliation and enhance the well-being of MNO citizens. The results of the MNO Commission on Métis Rights and Self-Government will assist in informing discussions. MNO will be engaging communities and citizens to provide further updates on the Framework Agreement and identify areas of priority that will enhance the well-being of MNO families and communities for generations to come.

The signing of today's tripartite Framework Agreement is an exciting step in advancing reconciliation with the Métis Nation of Ontario. Ontario looks forward to building an even stronger relationship with the Métis Nation of Ontario and working together with the federal government," said Parliamentary Assistant Kiwala.

The Framework Agreement will establish a process for discussions about developing a government-to-government relationship between the Crown and the MNO. It also identifies areas of mutual interest and key topics for future negotiations, such as Métis self-government, health, housing, education, and a tripartite consultation protocol. ∞



1) (Left to right) Region 1 PCMNO Councilor Cam Burgess, PCMNO Postsecondary Representative Katelyn LaCroix and MNO Secretary-Treasurer Tim Pile sign the Framework Agreement. 2) (Left to right) Region 7 PCMNO Councilor Pauline Richardson takes a selfie with Minister Bennett and MNO Vice-Chair Sharon Cadeau. 3) Region 3 PCMNO Councilor Marcel Lafrance hugs Minister Bennett. 4) MNO Chair France Picotte speaking during the signing ceremony.

## On the cover



(Front row, left to right) MNO Choir France Picotte, Parliamentary Assistant to the Ontario Minister of Indigenous Relations and Reconciliation Sophie Kiwala, MNO President Margaret Froh, Minister of Crown-Indigenous Relations and Northern Affairs Dr. Carolyn Bennett and PCMNO Region 9 Councilor Peter Rivers. (Back row, left to right) Senator Ray Borgeas, Postsecondary Representative Katelyn LaCroix, Senator Rene Gravelle, PCMNO Region 1 Councilor Theresa Stenlund, PCMNO Region 6 Councilor Tom Thompson, PCMNO Region 2 Councilor Cam Burgess, MNO Vice-Chair Sharon Cadeau, MNO Secretary-Treasurer Tim Pile, PCMNO Region 4 Councilor Ernie Gatlen, Youth Representative Mitch Case, PCMNO Region 3 Councilor Marcel Lafrance, PCMNO Executive Senator Joseph Poltras, PCMNO Region 7 Councilor Pauline Richardson, Member of Parliament Bob Nault, Parliamentary Secretary to the federal Minister of Crown-Indigenous Relations and Northern Affairs Yvonne Jones and Member of Parliament and MNO citizen Vance Badaway.



## ADVANCING RECONCILIATION



# Historic agreement signed between Canada and Northwestern Ontario Métis Community

▲ Signatories and witnesses of the Agreement on Advancing Reconciliation with the Northwestern Ontario Métis Community. Front row, left to right: Jason Madden, MNO President; Margaret Froh, PCMNO Region 1 Councilor; Theresa Stenlund and Minister of Crown Indigenous Relations and Northern Affairs Dr. Carolyn Bennett. Back (left to right): MNO Sunset Country Métis Council President Brady Hupet, MNO Northwest Métis Council President Ron Robinson, MNO Atikokan and Area Métis Council President Marlene Davidson, MNO Kenora Métis Council President Joel Henley and Member of Parliament for Kenora Robert Nault.

### MNO Staff

The MNO-Canada Framework Agreement on Advancing Reconciliation with the Métis Community in Northwestern Ontario was also signed in the Centre Block on Parliament Hill. The Northwestern Ontario Métis community was represented by the Region 1 Métis Nation of Ontario (MNO) chartered community councils. The goal of the Framework Agreement is to begin to work together toward a shared solution that addresses the unique history and outstanding claims of the Northwestern Métis community.

The Northwestern Ontario Métis community was represented at the signing by Region 1 Provisional Council of the Métis Nation of Ontario Councilor Theresa Stenlund and the Presidents of the MNO Sunset Country, Northwest, Kenora and Atikokan and Area Métis Councils. The Government of Canada was represented by Minister of Crown-Indigenous Relations and Northern Affairs Dr. Carolyn Bennett.

"Our Métis community has long struggled to have our unique history and outstanding collective claims recognized by Canada. While there is much more work to be done, our

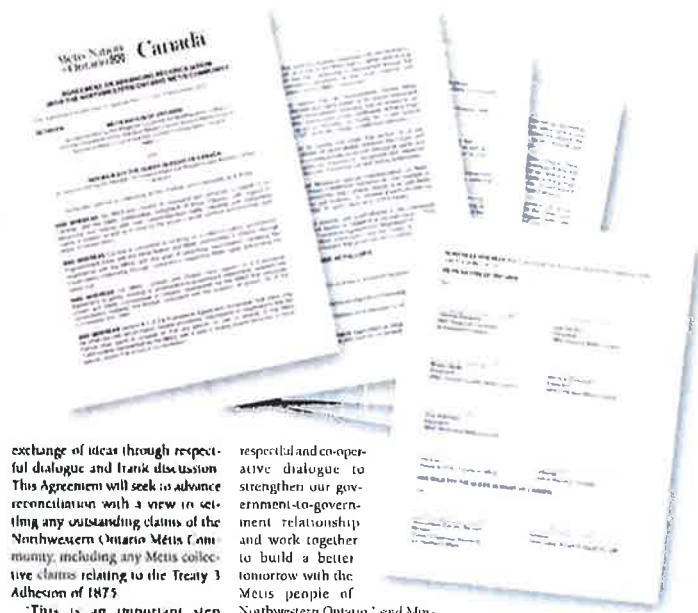


**While there is much more work to be done, our agreement sets out a way forward through which we hope the promises made to our Métis ancestors will finally be addressed and resolved.**

Theresa Stenlund, Region 1 PCMNO Councilor

agreement sets out a way forward through which we hope the promises made to our Métis ancestors will finally be addressed and resolved," said Councilor Stenlund.

Under the Agreement, Canada and the Northwestern Ontario Métis Community will commit to engage in negotiations that foster an open



exchange of ideas through respectful dialogue and frank discussion. This Agreement will seek to advance reconciliation with a view to settling any outstanding claims of the Northwestern Ontario Métis Community, including any Métis collective claims relating to the Treaty 3 Adhesion of 1875.

"This is an important step toward reconciliation with the Métis Nation of Ontario's Northwestern Ontario Métis Community. We are moving forward through

respectful and co-operative dialogue to strengthen our government-to-government relationship and work together to build a better tomorrow with the Métis people of Northwestern Ontario," said Minister Bennett.

Through these negotiations, the parties will work to address these outstanding claims and enhance

the interests and well-being of Métis Nation of Ontario rights-bearing citizens from the Northwestern Ontario Métis Community. ∞

## **Moon River Métis Community Information**

The historic Moon River Métis Community appealed a small portion of the Township of the Archipelago (ToA) Official Plan during the last two provincially mandated five-year reviews/updates, for some of the following reasons:

- ✚ The Moon River area is a long-standing Métis settlement. After residing in the Moon River area for generations, many Métis people received land grants in the early 1900's, which is the reason for the amount of private property from Grupp's Marsh to Blackstone Narrows, up the Moon River past Healy Creek and up to Healy Lake. Decedents from the original Métis settlers continue to live the Métis Way of Life in Moon River to this day.
- ✚ The Township's Official Plan failed to properly recognize the Community of Moon River in the Official Plan. This is not acceptable given that the Township's own website, under "Communities", states "In the late 1800's and early 1900's the community of Moon River was established in this area."
- ✚ The community of Moon River/Woods Bay needs to be recognized for its importance as the economic hub of South Archipelago, especially considering it contains the only road access in and through our township to Georgian Bay, with marinas and other commercially zoned properties providing services to water based rate payers.
- ✚ In 2009, a 56-page document titled "Woods Bay Neighbourhood Study Findings Report" (WBNS) was published which was the result of our first appeal of the Township's Official Plan.
- ✚ In 2018, we once again appealed the Township's Official Plan – this time directly to the Province's Ministry of Municipal Affairs and Housing – since the township continued to ignore our communities' issues despite the WBNS, a 13-page submission from the Métis Nation of Ontario on our behalf to the ToA, our communities' 43-page submission to MMAH, all of which is available through the Archipelago Township, and a requirement in the Aboriginal section of the 2014 Provincial Policy Statement, which requires municipalities to consult with Indigenous Peoples on land use planning issues.
- ✚ A favourable decision was received from the Minister of MMAH on December 24<sup>th</sup>, 2018, which addressed our concerns and modified the Township of the Archipelago's Official Plan (see attached – item #'s 1, 2, 4, 11 and 15 of the decision that apply to the Moon River Métis Community).
- ✚ After the final decision had been made by the province regarding the OP, our communities' representatives met with Reeve Bert Liverance and our Ward 4 Councillors, David Ashley, Alice Barton and Rick Zanussi, on March 27, 2019. The following was discussed:
  - Affordable land for housing in the community of Moon River on back-lots.
  - Upgrading of the Municipal Transfer Station in Woods Bay with a proper boat launch ramp, proper floating dock, a proper staging area for all to use and easy access to the water for all rate payers to use for deliveries of building materials, appliances, etc., etc.
  - The lack of commercially zoned properties in the Moon River area in order to meet the local demand for services.
  - We also asked to be engaged in the upcoming Comprehensive Zoning By-Law Review.
- ✚ An application will be submitted shortly to the Archipelago Area Planning Board by Mr. & Mrs. Rick Gates to subdivide their 100-acre parcel of land in Moon River, in order to provide eight 5-acre lots, two 10-acre lots and one 40-acre lot which the Gates' will retain for their personal use (already contains their house, shop, etc.). This 100-acre parcel of land was one of the above-mentioned original Métis land grants.

- The proposed lots are being created for affordable housing/land, which the new Provincially modified Official Plan now allows and which supports this type of back lot development.

The above information is being supplied in order to provide an understanding of the scope of issues facing, not only our Indigenous community but our community as a whole.

Please do not hesitate to contact us if there are any questions.

Regards,  
Moon River Métis Community



## **Appendix C**

Staff Report to Planning & Building Committee and Archipelago Area Planning Board on July 18, 2019



**TO:** Township of The Archipelago Planning Committee  
Archipelago Area Planning Board

**FROM:** Cale Henderson, Manager of Development & Environmental Services  
Greg Corbett, Planning Consultant

**DATE:** July 18, 2019

**RE:** Consent Application  
11 Woods Bay Lane  
Lot 40, Concession 3, Conger

**APPLICANT:** Gates, Richard and Eleanor

**AGENTS:** John Jackson Planner Inc.  
Chris and Louise Goulding

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## **BACKGROUND**

### **Origin**

An Application for Consent was submitted on May 17, 2019, to The Archipelago Area Planning Board by John Jackson Planner Inc. on behalf of Richard and Eleanor Gates, for property they own at 11 Woods Bay Lane. A Key Map illustrating the subject lands is contained in Appendix "A" to this Report.

Accompanying the Application for Consent was a Report prepared by John Jackson Planner Inc. dated May 7, 2019, a copy of which is contained in Appendix "B".

### **Subject Lands**

The lands subject to the application are located at 11 Woods Bay Lane, and include all of Lot 40, Concession 3, Conger. The property is approximately 40.5 hectares (100 acres) in size. Woods Bay Lane extends from the termination of Healey Lake Road and is a privately maintained road located primarily on the Original Municipal Road Allowance which abuts the western boundary of the property. To the east of the property, but not abutting the property, is Sunset Point Road, a privately maintained road that crosses over both Crown Land and private land.

The property currently contains a single detached dwelling.

**Development Proposal**

The application submitted would divide the property into a total of eleven (11) lots, with eight (8) of the proposed lots intended to accommodate affordable housing. The proposed lots are as follows:

Lot #	Area	Frontage	Access	Existing Use	Proposed
1	16.4 ha (40.5 ac)	402.5 m (1320 ft)	Existing access from Woods Bay Lane	Dwelling	Continue as Gates' Residence
2	3.88 ha (9.6 ac)	200 m (656 ft)	New Driveway from Woods Bay Lane	Vacant	Gates Family
2a	3.88 ha (9.6 ac)	Nil	Driveway to extend from Sunset Point Road over either Crown Land or Private Land	Vacant	Gates Family
3	1.84 ha (4.5 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
4	1.84 ha (4.5 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
5	1.84 ha (4.5 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
6	1.84 ha (4.5 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
7	1.84 ha (4.5 ac)	Nil	New Driveway from Sunset Point Road over Private Land or from a new Private Road on the Subject Lands from Woods Bay Lane	Vacant	Affordable Housing
8	1.84 ha (4.5 ac)	Nil	New Driveway from Sunset Point Road over Private Land or from a new Private Road on the Subject Lands from Woods Bay Lane	Vacant	Affordable Housing
9	1.84 ha (4.5 ac)	Nil	New Driveway from Sunset Point Road over Private Land or from a new Private Road on the Subject Lands from Woods Bay Lane	Vacant	Affordable Housing
10	1.84 ha (4.5 ac)	Nil	New Driveway from Sunset Point Road over Private Land or from a new Private Road on the Subject Lands from Woods Bay Lane	Vacant	Affordable Housing

The applicant's agent has advised that a 20 metre wide strip of land has been shown between Lots 3 to 6 and Lots 7 to 10, which could be utilized for a new private road extending from Woods Bay Lane to provide access to Lots 7 -10, or alternatively, the property owner to the east could be contacted to permit right-of-ways for driveways extending from Sunset Point Road. Access to Lot 2a would be via a new driveway over Crown Land extending from Sunset Point Road.

The proposed development sketch is included at Appendix "C".

### **Consultation**

Prior to the submission of the Application for Consent, it is understood representatives of the Moon River Métis Community meet with the Reeve and the Ward 4 Councillors on March 27, 2019 to discuss a number of issues related to the area, one of which was affordable land for housing and the Gates development proposal. Staff was not present at this meeting.

Upon receiving the Application for Consent on May 17, 2019, staff reviewed the application and information submitted. Upon completion of this review, Township Planning Staff forwarded correspondence dated June 10, 2019 to the applicants' agent, John Jackson Planner Inc., outlining matters that required further discussion before the application could proceed (a copy of this correspondence is included at Appendix "D"). The matters outlined included:

1. Official Plan Conformity – provided the opinion that an Official Plan Amendment would be required to facilitate the proposed development.
2. Completion of Appropriate Studies – advised of the need for appropriate studies to support the application as per the requirements of the Planning Act and the Township's Official Plan.
3. Consent versus Plan of Subdivision Process – advised a plan of subdivision application would be more appropriate for the creation of ten (10) new lots rather than through the consent process.
4. Access to Proposed Lots – concern raised with the lack of formal legal access to some of the lots proposed to be created, in essence, creating "land-locked" parcels.
5. Affordable Housing – as the proposal is relying on the Official Plan policies pertaining to affordable housing, the affordable housing price as per the Ministry of Municipal Affairs was provided and further details requested to ascertain how this target is to be achieved.
6. Zoning By-law Amendment – the requirement for a Zoning By-law Amendment application to facilitate the proposed lots was confirmed.

7. Application Fees – advised that only Council and the Planning Board could waive the applications fees, not staff, which the planning report submitted with the application suggested would assist in maintaining the affordability of the proposal.
8. Community Consultation Strategy – If was suggested that the applicants attempt to engage and consult with the larger Wood's Bay Community of the application.
9. Business Plan and Background – the Planning Report submitted with the application references a Business Plan and Background Report, which were not included in the application. A copy of these were requested and subsequently received and are included at Appendix "E".

The correspondence suggests that these matters should be discussed in order to explore opportunities to find solutions prior to bringing the application forward to Council and the Planning Board.

As suggested in the Township correspondence of June 10, 2019, a meeting with the applicants' agents, John Jackson and Louise and Chris Goulding was discussed to review the matters set out in the correspondence. Although the applicants' agents had offered to host a meeting in the vicinity of the subject lands and were wanting to invite approximately 20-25 people to the meeting, Township staff were of the opinion that since the intent of the meeting was to simply discuss the procedural and technical issues of the application, a larger community meeting would not be appropriate at that time. Thus, the meeting proceeded at the Township office on June 25, 2019, with the applicants' agents and Township staff and consultants present.

Prior to the scheduled meeting, correspondence from John Jackson Planner Inc. was submitted to the Township on June 24, 2019. A copy of this correspondence is contained in Appendix "F". This correspondence provides response to the matters set out in the correspondence of the Township dated June 10, 2019.

At the meeting of June 25, 2019, the matters set out in the June 10, 2019 correspondence of the Township and the June 24, 2019 correspondence of Mr. Jackson were discussed. At the outset of the meeting, Mr. Jackson advised that it was his opinion that the application conformed to the Official Plan and if an Official Plan Amendment were to be required, they would not be proceeding with the application due to the cost and time involved in obtaining such approval from the Ministry of Municipal Affairs, who are the approval authority for Official Plan Amendments. Similarly, the cost involved in undertaking any supporting studies and the necessary application fees were also noted as potentially jeopardizing the feasibility of the development proposal. Given the "make or break" nature of these matters, it was agreed that these matters would be brought forth to the next Planning Committee and Planning Board Meeting for consideration and direction.

### **Purpose of Report**

The purpose of this Report is to obtain direction from the Township of The Archipelago Planning Committee and the Archipelago Area Planning Board on the following matters:

- i) Is an Official Plan Amendment required to facilitate the proposed development?
- ii) Is Council and the Planning Board prepared to waive the necessary fees associated with the Application for Consent, Zoning By-law Amendment Application and potentially Official Plan Amendment Application?
- iii) Will Council and the Planning Board deem the Application for Consent and future Application for Zoning By-law Amendment complete in accordance with the Planning Act, in the absence of supporting studies that are required by the Regulations of the Planning Act or required by the Township's Official Plan policies or may be discretionary under the Township's Official Plan policies?
- iv) If supporting studies are required by Council and the Planning Board, is Council and/or the Planning Board prepared to share in the cost of having such studies completed?

At this time, Planning Committee and the Planning Board are not being requested to make a decision on whether the Application for Consent should be provisionally approved or not, but rather provide direction on the above four mention matters with respect to the processing of the Application for Consent and future Application for Zoning By-law Amendment.

### **ANALYSIS:**

The following provides analysis of each of the four matters to be considered.

#### **Official Plan Conformity:**

As Committee may recall, the Township's recent Official Plan Review was completed with the approval of Official Plan Amendment No. 61 and in approving Amendment No. 61, the Ministry of Municipal Affairs modified Section 6.7 of the Official Plan to read as follows:

- 6.7 *Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand and supports a goal of 10% of new permanent residential dwelling units being affordable. For purposes of this policy, affordable means housing for which the purchase price is at least 10% below the average purchase price of a*

*resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive.*

*In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township, where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.*

*The municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the official plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target.*

It is this policy that the Application relies on for the policy foundation for the proposal.

In utilizing Section 6.7 of the Official Plan as the policy foundation for the proposal, it raises three potential areas of Official Plan conformity, which are set out below. It should be noted that Section 6.7 of the Official Plan applies to the entire Township and not just the Woods Bay Neighbourhood and since this represents the first application of Section 6.7 of the Official Plan, how it is interpreted and implemented by Council will set the standard for the future not only for the Woods Bay Neighbourhood but for the entire Township.

**(I) Implementation of Section 6.7**

The first issue is how Section 6.7 is to be implemented.

The second paragraph of the policy states:

*"the municipality may consider the designation of one or more strategic policy areas in the Township, where appropriate, ...."*

As Committee may recall, this raised the question with staff as to how this policy was to be interpreted and how such "special policy areas" were to be established, whether they are to be established through an Official Plan Amendment or simply by

Council / Planning Board approving development applications. This specific question of interpretation was raised with the Ministry of Municipal Affairs and despite the Ministry having established the policy, they indicated interpreting how the policy was to be implemented was the sole responsibility of the Municipality.

It has been staff's interpretation that with the use of the terms "may consider the designation of one or more areas ..." and reference to "designation" it suggests that such areas are intended to be established through an Official Plan Amendment, as the term "designation" is more commonly associated with an Official Plan. Furthermore, the establishment of a policy that would allow for consideration of lot creation outside of Pointe au Baril Station without water frontage, is a marked departure from the historical policy direction since the formation of the Township. Thus, Policy 6.7 could be interpreted as providing the overall policy foundation for future Official Plan Amendments to establish these special policy areas. This would be similar to the establishment of Secondary Plans within an Official Plan.

Alternatively, as suggested by Mr. Jackson in his correspondence of June 24, 2019, he is of the opinion that a policy amendment (OPA 61) that in turn would require a further policy amendment, simply is not logical. According to Mr. Jackson, the requirement for an Official Plan Amendment would "necessitate a one or two year process at the very minimum", which is due to the fact that the Ministry of Municipal Affairs is the approval authority for Official Plan Amendments.

**(ii) Exemption to Other Policies**

The second issue is whether Section 6.7 in of itself exempts development from all other policies of the Official Plan. As set out in the Planning Report accompanying the application,

*"There are a number of neighbourhood and general development policies that could be interpreted to obstruct the subject proposal. However, in the opinion of the writer, a broad liberal policy interpretation must be made to achieve the intent of this area of the plan."*

Policies of note that the proposed development would not or may not conform with include:

- Section 6.3 requiring all development in the Township to have frontage on a navigable body of water with the exception of existing rural and farm residences, natural resource uses, Pointe au Baril Station and Skerryvore;
- Section 7 which sets out development policies for lands containing cultural and/or natural heritage features;
- Section 10.34 limiting lot creation in the Woods Bay Neighbourhood to 4 lots for parcels greater than 20 hectares;
- Section 10.54 prohibiting lot creation in rural areas of neighbourhoods;
- Section 14.4 requiring new lots to front onto a navigable waterway; and,



- Section 14.49 requiring new lots created by consent to have a minimum of 100 metres of water frontage and 1 hectare of lot area.

It is agreed that Section 6.7 would provide an exemption to those sections of the Official Plan pertaining to the requirement for waterfrontage, i.e., Sections 6.3, 14.4 and the waterfrontage requirement of 14.49. Similarly, the Section could be considered to exempt the proposed development from Section 10.54, as the rural area is considered to be areas that do not have waterfrontage.

However, the requirements of Section 7 respecting cultural and natural heritage features and Section 10.34 limiting lot creation in the Woods Bay Neighbourhood to 4 lots for parcels greater than 20 hectares would still apply.

In this case, Schedule "F" to the Official Plan identifies the subject lands as Deer Yard (Stratum 1) and Section 7.36 generally does not permit development and site alteration within Stratum 1 habitat unless the conifer thermal cover has been mapped and it has been determined through a site evaluation report that there will be no negative impacts to the natural features or their ecological functions. To date, no such mapping nor site evaluation report has been prepared.

The Ministry of Natural Resources and Forestry Natural Heritage Information Centre identifies the 1 kilometre grid in which the property is located in as containing Restricted Species, for which there was an observation in 2016. Information should be provided to confirm the specific species and whether there is habitat for the species on the property and if so, whether the proposal can conform to the policies pertaining to Habitat of Threatened and Endangered Species and Significant Wildlife Habitat.

The property is located within the Woods Bay Neighbourhood and Section 10.34 does limit lot creation in the Woods Bay Neighbourhood to 4 new lots for parcels greater than 20 hectares. The proposal would result in the creation of 10 new lots, far greater than that provided for in the Woods Bay Neighbourhood policies.

**(iii) Conformity to Section 6.7**

The final issue of conformity is whether the proposed development conforms to the policies of Section 6.7. Specifically, the policy is directed at the creation of lots for affordable housing. The application submitted indicates that eight (8) of the proposed lots are intended for affordable housing units, but that two of the lots, being Lots 2 and 2a, are not identified as being for affordable housing but rather are intended for the Gates family.

Furthermore, Section 6.7 stipulates the policy is intended for the creation of a limited number of residential lots by consent. In this case, the proposal is for the creation of 10 new lots by consent. Although there is no definition as to what constitutes limited, 10 lots would represent more lots than what is normally created in the entire Township in a year.

### **Waiving of Necessary Fees**

The required application fees were not submitted with the application and in the Planning Report accompanying the application it is indicated that foregoing application fees wherever possible would assist in maintaining costs at a reasonable level. In support of this, the Planning Report references Section 8.24 of the Official Plan which reads as follows:

*"The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need. Council may consider the reduction of municipal fees, such as development charges, parkland dedication and building permits, for affordable housing projects."*

This policy is contained within the policies for Pointe au Baril Station and this is recognized in the Planning Report. However, with the inclusion of Section 6.7 into the Official Plan by the Ministry of Municipal Affairs, it would be appropriate to consider the application of Section 8.24 to all areas of the Township. Also, although application fees are not specifically referenced, they would be considered a municipal fee.

Staff has advised the applicants' agents that staff does not have the authority to waive fees, that this would be a decision of Council and/or the Planning Board.

In this case, the breakdown of the fees would be as follows:

- Consent Fees Payable to the Archipelago Area Planning Board: \$5,300.00
- Zoning By-law Amendment Fee Payable to the Township: \$635
- OPA (if deemed necessary) Fee Payable to the Township: \$2,000

Council and/or the Planning Board has the authority to waive all or a portion of the fees applicable to them.

### **Deeming Application Complete**

Section 53(2) of the *Planning Act* indicates the applicant for a consent shall provide the prescribed information or material and Section 53 (3) of the *Planning Act* provides that Council may require additional information or material if set out in the Official Plan.

Under Section 53(4) until this information is received, together with the required fee, Council may refuse to accept or consider the application. As Section 53(4) uses "may", it does provide Council with discretion.

With respect to Section 53(2) and the prescribed information, this is contained in Schedule I of O. Reg. 197/96 and in reviewing the application, all of the required information appears to have been provided.

With respect to Section 53(3) and the additional information or material required by the Official Plan, Section 14.67 of the Official Plan sets out a number of additional studies and material that may be required for an application. In this case, it would be appropriate to require the following additional information:

1. **Site Evaluation Report:** Section 7.30 of the Official Plan requires a site evaluation report for potential habitat of threatened and endangered species. As previously indicated, the MNRF Natural Heritage Information Centre identifies the 1 kilometre grid in which the property is located in as containing Restricted Species, for which there was an observation in 2016. Thus, in accordance with Section 7.30 a site evaluation report is to be required. Not only was this policy put in place to protect Species at Risk, it is also of benefit to the applicant to ensure that development can be undertaken in accordance with the *Endangered Species Act*.

The property is also located within Stratum 1 Deer Habitat as identified on Schedule "F". In such areas, Section 7.36 only permits development if the conifer thermal cover has been mapped and a site evaluation report undertaken to confirm there will be no negative impacts. Furthermore, Section 7.40 does not permit access roads or driveways in conifer thermal cover areas or in areas of browse within 30 to 50 metres of the conifer cover.

Section 13.14 requires the submission of an environmental review for all applications involving new private roads, or access roads over Crown Land or extensions to existing roads.

All of these sections of the Official Plan require the submission of a site evaluation report.

2. **Archaeological Assessment:** Section 7.50 requires the submission of an Archaeological Assessment as a condition of development in various areas. In this case, the property would not represent any of the specific areas identified with the possible exception of being in areas exhibiting archaeological potential. This is due to the fact, as indicated in the material submitted, the property is one of the original Métis free land grants. As an alternative to undertaking an Archaeological Assessment, should the application be approved, a provision could be included in the associated 51(26) Agreement requiring the appropriate protocol be followed should archaeological remains be found.
3. **Hauled Sewage Capacity:** Section 11.17 requires confirmation of hauled sewage capacity for lot creation. This policy was inserted into the Official

Plan by Official Plan Amendment No. 61 due to the requirement being in the Provincial Policy Statement, 2014.

4. **Hydrogeological Assessment / Servicing Options Report:** Section 11.8 states a hydrogeological assessment may be required by the Township to be submitted in support of a development proposal for more than five residential lots in accordance with applicable Ministry of Environment D-Series Guidelines.

Guideline D-5-4 Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment states for developments where the lot size for each private residence is one hectare or larger, the risk that the boundary limits imposed by these guidelines may be exceeded by individual systems is considered acceptable in most cases. As such, since each lot is greater than one hectare an evaluation of septic system impact is not required.

Guideline D-5-5 Private Wells: Water Supply Assessment, which generally applies to the creation of more than 5 lots for residential purposes on private wells, would require the submission of a hydrogeological assessment to ensure future residents can be provided with water for domestic consumption that is of acceptable quality and of adequate quantity.

The development proposal will require a zoning by-law amendment application. O. Reg. 545/06 does require the submission of a hydrogeological assessment and a servicing options report for development on private services that would result in greater than 4,500 litres of effluent per day. Based on the creation of 10 new lots, with each containing a three-bedroom home, the resulting effluent production as per the Ontario Building Code would be 16,000 litres per day.

#### **Cost Sharing of Studies**

Should Committee and the Planning Board determine that any of the above-noted studies are required, in an effort to promote the creation of affordable housing, the Township could assist in the cost associated with undertaking these studies. At this time, no specific costs have been determined for any of the above-mentioned studies. Should Council be receptive to cost sharing with the applicants on these studies, the Township could put out a request for proposals from qualified firms and bring these to Council for confirmation.

**RECOMMENDATION:**

That Council / Archipelago Area Planning Board provide direction to staff on the following:

- i) Is an Official Plan Amendment required to facilitate the proposed development?
- ii) Is Council and the Planning Board prepared to waive the necessary fees associated with the Application for Consent, Zoning By-law Amendment Application and potentially Official Plan Amendment Application?
- iii) Will Council and the Planning Board deem the Application for Consent and future Application for Zoning By-law Amendment complete in accordance with the Planning Act, in the absence of supporting studies that are required by the Regulations of the Planning Act or required by the Township's Official Plan policies or may be discretionary under the Township's Official Plan policies?
- iv) If supporting studies are required by Council and the Planning Board, is Council and/or the Planning Board prepared to share in the cost of having such studies completed?

Respectfully submitted,



Cale Henderson, MCIP, RPP  
Manager of Development &  
Environmental Services



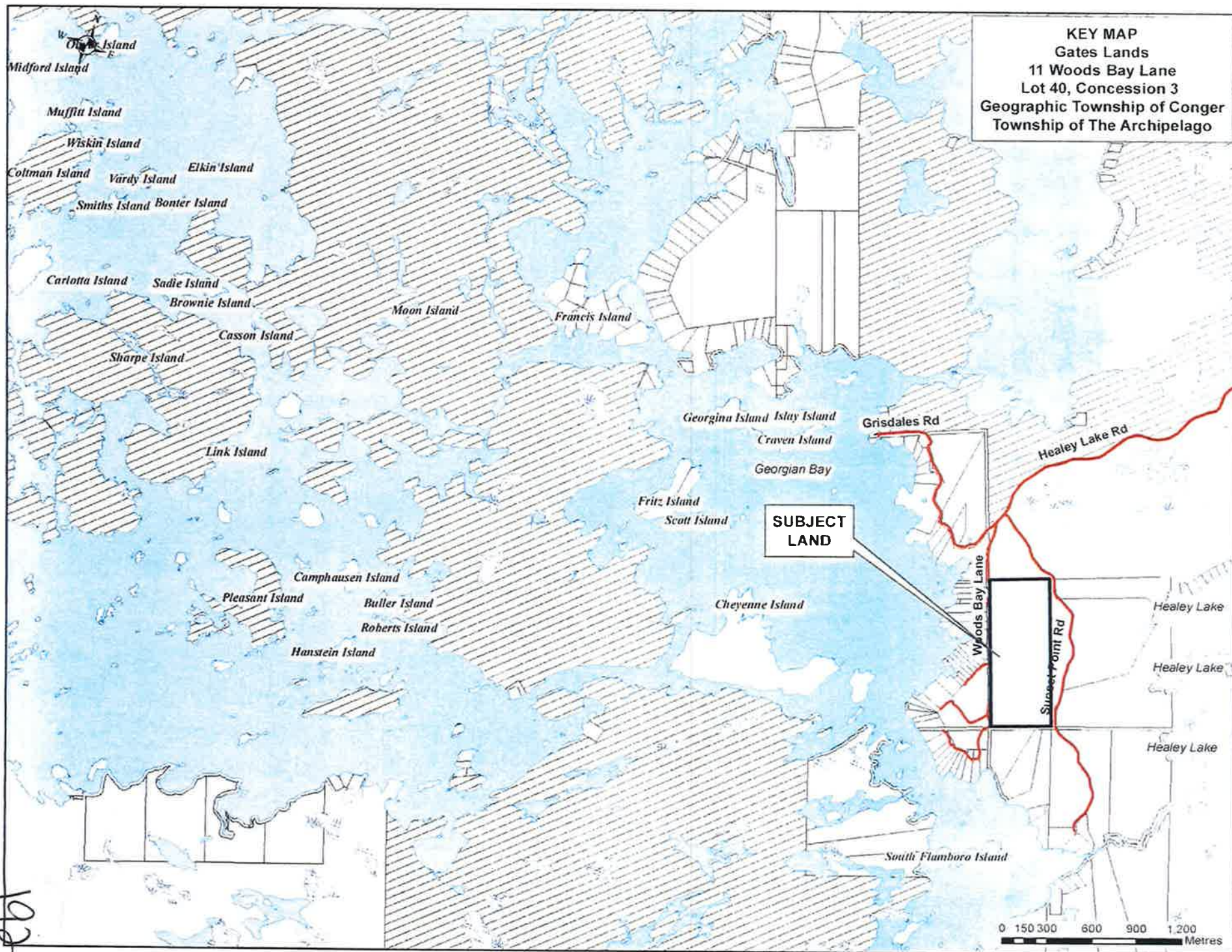
Gregory I. Corbett, M.Pl, MCIP, RPP  
Consulting Planner

## APPENDIX A

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### Key Map





## **APPENDIX B**

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John Jackson Planner Inc.  
Planning Report dated May 7, 2019



**PROPOSED LAND DIVISION**

**LOT 40, CONCESSION 3**

**GEOGRAPHIC TOWNSHIP OF CONGER**

**(MOON RIVER)**

**APPLICANT: Richard and Eleanor Gates**

**Prepared With the Assistance of  
John Jackson Planner Inc.**

**May 7, 2019**

## **1.0 BACKGROUND**

The south part of the Township of The Archipelago has been the centre of discussion over the past 25 years regarding the need to establish policies that respond to local residential issues and allowing for additional commercial opportunities that ultimately meet the servicing needs of ratepayers in The Archipelago.

The historic policy of The Archipelago has been to allow a limited amount of additional new lot creation and that all new lots must have direct frontage on the water. The increased cost of waterfront land has made the availability of lands for most year round residents cost prohibitive.

A recent policy change in The Archipelago has altered this long term approach to allow for more affordable housing opportunities.

"6.7 Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand...

In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing strictly limited in scale, and without water frontage."

## **2.0 SUBJECT LAND**

There are limited opportunities where blocks of patented lands are available for possible future back lot creation.

The lands in the vicinity of Woods Bay/Moon River are limited because of Crown land, the provincial park and access constraints. There happens to be a reasonably large block of patented land in this area of Moon River that can constitute a strategic location for affordable housing.

Richard and Eleanor Gates are the owners of a one hundred acre lot just east of the Woods Bay Shoreline that has access along Woods Bay Lane (a private access on an unopened road allowance) that leads to Healey Lake Road. The Gates property in all of Lot 40, Concession 3 in the geographic Township of Conger and is vacant excepting the dwelling where the Gates reside year round.

The Gates have been approached to determine an interest in making the parcel available for building lots.

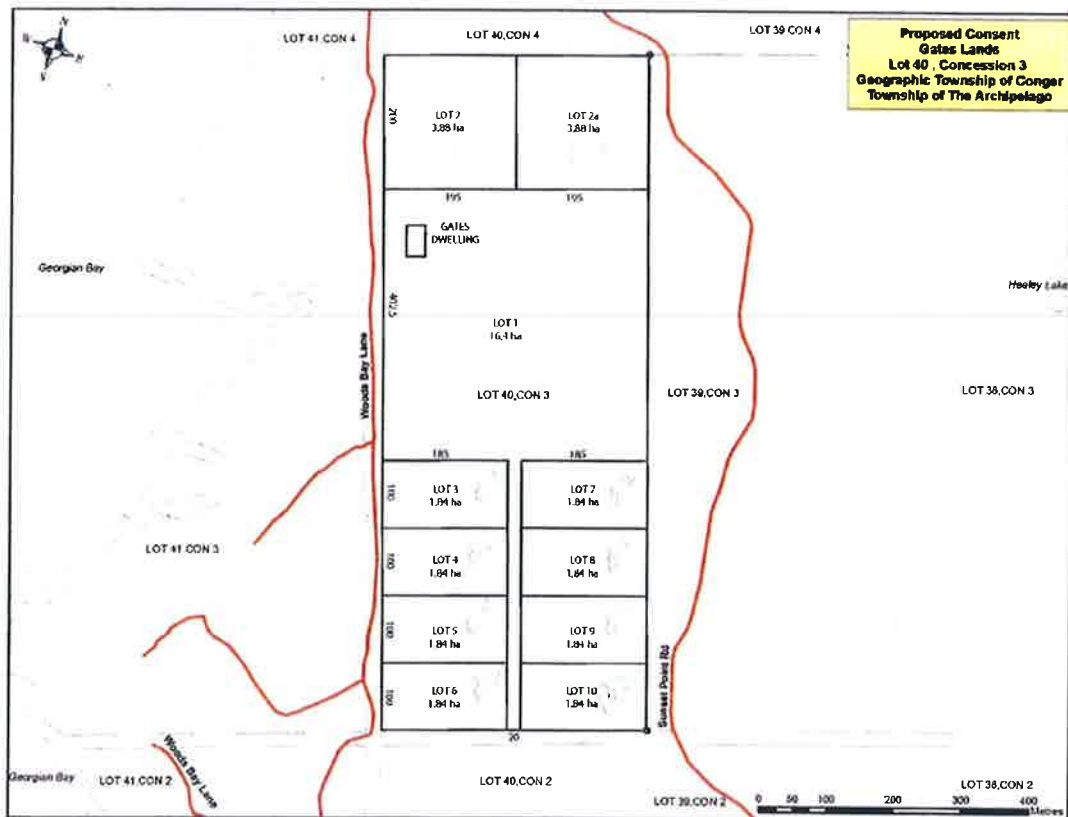
The property is relatively free from constraints to development. It has little topographic relief and is heavily forested with good drainage that slopes generally from east to west towards Georgian Bay.

There are no extensive wetlands on the property so that critical habitat for any wildlife species is likely not to be affected.

### 3.0 DEVELOPMENT PROPOSAL

In the interest of fulfilling the policy for affordable housing and to meet the needs of the residents in Moon River, the Gates have agreed to file a development scheme as set out below.

The Gates wish to retain their homestead Lot 1, and create eight, 2.0 hectares lots, and two 4.0 hectare lots for Moon River residents.



### 4.0 AFFORDABLE HOUSING CHALLENGES

There will be a number of "affordable" housing challenges as part of this development application. These include:

- Ensuring that the lots are available for the residents that are in need for the housing (how to ensure that the lands do not get "flipped" to serve parties not targeted as interest groups)

[Note: there is a list of potential Moon River purchasers of lots.]

Although found in the Pointe au Baril Station policy, 8.24 states:

**"The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need. Council may consider the reduction of municipal fees, such as development charges, parkland dedication and building permits, for affordable housing projects."**

- Maintaining costs at a reasonable level using some of the following techniques:
  - forego application fees wherever possible;
  - forego the typical list of studies with the understanding that the project proceeds on the basis of best practises
  - eliminate parkland fees
  - proceed by consent in contrast to a plan of subdivision

## **5.0 PLANNING DOCUMENTS**

### **5.1 Planning Act Criteria**

Under Section 2 of the Planning Act, there are a number of matters of provincial interest that must be regarded.

#### **(a) protection of natural heritage features**

The general nature of the land would signify that there are limited features that related to the subject lands.

- there are no wetlands
- the lands consist of mostly uplands forests
- the development is located beyond 500 metres of the shore of Georgian bay
- the lands are identified as being within the Healey Lake deer yard but lot sizes are well in excess of heritage guidelines

#### **(f) services**

- the lands will be serviced by private wells and septic
- the lot sizes will be large enough to prevent any cross contamination of adjoining wells,
- access is proposed along Woods Bay Lane or a new private road through the central part of the property

The access arrangement will continue to be by private road and the proponents will be expecting a private road agreement to confirm the nature of the road in terms of responsibility and to indemnify the municipality for any costs or liability.

- all utility/communication costs will be those of the proponent

**(k) employment opportunities**

- the proposal is to complement the needs of the community through the establishment of new facilities for local trades and employees of the service industry

**(j) affordable housing**

- the project is directly related to affordable housing for the Moon River community
- although the numbers are limited (ten lots) – each dwelling has the ability to generate two units (secondary dwellings)

**(p) appropriate growth**

- this limited form of new development is believed to properly achieve appropriate growth

**5.2 Provincial Policy Statements (PPS)**

The PPS are issued under section 3 of the Planning Act. The current PPS were in effect as of April, 2014. A new PPS are being prepared by the province.

A number of policies relate to the proposed development.

**"1.1.4.1 Rural areas are important to the economic success of the Province and our quality of life. ... It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.**

**1.1.4.1 a) building upon rural character, and leveraging rural amenities and assets;**

**1.1.5.2 b) resource-based recreational uses (including recreational dwellings);**

**1.1.5.2 d) home occupations and home industries;**

**1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.**

**1.4.1 a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and**

**1.4.3 b) permitting and facilitating:**

**1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and**

**2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**

## **2.1 Natural Heritage**

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

It is believed that the proposed development scheme on the subject lands is consistent with the above PPS policies.

## **5.3 Planning Act Criteria (51(24))**

**1. (a) Matters of provincial interest**

(see above)

**2. (b) Public Interest**

The proponents have identified a demand to the extent that all of the lots are essentially spoken for.

**3. (c) Conformity to Adjacent Plans**

There are no adjacent plans.

**4. (d) Suitability of the Lands**

There are no constraints to the development of the subject lands.

**5. (d.1) Affordable Housing**

This is the core rationale for the application.

**6. (e) Access and Adequacy thereof**

Described above.

7. (f) **Lot Shapes**

All lots are large to preserve the quality of properties in terms of privacy, services and demand. (The residents of Moon River have an interest in preserving larger acreages and low densities in their living environments.)

8. (g) **Restrictions**

It is proposed that the lands will be subject to a 51(26) agreement to ensure that the owners are aware of the limitations that apply to said lots in terms of access, services, responsibilities, etc.

9. (h) **Conservation of Natural Resources**

There are not believed to be any natural resource issues.

10. (i) **Utilities/Municipal Services**

There are no municipal services apart from the transfer station.

Utilities (Hydro One) will be the responsibility of individual lot owners.

11. (j) **Schools**

If school aged children are generated, they will be bussed to local schools.

12. (k) **Public Land Dedication**

None expected.

Given the general approach/design of the land division, it is believed that the criteria of 51(24) of the Planning Act can be met.

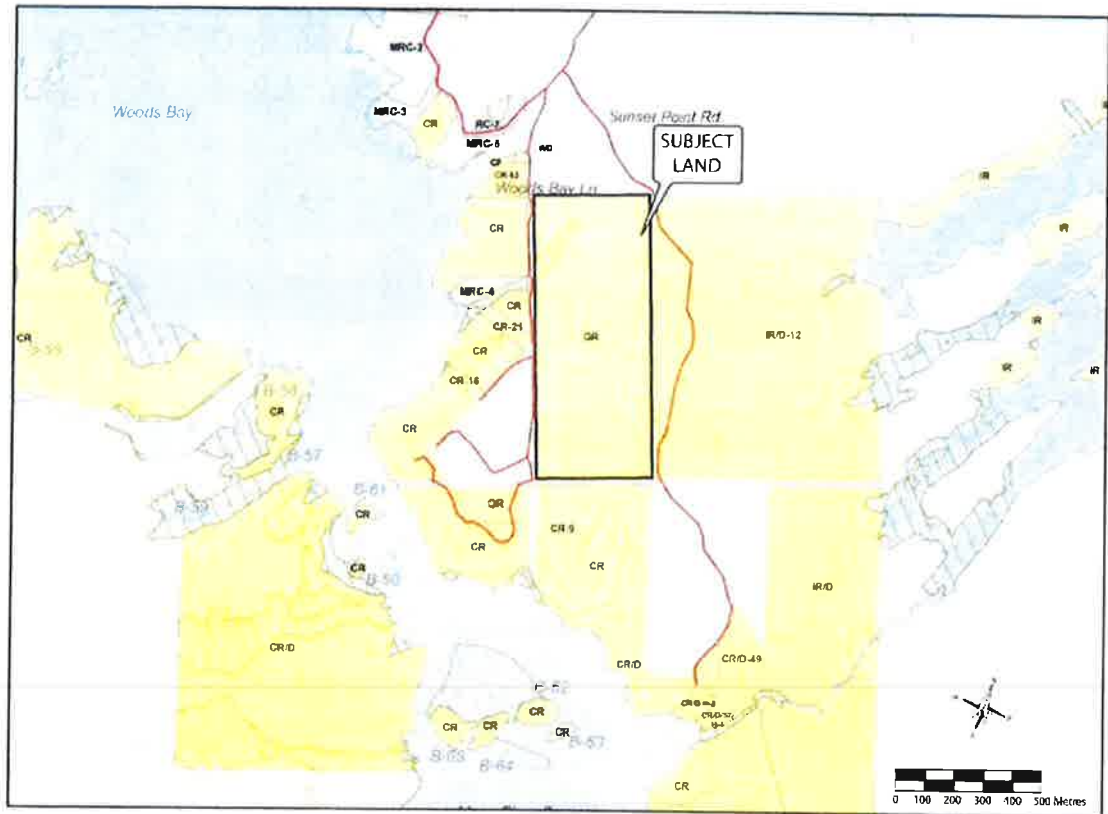
**5.4 Official Plan**

In order to achieve the affordable housing objectives of the official plan, the Council of the Township of The Archipelago must interpret its recent policy (cited above) to allow for the attached plan.

There are a number of neighbourhood and general development policies that could be interpreted to obstruct the subject proposal. However, in the opinion of the writer, a broad liberal policy interpretation must be made to achieve the intent of this area of the plan.

**5.5 Zoning By-law**

The subject lands are zoned as General Residential (GR).



These lands will need to be rezoned to reflect the proposed land division once approved.

## 5.6 Preconsultation

Representatives of the community have met with the Reeve and Ward 4 Councillors to discuss preliminary concerns related to the Moon River neighbourhood. There has also been brief discussions with the Township planner.

As part of the application, Councillors had asked that the proponents attach a business plan and background on the community. This information is attached.

There was a suggestion that the group reach out to area residents and associations. There is a public notice process with any land division/rezoning application and it's hoped that this will allow for sufficient consultation.

Respectfully,

John Jackson, R.P.P., M.C.I.P.

May 7, 2019 – Applicant: Richard and Eleanor Gates



JJ:dh

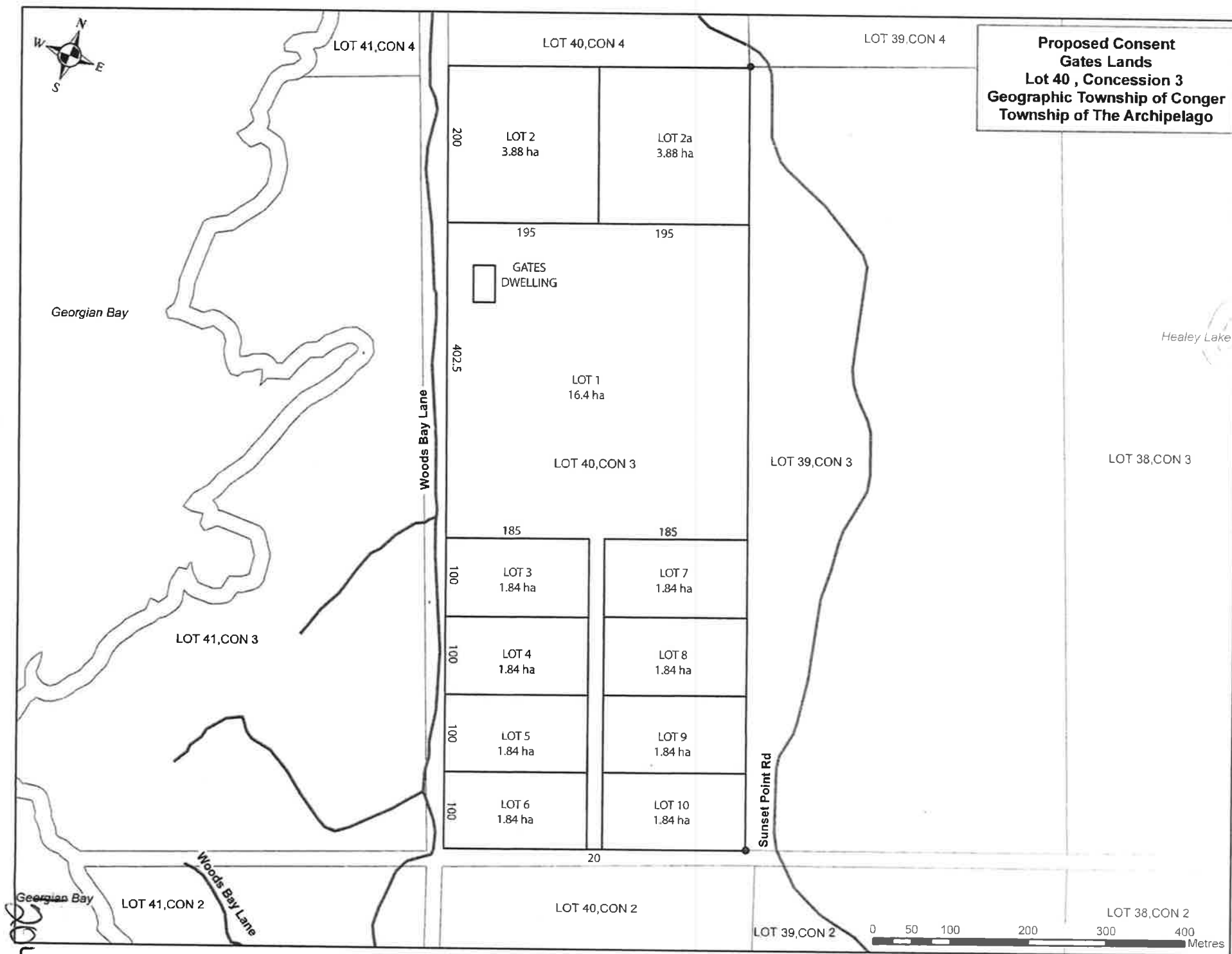
## APPENDIX C

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Development Sketch



**Proposed Consent  
Gates Lands  
Lot 40 , Concession 3  
Geographic Township of Conger  
Township of The Archipelago**



## APPENDIX D

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Township of The Archipelago  
Correspondence dated June 10, 2019



9 JAMES STREET • PARRY SOUND, ONTARIO • P2A 1T4  
705-746-4243 • FAX: 705-746-7301  
[www.thearchipelago.on.ca](http://www.thearchipelago.on.ca)

Reply Attention of: Cale Henderson  
Telephone Extension: 305  
Internet Address: [chenderson@thearchipelago.on.ca](mailto:chenderson@thearchipelago.on.ca)

Delivered via email

June 10, 2019

Mr. John Jackson  
John Jackson Planner Inc.  
70 Isabella Street Unit 110  
Parry Sound, ON P2A 1M6

Dear Mr. Jackson:

**RE: Consent Application – GATES, Richard & Eleanor**

Thank you for your submission with respect to the preliminary application for 10 new lots located in the Wood's Bay Neighbourhood. After carefully reviewing the draft application, there are some matters that need to be discussed prior to further considering your proposal. Below is an outline of these matters:

1. Official Plan Conformity:

As previously discussed, I do not believe the current proposal conforms to the Official Plan and, as a result, would require an Official Plan Amendment to be further considered. The planning rational submitted relies heavily on Section 6.7 of the Official Plan and states that a broad liberal policy interpretation must be made to determine overall conformity. Section 6.7 of the Official Plan indicates that Council may allow for new non-waterfront lots to support affordable housing; however that is to occur within a designated strategic policy area and is to be a limited number of residential lots by consent. Council for the Township of The Archipelago has not designated Woods Bay as a strategic policy area. Further, although you have applied for a consent application, the proposal is not for a limited number of lots and would more appropriately be considered via a plan of subdivision application.

Also, as you correctly highlighted, there are many other existing policies that would not support the proposal. For example, proposing 10 new lots on a private road is not generally supported within the Official Plan, further necessitating the requirement for an Official Plan Amendment. The amendment would enable Council for the Township of The Archipelago to address the application on a site specific basis.

Overall, to appropriately consider this application, it would be recommendation to Council that an Official Plan Amendment would be required.

## 2. Completion of Appropriate Studies:

An application of this nature requires, per the requirements of the Official Plan and Planning Act, the completion of an environmental impact assessment, a hydrogeological report, a servicing options report, and other possible studies. I appreciate that these studies come with costs; however, I cannot exempt these requirements. My recommendation to Council would be that these studies be completed prior to considering the application. Once the applications are finalized, a determination can be made as to whether additional studies would be required.

## 3. Consent versus Plan of Subdivision:

As discussed previously, a Consent application is not the appropriate process for the consideration of 10 new lots. Should you wish to pursue 10 lots, it would be my recommendation that a plan of subdivision application be submitted.

## 4. Access to Proposed Lots:

In addition to the previously raised matter of private road access, the 5 proposed eastern lots do not show clearly identified or formalized access. Although a new private road is alluded to within the report, the application has not identified, nor has the applicant applied for appropriate easements to ensure appropriate legal access is provided to future owners.

## 5. Affordable Housing:

Under Section 6.7 of the Official Plan, the proposal needs to support the creation of affordable housing. The definition of affordable housing within the Official Plan and the Provincial Policy Statement is:

*"affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive."*

After consulting with the Ministry of Municipal Affairs, the 60<sup>th</sup> percentile affordable housing price for the Parry Sound District equates to \$275,600. Although there have been suggestions as to how development costs can be reduced (waiving fees, forego studies, etc.), there is limited amount of detail provided as to how these proposed lots will adhere to this affordable housing target. This policy needs to be further discussed to ascertain how this target is to be achieved.

6. Zoning By-law Amendment:

A Zoning By-law Amendment application will need to be submitted.

7. Application Fees:

Only Council and The Archipelago Area Planning Board have the ability to waive the application fees. Once the proposal is finalized, the request to have fees waived can be submitted to both of the respective approval authorities.

8. Community Consultation Strategy:

As previously discussed, it is important that an appropriate consultation process is completed. It is strongly recommended that, above and beyond the circulation of the affiliated planning applications, the applicants attempt to engage and consult with the larger community, as part of their community consultation strategy.

9. Business Plan and Background:

Section 5.6 of the report references a business plan and background report is attached. No report was provided.

When you are available, I would like to discuss these matters and explore opportunities to find solutions, prior to bringing the applications to Council and The Archipelago Area Planning Board for further consideration.

Regards,



Cale Henderson, MCIP, RPP  
Manager of Development &  
Environmental Services

## APPENDIX E

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### Business Plan and Background



## MOON RIVER AFFORDABLE HOUSING BUSINESS PLAN

April 29, 2019

Purchase price of property	.....	\$40,000.00
Septic system	.....	\$10,000.00
Hydro	.....	\$12,800.00
Drilled well	.....	\$14,000.00
3 bedroom bungalow	.....	\$205,200.00
Township fees to be waived (development charges, rezoning, building permit, studies, etc.	.....	<u>waived</u>
		\$282,000.00

**Note:** ~ According to the Provincial Policy Statement - Housing Table 2017, affordable housing for Parry Sound DSSAB is \$282,000.00.  
~ Prepared by the Moon River Community.

## Moon River Métis Community Information

The historic Moon River Métis Community appealed a small portion of the Township of the Archipelago (ToA) Official Plan during the last two provincially mandated five-year reviews/updates, for some of the following reasons:

- ✦ The Moon River area is a long-standing Métis settlement. After residing in the Moon River area for generations, many Métis people received land grants in the early 1900's, which is the reason for the amount of private property from Grupp's Marsh to Blackstone Narrows, up the Moon River past Healy Creek and up to Healy Lake. Decedents from the original Métis settlers continue to live the Métis Way of Life in Moon River to this day.
- ✦ The Township's Official Plan failed to properly recognize the Community of Moon River in the Official Plan. This is not acceptable given that the Township's own website, under "Communities", states "In the late 1800's and early 1900's the community of Moon River was established in this area."
- ✦ The community of Moon River/Woods Bay needs to be recognized for its importance as the economic hub of South Archipelago, especially considering it contains the only road access in and through our township to Georgian Bay, with marinas and other commercially zoned properties providing services to water based rate payers.
- ✦ In 2009, a 56-page document titled "Woods Bay Neighbourhood Study Findings Report" (WBNS) was published which was the result of our first appeal of the Township's Official Plan.
- ✦ In 2018, we once again appealed the Township's Official Plan – this time directly to the Province's Ministry of Municipal Affairs and Housing – since the township continued to ignore our communities' issues despite the WBNS, a 13-page submission from the Métis Nation of Ontario on our behalf to the ToA, our communities' 43-page submission to MMAH, all of which is available through the Archipelago Township, and a requirement in the Aboriginal section of the 2014 Provincial Policy Statement, which requires municipalities to consult with Indigenous Peoples on land use planning issues.
- ✦ A favourable decision was received from the Minister of MMAH on December 24<sup>th</sup>, 2018, which addressed our concerns and modified the Township of the Archipelago's Official Plan (see attached – item #'s 1, 2, 4, 11 and 15 of the decision that apply to the Moon River Métis Community).
- ✦ After the final decision had been made by the province regarding the OP, our communities' representatives met with Reeve Bert Liverance and our Ward 4 Councillors, David Ashley, Alice Barton and Rick Zanussi, on March 27, 2019. The following was discussed:
  - Affordable land for housing in the community of Moon River on back-lots.
  - Upgrading of the Municipal Transfer Station in Woods Bay with a proper boat launch ramp, proper floating dock, a proper staging area for all to use and easy access to the water for all rate payers to use for deliveries of building materials, appliances, etc., etc.
  - The lack of commercially zoned properties in the Moon River area in order to meet the local demand for services.
  - We also asked to be engaged in the upcoming Comprehensive Zoning By-Law Review.
- ✦ An application will be submitted shortly to the Archipelago Area Planning Board by Mr. & Mrs. Rick Gates to subdivide their 100-acre parcel of land in Moon River, in order to provide eight 5-acre lots, two 10-acre lots and one 40-acre lot which the Gates' will retain for their personal use (already contains their house, shop, etc.). This 100-acre parcel of land was one of the above-mentioned original Métis land grants.

- ✚ The proposed lots are being created for affordable housing/land, which the new Provincially modified Official Plan now allows and which supports this type of back lot development.

The above information is being supplied in order to provide an understanding of the scope of issues facing, not only our Indigenous community but our community as a whole.

Please do not hesitate to contact us if there are any questions.

Regards,  
Moon River Métis Community

## **APPENDIX F**

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John Jackson Planner Inc.  
Correspondence of June 24, 2019

Subject: Gates Development Application

Cale,

It is unfortunate that we could not meet to discuss this matter prior to your formalizing your opinion in your letter of June 10, 2019. In my view it may be difficult for you to come off the position expressed in this letter which will likely be the loss of any hope for the community to achieve the badly needed housing opportunities in this area of the Township.

### **Background**

As you are aware, the Moon River Métis Community has been working hard to establish a policy regime that recognizes a public need for opportunities for its residents and their children to continue to work and live in the area. These efforts have not been well received by the municipality that seemingly continued to thwart efforts in this regard despite its commitments otherwise.

This posture is well documented. It was only after a second appeal to the latest official plan update did the community understand that it achieved a monumental change to an otherwise unrelenting policy to ignore local planning needs. The province under the new, unappealable role in approving local policy seemed to incorporate change in the formerly nonresponsive policy focused in The Archipelago official plan.

It was recognized that the policy modifications imposed by the province were somewhat unclear, however, there was no doubt that the amendments were to introduce fundamental change, which could easily be achieved with discussions between the Township of the Archipelago and the Moon River Métis Community.

There were likely more questions than answers from the province's intervention into the policy construction of The Archipelago official plan. The question that resulted from this process, was to determine what this policy shift truly meant.

As a result, the proponents of change sought out a possible opportunity to give the policy some meaning and understanding.

### **Finding a Candidate Property**

As part of the local discussions to determine a possible property to realize the new policy thrusts; a single parcel seemed to qualify. This was the Gates land adjacent to the Woods Bay shoreline and surrounded by private road access. Most importantly, the Gates had indicated that they were prepared to offer their lands for this development opportunity.

For the first time in a quarter of a century, the community began to get excited that homes may be available that were within the financial capability of these Archipelago residents.

During this period, the proponents of the interests of the Moon River Métis Community maintained communication with Ward councillors and the Reeve. All of the local Council representatives seemed to support the program. No obstacles were ever believed to be imposed.

### **The Gates Application**

The Gates application presented a large number of attributes that would realize the new policy expectation. These include:

- a willing seller;
- a patented land where most lands in the vicinity are Crown and at this point are not available for residential development;
- private roads available to the subject land;
- no significant environmental constraints;
- a large interest in demand;
- the creation of large lots; and
- support by local councillors and Reeve.

#### **1. Official Plan Conformity**

The report accompanying the application has set out the need to recognize an interpretation to the official plan that gives the municipality broad powers through the modified section 6.7 that overcomes the innumerable other policies that you recite that could prohibit any such development consideration of the Gates lands.

In practical terms, a policy amendment that, in turn, requires a further policy amendment, simply is not logical. This would continue to perpetrate the "study to require further study" mentality that seems to have been the approach in Woods Bay/Moon River to date.

It is my opinion that the act of endorsing the project as proposed can be part of the act of declaring these lands as a "strategic policy area". Failing to allow this interpretation and requiring a site-specific official plan amendment or for some further general policy amendment will necessitate a one or two year process at the very minimum. The need is now.

As emphasized in the report accompanying the Gates application, there are very limited opportunities in the community to achieve the kind of development needed

to accommodate back lot development. There are very few lands that are patented and that include a willing owner with the necessary qualities to have a development like this come forward.

## 2. **Studies**

It was made clear in the application materials, that the normal practise of requiring studies would need to be waived if this project was to proceed and meet its target to qualify as affordable. This request was not made without basis.

Your demand for environmental impact assessments, hydrogeological reports, servicing option studies and other possible studies are not necessary in this instance if one follows the basic rationale attributable to establishing the need for such studies.

There are three sources where the need for further studies are identified.

### (a) **Planning Act**

The Planning Act has set out a number of matters of provincial interest in section 2. These provincial interests set out a broad range of matters including environment, affordable housing, global warming and many others. The suggestion that the project may not proceed without environmental impact assessments is simply not true.

Affordable housing is a defining issue of the Moon River/Woods Bay area. It is suggested that the project captures the essence of the provincial interest in this matter.

### (b) **Provincial Policy Statements (PPS)**

The PPS has a wide range of matters similar to those outlined in the list of provincial interests.

A guiding principle in the PPS is that they must be read in their entirety. Often there will be conflicting interests that planners need to assess to determine the priority for measuring a particular development.

This type of "screening" is needed to ensure that one is able to properly discern the practical need for assessments. To impose assessments blindly without a true understanding of their relative need or benefit is not only unfair but not responsible. Planners can and do discriminate when and where the need for such assessments apply.

With respect to the subject lands, one needs to consider the following:

- the lands consist of upland forests thereby reducing the presence of potential endangered species habitat;



- the lands have no significant or local wetland often associated with natural heritage values;
- the road pattern is fundamentally established;
- the proposed lot pattern includes lot sizes that eliminate many concerns respecting wildlife impacts; and
- there are no particular PPS issues for these lands when considering the important policy of achieving affordable housing, a key policy in this statement.

(c) **Official Plan**

The official plan has a number of references to assessments but for many of these, the studies may be interpreted to be discretionary. This is not to say that the official plan application is to be disregarded. In my opinion, these kinds of considerations have been or can be made.

- i) 7.13 protection of Coastal Wetlands – there are none on the subject lands;
- ii) 7.28 protection of endangered species – as discussed above, the kind of geography and forest cover on the subject lands are not associated with habitat for threatened and endangered species;
- iii) 7.32 site evaluations may be required for significant wildlife habitat;
- iv) 7.38 the proposed lot sizes far exceed the standards for the protection of deer yard habitat;
- v) 11.8 hydrogeological assessments are discretionary but subject to M.O.E. D-Series Guidelines and if one has experience with the application to these reasonable use criteria, it is a calculation for our geography that invariably concludes that lot sizes need to exceed 0.8 hectares to avoid cross-contamination of wells and ground water impacts from septic systems. It is clear that the subject lots are 2 1/2 times larger than this criteria.

As you are aware, I have an extensive number of years' experience related to development from both a proponent and municipal review perspective and I do not anticipate that this project will benefit in any meaningful way from any named or unnamed studies in your summary letter.

### 3. **Plan of Subdivision**

The question of proceeding by consent in contrast to plan of subdivision is an age-old debate that has been widely reviewed for this application.

There are a number of very basic differences in the two processes but in this instance, it is strongly believed there are a number of reasons where there is no benefit to require a plan of subdivision process.

The following considerations were assessed as part of this question.

- (a) Official Plan – to be clear, the modifications set out in 6.7 of the plan, it recognized new lots not on waterfront created by consent to achieve affordable housing;
- (b) No Advantage – in the subject instance, there would not be any benefit in proceeding by plan of subdivision;
- (c) Conditions – the Planning Act gives approval authorities all of powers for consent approval as it does for subdivisions;
- (d) Costs – plans of subdivisions have inherent additional costs where there are often outside services required including engineers or lawyers that are not believed to be necessary for this project;
- (e) Services – plans of subdivisions in many contexts by their very nature require the extension of public services but in this instance there are none;
- (f) Agreement – the consent process has the ability to require any conditions that the plan of subdivision process requires including an agreement as you are aware. The only purpose of an agreement (which is recognized) will set out the responsibility of the land owners for all of the private services and to indemnify the Township from any liability.
- (g) Need – the more robust review process often associated with plans of subdivision do not seem to apply in this instance – rather it is anticipated that such a subdivision process relying on legal technicalities would often extend approvals for up to an additional year.
- (h) Planning Act Regs – Under Regulation 644/06, plans of subdivision that permit more than five lots, are required to undertake a servicing options study and a hydrogeological report.

Regardless of this regulation, the requirements for these items for plans of subdivision, remain irrelevant for this project. There are no servicing options. The subject lands will be serviced by wells and septic. In terms of water supply, drilled wells will be the source. In the industry well drillers guarantee water supplies.

For wastewater, septics will be installed. As discussed above, the larger lots will more than satisfy reasonable use consideration. No benefit will be served by undertaking a hydrogeological report.

4. **Access**

The Gates property is adjacent to Woods Bay Lane, to the east there is close proximity to Sunset Point Road, to the south there is a municipal road allowance but the intervening land may not be available.

Consequently, a right-of-way is proposed to access the easterly lots should permission not be obtained to come off Sunset Point Road.

I do not believe that this element complicates the application but simply assures an access arrangement.

5. **Affordable Housing**

A business plan has been provided to demonstrate how affordable targets hope to be achieved.

6. **Zoning**

We recognize in the submitted materials that a rezoning will be required.

7. **Fees**

We have included, as part of submission, that Council/Planning board consider waiving fees in the interest of achieving affordable housing goals.

8. **Consultation**

The Moon River Métis residents have met with local councillors as well as the reeve.

All of the lots proposed are spoken for.

As requested by the Ward 4 Councillors and Reeve, the Moon River Métis Community has reached out to the local rate payor associations and provided them with information regarding our community and the Gates' property becoming available for affordable land/housing. Discussions have been initiated with the Woods Bay Association, the San Souci Copperhead Association and the Georgian Bay Association. These organizations support the project.

No further consultation would seem to be necessary.

9. **Business Plan**

I believe this has been forwarded to your office.

### **Conclusion**

The project is a unique pilot project.

It does not have any characteristics of a typical development.

Hopefully we can all agree that this project is responding to a wider public interest and that it has the qualities that sets it apart from any other experiences where one risks the fear of being inconsistent.

Given the journey, I can assure you that none of the people involved, from my perspective, see this as avoiding good planning but rather see it as necessary planning.

Kindest regards.



John Jackson

JJ:dh

## **Appendix D**

2020 Application and Supporting Documents

Chris/Louise Goulding  
Agents for Rick Gates  
B55-19 Moon Island, Sans Souci

rec'd  
October 7, 2020  
JL

October 6, 2020

Township of the Archipelago  
9 James Street,  
Parry Sound, ON  
P2A 1T4

RE: PROPOSED LAND DIVISION, LOT 40, CONCESSION 3, RICHARD GATES

Attention: Cale Henderson and Township of the Archipelago Council

As per Township of the Archipelago Resolution #19-119, dated July 19, 2019, please find attached the following:

- Application for Consent, including:
  - Revised (Oct 1, 2020) background information report prepared by John Jackson Planner Inc.
  - Moon River Affordable Business Plan
  - Moon River Métis Community Information
  - MMAH Decision dated December 21, 2018
  - Site Evaluation Report by FRICORP
  - The fee of \$2,000.00
- Application for a Zoning By-Law Amendment, including:
  - The \$625.00 fee
- Application for an Official Plan Amendment, including:
  - The \$2,000.00 fee

During our March 27, 2019 (post MMAH decision) meeting with Reeve Bert Liverance and Ward 4 Councillors David Ashley, Alice Barton and Rick Zanussi, we were asked to reach out to the local cottage communities (SSCA, WBCA, GBA), meet with Cale Henderson, reach out to the news media and to submit an Application for Consent to create affordable lots in the Moon River area, particularly on the Gates property.

Since that meeting, we have reached out to the local cottage communities, we met with Cale Henderson quite a few times, we reached out to the local media (Sarah Bissonnette of the Parry Sound North Star) and had three articles written on our community and we had submitted an Application for Consent (which we are now revising).

In closing, we hereby request the Township of the Archipelago reimburse the above fees in order to keep this project affordable.

Regards,

*Chris D. Goulding*  
*Louise Goulding*

Chris/Louise Goulding  
Agents for Rick Gates

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# The Archipelago Area Planning Board

9 James Street  
Parry Sound, Ontario P2A 1T4  
Phone: 705-746-4243 Fax: 705-746-7301  
web: www.thearchipelago.on.ca

Print Form

Application for Consent  
under Section 53 of the Planning Act  
R.S.O. 1990, c.P. 13, as amended

OFFICE USE ONLY			
Date Received <u>October 7/20.</u>	Complete Application <input type="checkbox"/> Yes <input type="checkbox"/> No	Application No. <u>B16-20</u>	
Date Accepted _____	Applicable Fee Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B17-20</u>	

## 1. Applicant / Agent Information

Name of Applicant / Agent

John Jackson Planner Inc.

Address

70 Isabella Street, Unit 110

City Parry Sound

Province / State Ontario

Postal / Zip Code P2A 1M6

Home Phone No. \_\_\_\_\_

Business Phone No. 705-746-5667

email JJPlan@cogeco.net

## 2. Owner(s) Information

Name of Owner(s)

Richard Gates

Address

City \_\_\_\_\_

Province / State \_\_\_\_\_

Postal / Zip Code \_\_\_\_\_

Home Phone No. \_\_\_\_\_

Business Phone No. \_\_\_\_\_

email \_\_\_\_\_

Please advise to whom all communication should be directed. ☐ Owner ☒ Applicant / Agent

## 3. Location of the Subject Land (please provide a copy of the Transfer/Deed of Land)

Assessment Roll Number 4905- 09001003200 Lot 40 Concession 3 Island No. \_\_\_\_\_

Registered Plan of Subdivision No. (if any) Plan No. M - \_\_\_\_\_ Lot No. \_\_\_\_\_

Reference Plan No. (if any) Plan No. 42R - \_\_\_\_\_ Part No. \_\_\_\_\_

Parcel No. 21266SS Other Description 11 Woods Bay Lane

### Dimensions of Subject Property:

Depth (metres) 390 Frontage (metres) 1002.5 Hectares 39.1

Are there any easements or restrictive covenants affecting the subject land? ☐ Yes ☒ No

If Yes, describe the easement or covenant and its effect.

## 4. Purpose of the Application (check appropriate box)

- ☒ creation of new lot ☐ addition to a lot ☐ an easement or right-of-way  
☐ a charge ☐ a lease ☐ a correction of title ☐ other purpose

Name of person(s), if known, to whom land or interest in land is to be transferred

Gates family (Retained) & affordable housing units

If a lot addition, identify the lands to which the parcel will be added.

**5. Description of Subject Land and Servicing Information** (complete each subsection)

		Lot 1	Lot 2	Lot 3	Retained
<b>Description of Land</b>	Frontage (metres)				289
	Depth (metres)	See	Sketch		797.5
	Area (hectares)				23
<b>Use of Property</b>	Existing Use(s)	Vacant	Vacant	Vacant	Residential
	Proposed Use(s)	Residential / Affordable Housing			
<b>Buildings or Structures</b>	Existing	None			Dwelling
	Proposed	Affordable Housing Units			Unknown

		Lot 1	Lot 2	Lot 3	Retained
<b>Access</b>	Provincial Highway				
	Municipal road, maintained all year				
	Municipal road, maintained seasonally				
	Other public road	Wooda Bay Lane			Wooda Bay Lane
	Right-of-way				
	Water Access (see Section 9)				
<b>Water Supply</b>	Privately owned and operated individual well	x			x
	Privately owned and operated communal well				
	Lake or other water body				
	Other means				
<b>Sewage Disposal</b>	Privately owned and operated individual septic system	x			x
	Privately owned and operated communal septic system				
	Privy				
	Other means				
<b>Note:</b> Please provide a copy of the building permit or certificate of approval for the existing septic system, if applicable.					
<b>Other Services</b>	Electricity	x			x
	School Bussing				
	Garbage Collection				

If access to the subject land is by private road, or if "other public road" or "right-of-way" was chosen above, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

Municipal road, maintained by Moon River Road Association



**6. Land Use**

What is the existing Official Plan designation(s), if any, of the subject land?

Recreation

What is the current zoning of the subject land? If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

General Residential (GR)

Is the application consistent with the Provincial Policy Statement issued under subsection 3(1) of the Planning Act? ☒ Yes ☐ No

Is the subject property within an area of land designated under any Provincial plan or plans?

☒ Yes ☐ No

If yes, does the application conform to or not conflict with the applicable Provincial plan or plans?

☒ Yes ☐ No

Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 metres of the subject land, unless otherwise specified (indicate approximate distance in metres)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A landfill	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A Provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A Provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
Flood plain	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A rehabilitated mine site	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A non-operating mine site within 1 kilometre of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An active mine site	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An industrial or commercial use. Specify the use(s).	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
An active railway line	<input type="checkbox"/>	<input type="checkbox"/> _____ metres
A municipal or federal airport	<input type="checkbox"/>	<input type="checkbox"/> _____ metres

**7. History of the Subject Land**

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? ☐ Yes ☒ No ☐ Unknown

If YES and if known, provide the application number and the decision made on the application.

If this application is a resubmission of a previous consent application, describe how it has been changed from the original application.

Changed from 10 lots to 4 lots

Has any land been severed from the parcel originally acquired by the owner of the subject land?

☐ Yes ☒ No

If YES, provide for each parcel severed the date of transfer, the name of the transferee(s) and the land use.

**8. Current Applications**

Is the subject land currently the subject of an application for an Official Plan amendment, Zoning By-law amendment, Minister's zoning order, Minor Variance, Consent or approval of a Plan of Subdivision or Condominium?

☒ Yes      ☐ No      ☐ Unknown

If YES and if known, specify the appropriate file number and status of the application.

**Lands will need to be rezoned**

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**9. Plans** (to assist in the preparation of plans, please refer to the attached sample sketches)**Location Plan**

Every application shall be accompanied by a location plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries of the parcel of land that is the subject of the application, the part of the parcel that is the subject of the application, the location of all adjacent properties and/or islands, transportation routes, etc.;
- the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge;
- existing and proposed uses on the subject land (e.g. residential, agricultural, cottage, commercial etc.);
- existing uses of all lands within 120 metres (400 feet) of the subject land.

**Site Plan**

Every application shall be accompanied by a site plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries and dimensions of the subject land, the part that is the subject of this application and where applicable, the part(s) to be severed and the part(s) to be retained;
- the boundaries and dimensions of any abutting land that is also owned by the owner of land that is the subject of the application;
- the location and dimensions of existing and proposed buildings and structures and their distances from lot lines;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that, in the opinion of the applicant, may affect the application, such as railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, landscaped open spaces, planting strips, parking areas, loading areas, driveways and walkways;
- the existing uses on adjacent lands;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a publicly travelled road, a private road or a right-of-way;
- if access to the subject land is by water only, the location of the parking and boat docking facilities used;
- the location and nature of any easement affecting the subject land.

**Additional information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Planning Board.**

**10. Other Information**

See Planning Report

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**11. Affidavit or Sworn Declaration**


Dated at the Town of Parry Sound this 12th day of March, 2020

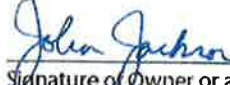
I, John Jackson of the Town of Parry Sound in the

County/District/Regional Municipality of Parry Sound solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT.**

DECLARED BEFORE ME at the Town of Parry Sound

in the District of Parry Sound this 12 day of March, 2020.

  
A Commissioner of Oaths  
Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2021.

  
Signature of Owner or authorized Applicant / Agent

**12. Authorizations****Authorization of Owner(s) for Agent to Make the Application**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and I/we authorize John Jackson Planner Inc. to make this application on my/our behalf.

Date March 11, 2020 Signature of Owner 

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_


**12. Authorizations (cont'd)****Authorization of Owner(s) for Agent to Provide Personal Information**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize John Jackson Planner Inc. as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date March 11, 2020 Signature of Owner 

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**13. Consent of the Owner(s) to the Use and Disclosure of Personal Information**

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

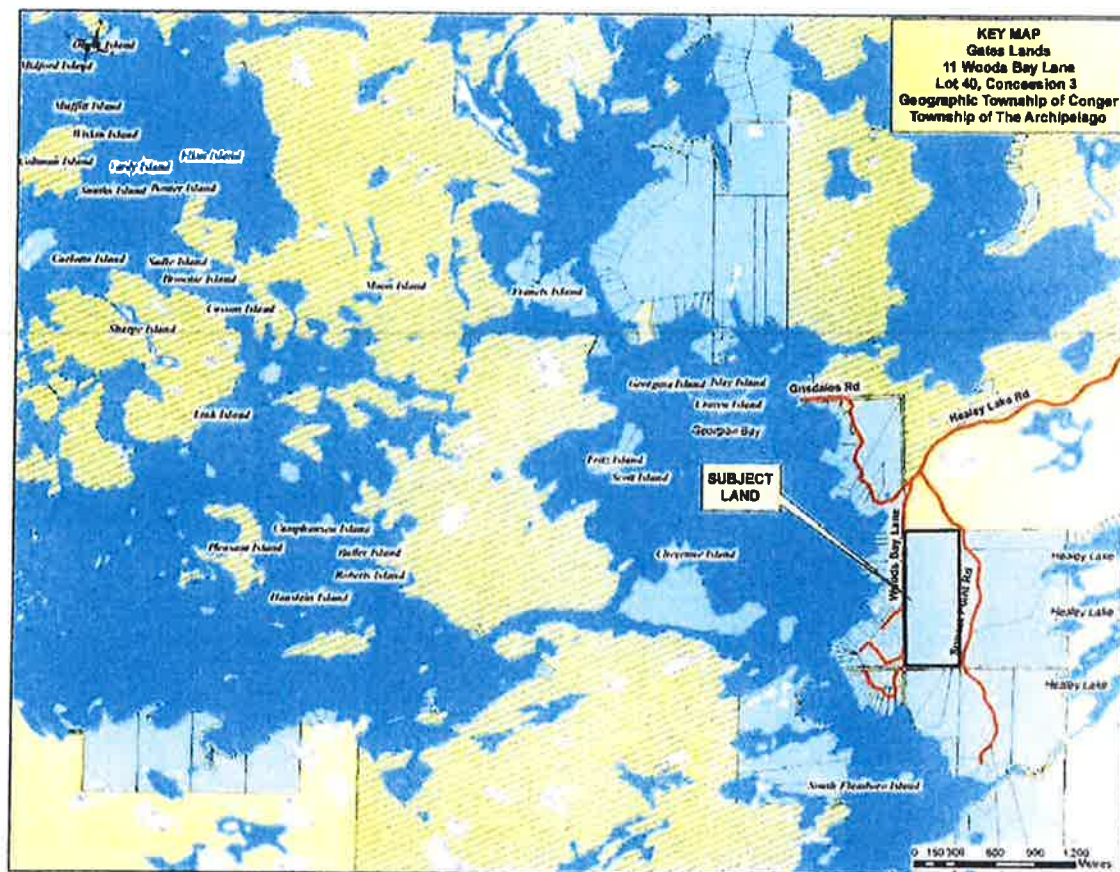
I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

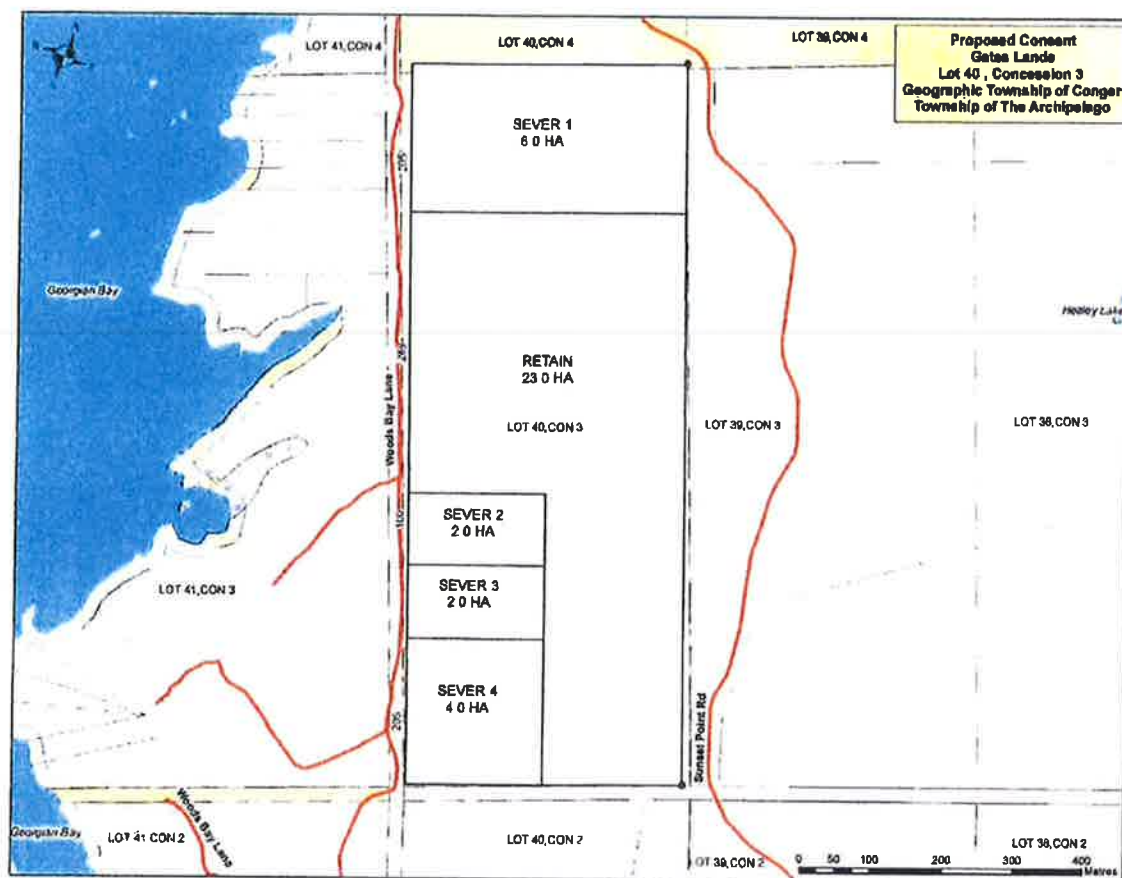
Date March 11, 2020 Signature of Owner 

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

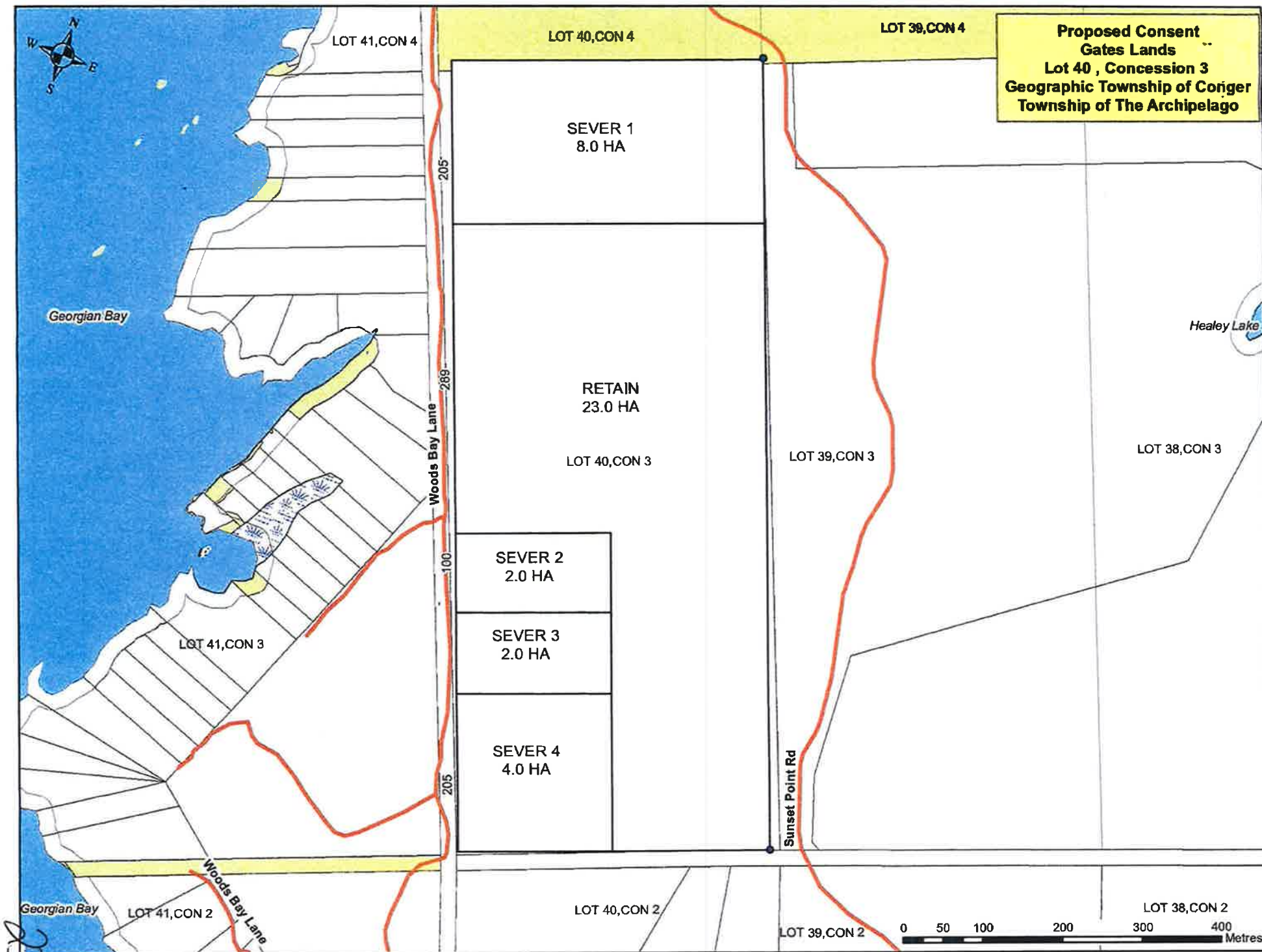
Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_









**PROPOSED LAND DIVISION**

**LOT 40, CONCESSION 3**

**GEOGRAPHIC TOWNSHIP OF CONGER**

**(MOON RIVER)**

**APPLICANT: Richard Gates**

**Prepared With the Assistance of  
John Jackson Planner Inc.**

**May 7, 2019 (Revised October 1, 2020)**



## **1.0 BACKGROUND**

The south part of the Township of The Archipelago has been the centre of discussion over the past 25 years regarding the need to establish policies that respond to local residential issues and allowing for additional commercial opportunities that ultimately meet the servicing needs of ratepayers in The Archipelago.

The historic policy of The Archipelago has been to allow a limited amount of additional new lot creation and that all new lots must have direct frontage on the water. The increased cost of waterfront land has made the availability of lands for most year round residents cost prohibitive.

A recent policy change in The Archipelago has altered this long term approach to allow for more affordable housing opportunities.

"6.7 Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand...

In order to support the creation of affordable housing, the Municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing strictly limited in scale, and without water frontage."

## **2.0 SUBJECT LAND**

There are limited opportunities where blocks of patented lands are available for possible future back lot creation.

The lands in the vicinity of Woods Bay/Moon River are limited because of Crown land, the provincial park and access constraints. There happens to be a reasonably large block of patented land in this area of Moon River that can constitute a strategic location for affordable housing.

Richard Gates is the owner of a one hundred acre lot just east of the Woods Bay Shoreline that has access along Woods Bay Lane (a private access on an unopened road allowance) that leads to Healey Lake Road. The Gates property in all of Lot 40, Concession 3 in the geographic Township of Conger and is vacant excepting the dwelling where Mr. Gates resides year round.

Mr. Gates has been approached to determine an interest in making the parcel available for building lots.

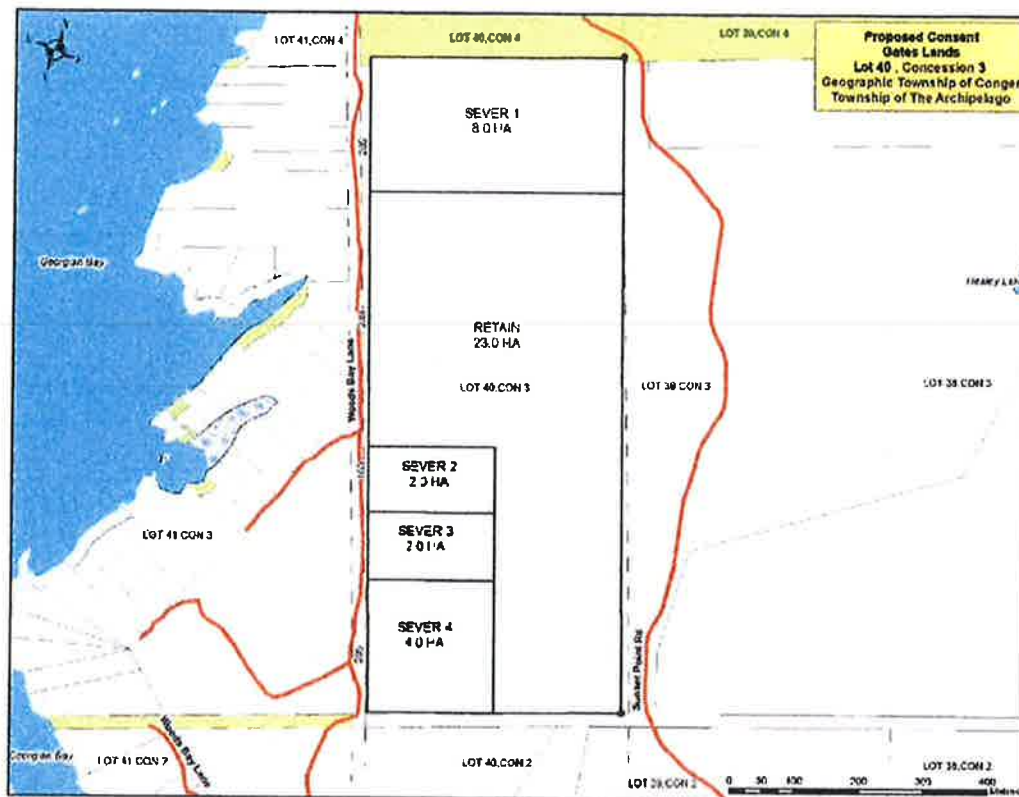
The property is relatively free from constraints to development. It has little topographic relief and is heavily forested with good drainage that slopes generally from east to west towards Georgian Bay.

There are no extensive wetlands on the property so that critical habitat for any wildlife species is likely not to be affected.

### 3.0 **DEVELOPMENT PROPOSAL**

In the interest of fulfilling the policy for affordable housing and to meet the needs of the residents in Moon River, Mr. Gates has agreed to file a development scheme as set out below.

Mr. Gates wishes to retain the homestead and create four new lots for Moon River residents.



### 4.0 **AFFORDABLE HOUSING CHALLENGES**

There will be a number of "affordable" housing challenges as part of this development application. These include:

- Ensuring that the lots are available for the residents that are in need for the housing (how to ensure that the lands do not get "flipped" to serve parties not targeted as interest groups)

[Note: there is a list of potential Moon River purchasers of lots.]

Although found in the Pointe au Baril Station policy, 8.24 states:

**"The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need. Council may consider the reduction of municipal fees, such as development charges, parkland dedication and building permits, for affordable housing projects."**

- Maintaining costs at a reasonable level using some of the following techniques:
  - forego application fees wherever possible;
  - forego the typical list of studies with the understanding that the project proceeds on the basis of best practises
  - eliminate parkland fees
  - proceed by consent in contrast to a plan of subdivision

## **5.0 PLANNING DOCUMENTS**

### **5.1 Planning Act Criteria**

Under Section 2 of the Planning Act, there are a number of matters of provincial interest that must be regarded.

#### **(a) protection of natural heritage features**

The general nature of the land would signify that there are limited features that related to the subject lands.

- there are no Provincially Significant Wetlands (PSW)
- the lands consist of mostly uplands forests
- most of the development is located beyond 500 metres of the shore of Georgian bay
- the lands are identified as being within the Healey Lake deer yard but lot sizes are well in excess of heritage guidelines

#### **(f) services**

- the lands will be serviced by private wells and septic
- the lot sizes will be large enough to prevent any cross contamination of adjoining wells,
- access is proposed along Woods Bay Lane

The access arrangement will continue to be by private road and the proponents will be expecting a private road agreement to confirm the

nature of the road in terms of responsibility and to indemnify the municipality for any costs or liability.

- all utility/communication costs will be those of the proponent

**(k) employment opportunities**

- the proposal is to complement the needs of the community through the establishment of new facilities for local trades and employees of the service industry

**(j) affordable housing**

- the project is directly related to affordable housing for the Moon River community
- although the numbers are limited (four lots) – each dwelling has the ability to generate two units (secondary dwellings)

**(p) appropriate growth**

- this limited form of new development is believed to properly achieve appropriate growth

**5.2 Provincial Policy Statements (PPS)**

The PPS are issued under section 3 of the Planning Act. The current PPS were in effect as of April, 2014. A new PPS are being prepared by the province.

A number of policies relate to the proposed development.

**"1.1.4.1 Rural areas are important to the economic success of the Province and our quality of life. ... It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.**

**1.1.4.1 a) building upon rural character, and leveraging rural amenities and assets;**

**1.1.5.2 b) resource-based recreational uses (including recreational dwellings);**

**1.1.5.2 d) home occupations and home industries;**

**1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.**

**1.4.1 a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential**

**intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and**

**1.4.3 b) permitting and facilitating:**

**1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and**

**2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**

**2.1 Natural Heritage**

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

It is believed that the proposed development scheme on the subject lands is consistent with the above PPS policies.

**5.3 Planning Act Criteria (51(24))**

**1. (a) Matters of provincial interest**

(see above)

**2. (b) Public Interest**

The proponents have identified a demand to the extent that all of the lots are essentially spoken for.

**3. (c) Conformity to Adjacent Plans**

There are no adjacent plans.

**4. (d) Suitability of the Lands**

There are only minor constraints to the development of the subject lands.

**5. (d.1) Affordable Housing**

This is the core rationale for the application.

**6. (e) Access and Adequacy thereof**

Described above.

**7. (f) Lot Shapes**

All lots are large to preserve the quality of properties in terms of privacy, services and demand. (The residents of Moon River have an interest in preserving larger acreages and low densities in their living environments.)

8. (g) **Restrictions**

It is proposed that the lands will be subject to a 51(26) agreement to ensure that the owners are aware of the limitations that apply to said lots in terms of access, services, responsibilities, etc.

9. (h) **Conservation of Natural Resources**

There are not believed to be any natural resource issues.

10. (i) **Utilities/Municipal Services**

There are no municipal services apart from the transfer station.

Utilities (Hydro One) will be the responsibility of individual lot owners.

11. (j) **Schools**

If school aged children are generated, they will be bussed to local schools.

12. (k) **Public Land Dedication**

None expected.

Given the general approach/design of the land division, it is believed that the criteria of 51(24) of the Planning Act can be met.

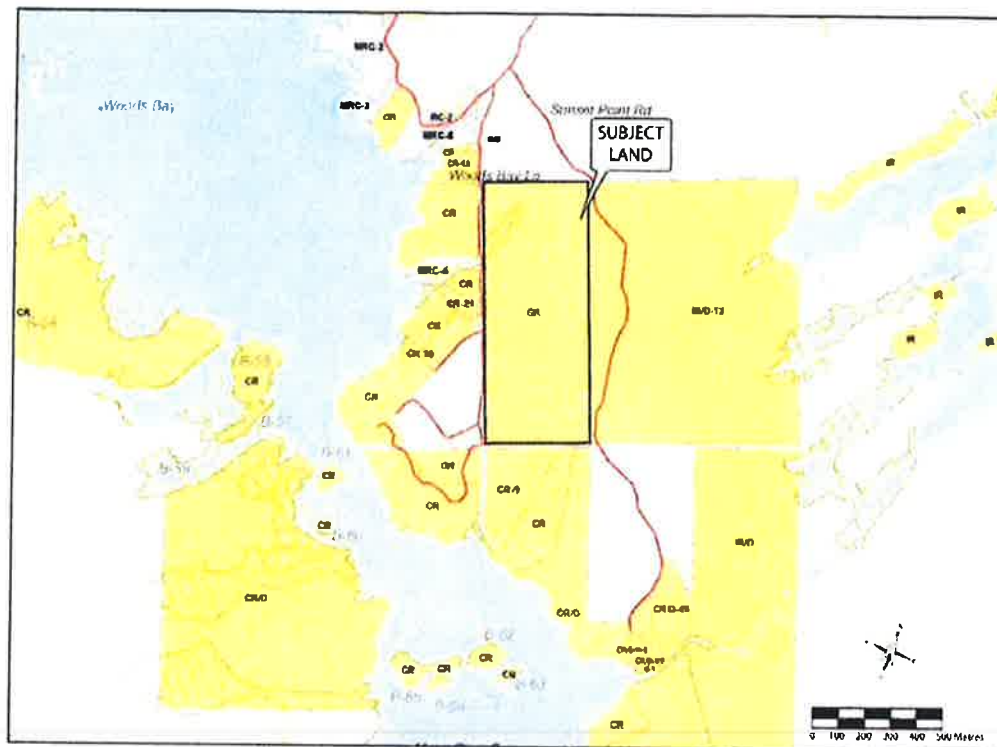
**5.4 Official Plan**

In order to achieve the affordable housing objectives of the official plan, the Council of the Township of The Archipelago must interpret its recent policy (cited above) to allow for the attached plan.

There are a number of neighbourhood and general development policies that could be interpreted to obstruct the subject proposal. However, in the opinion of the writer, a broad liberal policy interpretation must be made to achieve the intent of this area of the plan.

**5.5 Zoning By-law**

The subject lands are zoned as General Residential (GR).



These lands will need to be rezoned to reflect the proposed land division once approved.

## 5.6 Preconsultation

Representatives of the community have met with the Reeve and Ward 4 Councillors to discuss preliminary concerns related to the Moon River neighbourhood. There has also been many discussions with the Township planner.

As part of the application, Councillors had asked that the proponents attach a business plan and background on the community. This information is attached.

There was a suggestion that the group reach out to area residents and associations, this has since been done. There is a public notice process with any land division/rezoning application and it's hoped that this will allow for sufficient consultation.

Respectfully,

John Jackson, R.P.P., M.C.I.P.

JJ:pc

October 1, 2020 – Applicant: Richard Gates

## MOON RIVER AFFORDABLE HOUSING BUSINESS PLAN

April 29, 2019

Purchase price of property	.....	\$40,000.00
Septic system	.....	\$10,000.00
Hydro	.....	\$12,800.00
Drilled well	.....	\$14,000.00
3 bedroom bungalow	.....	\$205,200.00
Township fees to be waived (development charges, rezoning, building permit, studies, etc.	.....	<u>waived</u>
		\$282,000.00

**Note:** ~ According to the Provincial Policy Statement - Housing Table 2017, affordable housing for Parry Sound DSSAB is \$282,000.00.  
~ Prepared by the Moon River Community.



## Moon River Métis Community Information

The historic Moon River Métis Community appealed a small portion of the Township of the Archipelago (ToA) Official Plan during the last two provincially mandated five-year reviews/updates, for some of the following reasons:

- ✦ The Moon River area is a long-standing Métis settlement. After residing in the Moon River area for generations, many Métis people received land grants in the early 1900's, which is the reason for the amount of private property from Grupp's Marsh to Blackstone Narrows, up the Moon River past Healy Creek and up to Healy Lake. Decedents from the original Métis settlers continue to live the Métis Way of Life in Moon River to this day.
- ✦ The Township's Official Plan failed to properly recognize the Community of Moon River in the Official Plan. This is not acceptable given that the Township's own website, under "Communities", states "In the late 1800's and early 1900's the community of Moon River was established in this area."
- ✦ The community of Moon River/Woods Bay needs to be recognized for its importance as the economic hub of South Archipelago, especially considering it contains the only road access in and through our township to Georgian Bay, with marinas and other commercially zoned properties providing services to water based rate payers.
- ✦ In 2009, a 56-page document titled "Woods Bay Neighbourhood Study Findings Report" (WBNS) was published which was the result of our first appeal of the Township's Official Plan.
- ✦ In 2018, we once again appealed the Township's Official Plan – this time directly to the Province's Ministry of Municipal Affairs and Housing – since the township continued to ignore our communities' issues despite the WBNS, a 13-page submission from the Métis Nation of Ontario on our behalf to the ToA, our communities' 43-page submission to MMAH, all of which is available through the Archipelago Township, and a requirement in the Aboriginal section of the 2014 Provincial Policy Statement, which requires municipalities to consult with Indigenous Peoples on land use planning issues.
- ✦ A favourable decision was received from the Minister of MMAH on December 24<sup>th</sup>, 2018, which addressed our concerns and modified the Township of the Archipelago's Official Plan (see attached – item #'s 1, 2, 4, 11 and 15 of the decision that apply to the Moon River Métis Community).
- ✦ After the final decision had been made by the province regarding the OP, our communities' representatives met with Reeve Bert Liverance and our Ward 4 Councillors, David Ashley, Alice Barton and Rick Zanussi, on March 27, 2019. The following was discussed:
  - Affordable land for housing in the community of Moon River on back-lots.
  - Upgrading of the Municipal Transfer Station in Woods Bay with a proper boat launch ramp, proper floating dock, a proper staging area for all to use and easy access to the water for all rate payers to use for deliveries of building materials, appliances, etc., etc.
  - The lack of commercially zoned properties in the Moon River area in order to meet the local demand for services.
  - We also asked to be engaged in the upcoming Comprehensive Zoning By-Law Review.
- ✦ An application has been submitted to the Archipelago Area Planning Board by Mr. Rick Gates to subdivide their 100-acre parcel of land in Moon River, in order to provide two 5-acre lots, one 10-acre lot, one 20-acre lot and one 60-acre lot which Mr. Gates will retain for his personal use (already contains his house, shop, etc.). This 100-acre parcel of land was one of the above-mentioned original Métis land grants.

- ✱ The proposed lots are being created for affordable housing/land, which the new Provincially modified Official Plan now allows and which supports this type of back lot development.

The above information is being supplied in order to provide an understanding of the scope of issues facing, not only our Indigenous community but our community as a whole.

Please do not hesitate to contact us if there are any questions.

Regards,  
Moon River Métis Community

# DECISION

With respect to Official Plan Amendment No. 61  
To the Official Plan of the Township of The Archipelago  
Subsection 17(34) and 21 of the *Planning Act*

I hereby approve Amendment Number 61 to the Official Plan of the Township of The Archipelago adopted by By-law No. 18-06 of the Corporation of the Township of The Archipelago, subject to the following modifications:

1. **PAGE 9, SECTION 5 – CONCEPT OF THE PLAN**, by deleting subsection 12 and replacing it with the following sub-section:

**"12. Subsection 5.7 is amended as follows:**

a) replacing the words "The first" in the first sentence with the word "Early";

b) inserting the following sentence in front of the word "Early"

"The whole geographic area that is now the Township of The Archipelago was used by Indigenous peoples for hunting, fishing and gathering and other aspects of their traditional way of life."

c) inserting the following paragraph after the word "poor":

"In the late 1800s and early 1900s some Métis people from Penetanguishene Bay were granted Crown lands in Woods Bay – Moon River area. In many cases Métis people were given land in Moon River by the Government of Canada as payment for their services in the armed forces. The Métis people continued their way of life and were involved in fur trading, fishing, farming, guiding and eventually lumbering."

2. **PAGE 9, SECTION 5 – CONCEPT OF THE PLAN**, by renumbering subsection 16 as 16A and adding the following subsections:

**"16B. Subsection 5.15.2 is amended by inserting the words "and Métis" after the words "First Nations".**

**16C. Subsection 5.15.5 is amended by inserting the words "and Métis" after the words "First Nations".**

3. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by:

- a) re-numbering subsection 19 as 19A; and
- b) inserting the following subsection as 19B:

"19B. Subsection 6.6 is amended by replacing the words "some provision for isolated accessory apartments in Pointe au Baril Station" with the words "the exception of Pointe au Baril Station where semi-detached and rowhouse dwellings are also permitted"

4. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by

replacing the words "the regional market area" with the words "Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive.

In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.

The municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the official plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target."

5. **PAGE 10, SECTION 6 – LAND USE POLICY – RESIDENTIAL POLICIES**, by:

- a) renumbering subsection 18 as 18A
- b) inserting the following subsection:

**"18B. Subsection 6.2 is amended by adding the words "Rural Area and" in front of the words "Pointe au Baril Neighbourhood" in the second paragraph."**

c) deleting subsection 21 and replacing it with the following subsection:

**"21. A new subsection 6.8 is added to read as follows:**

**It is recognized that accessory apartments will also assist in the provision of affordable housing. An accessory apartment is permitted in the Pointe Au Baril Station Settlement Area and the Rural Area, within a single detached dwelling or in a structure ancillary to a dwelling if the dwelling contains a single residential unit, and in a semi-detached or rowhouse dwelling in Pointe au Baril Station, and provided such dwelling is located on a year-round maintained public road and subject to the provision of satisfactory water and sewage disposal services."**

**6. PAGE 10, SECTION 6 – LAND USE POLICY – COMMERCIAL POLICIES, by:**

- a) renumbering subsection 22 as 22B;
- b) replacing "6.7" with "6.9" in the first sentence;
- c) inserting the following subsection:

**"22A. Subsection 6.8 is amended by deleting the following text:**

**"Therefore there will be no increase in density, intensity or amount of commercial or private club use within any commercial or private club zone beyond the level set out in the Comprehensive Zoning By-law as of the date of Council's adoption of this Official Plan Amendment as measured by such factors as land area, number of units, size of structures and/or the number of persons that can be accommodated. This policy of limiting commercial expansion will not apply to the Pointe au Baril Station Neighbourhood."**

**Subsection 6.8 is further amended by adding the following sentence after the words "permitted at existing commercial or private club operations":**

**"Commercial expansions or enlargements, including increases in density, intensity, amount of commercial use, or expansions onto adjacent lands, are permitted subject to the policies of this plan including policies for environmentally sensitive areas where applicable."**

7. **PAGE 17, SECTION 68 CULTURAL HERITAGE**, is hereby modified by:
- a) adding the following sentence after the word "practical": **"Significant cultural heritage resources shall be conserved."**
  - b) adding the following sentence at the end of the paragraph: **"In the case of significant resources, conservation means the identification, protection, management and use of the resource in a manner that ensures its cultural heritage value or interest is retained under the Ontario Heritage Act."**
8. **PAGE 18, SECTION 69 CULTURAL HERITAGE**, is hereby modified by adding the following sentence before the words "A Municipal Heritage Committee": **"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."**
9. **PAGE 18, NATURAL HERITAGE FEATURES**, subsection 74 is hereby renumbered section 74A and the following subsection is hereby added as 74B:
- "74B. Subsection 7.51 is amended to read as follows:**
- The policies of this plan regarding the identification and conservation of cultural heritage resources also apply to the undertaking of municipal public works."**
10. **PAGE 19, SECTION 8 – GENERAL POLICIES**, subsection 80 is hereby renumbered section 80A and the following subsection is added as 80B:

"80B. Subsection 8.21 is amended by deleting the following words from the first paragraph: "until such time as existing Highway 69 is no longer a restricted access highway"."

11. **PAGE 20, SECTION 10 – NEIGHBOURHOOD GROWTH POLICIES**, subsection 84 is hereby renumbered section 84A and the following subsection is hereby added as 84B:

"84B. Subsection 10.36 is amended to read as follows:

In 2008 and 2009 the Township undertook Phase I (Findings Report) of a study of the Woods Bay Neighbourhood to inform council's consideration of policies to guide the area's future development. Prior to completing the next revision of the official plan as required under section 26 of the *Planning Act*, council will complete Phase II (Recommendations) of the Woods Bay Neighbourhood study. The work of Phase II will be undertaken in the context of a review of residential and commercial demand and land supply as described in section 19 of this plan. Among the matters to be addressed in Phase II are issues raised in section 7.9 of the Phase I report, with respect to housing for persons employed in Woods Bay and the ability of existing businesses to attract and retain employees.

12. **PAGE 22, SECTION 12 – NATURAL RESOURCES**, subsection 98 is hereby amended by deleting the words ", however this policy will not apply to any lands adjacent to and extending inland from a waterbody 150 metres".
13. **PAGE 25, SECTION 12 – NATURAL RESOURCES**, subsection 119 is hereby amended by:
- a) replacing the subsection title with the words "**Potentially Contaminated Sites and Sensitive Uses**"; and
  - b) adding the following sentence in front of the words "Contaminated sites shall be remediated" in the second paragraph: "**Before a change in zoning of**

contaminated lands, the proponent shall provide evidence of the filing of a Record of Site Condition with the Ministry of Environment, Conservation and Parks. Even where there is no suspected contamination, certain changes in land use (i.e. to a more sensitive use) require the filing of a Record of Site Condition, as stipulated in Ontario Regulation 153/04."

14. **PAGE 28, SECTION 14 – DEVELOPMENT PROCEDURES AND STANDARDS.** subsection 141 is hereby deleted in its entirety and replaced with the following:

141. Subsection 14.13 is amended to read as follows:

Before approving waterfront development on lakes identified as sensitive or near capacity, Council must be assured that the proposed development will not exceed the capacity of the lake to accommodate development. This shall be determined in accordance with the Ministry of Environment, Conservation and Park's *Lakeshore Capacity Assessment Handbook*. This applies to lot creation, change to a more intensive use, and development resulting in intensification.

15. **PAGE 34, SECTION 19 – OFFICIAL PLAN REVIEW.** subsection 178 is inserted as follows:

"178. A new section (Section 19) is added as follows:

#### **SECTION 19 – OFFICIAL PLAN REVIEW**

##### **General**

Council will revise the official plan within five years of the date the previous such revision came into effect.

##### **Land Supply**

Prior to revising the plan, council will undertake a study in order to determine whether sufficient land is available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years, including whether sufficient land is available in Pointe au Baril Station to



serve as the focus of growth and development for the Township of The Archipelago.

The study will also determine whether there is a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

#### Affordable Housing

Prior to revising the plan, council will monitor the implementation of the affordable housing policies of this plan in order to determine whether the Township has met its goal that ten per cent (10%) of new permanent residential dwelling units be affordable to low and moderate income households as defined in section 6.7 of this plan.

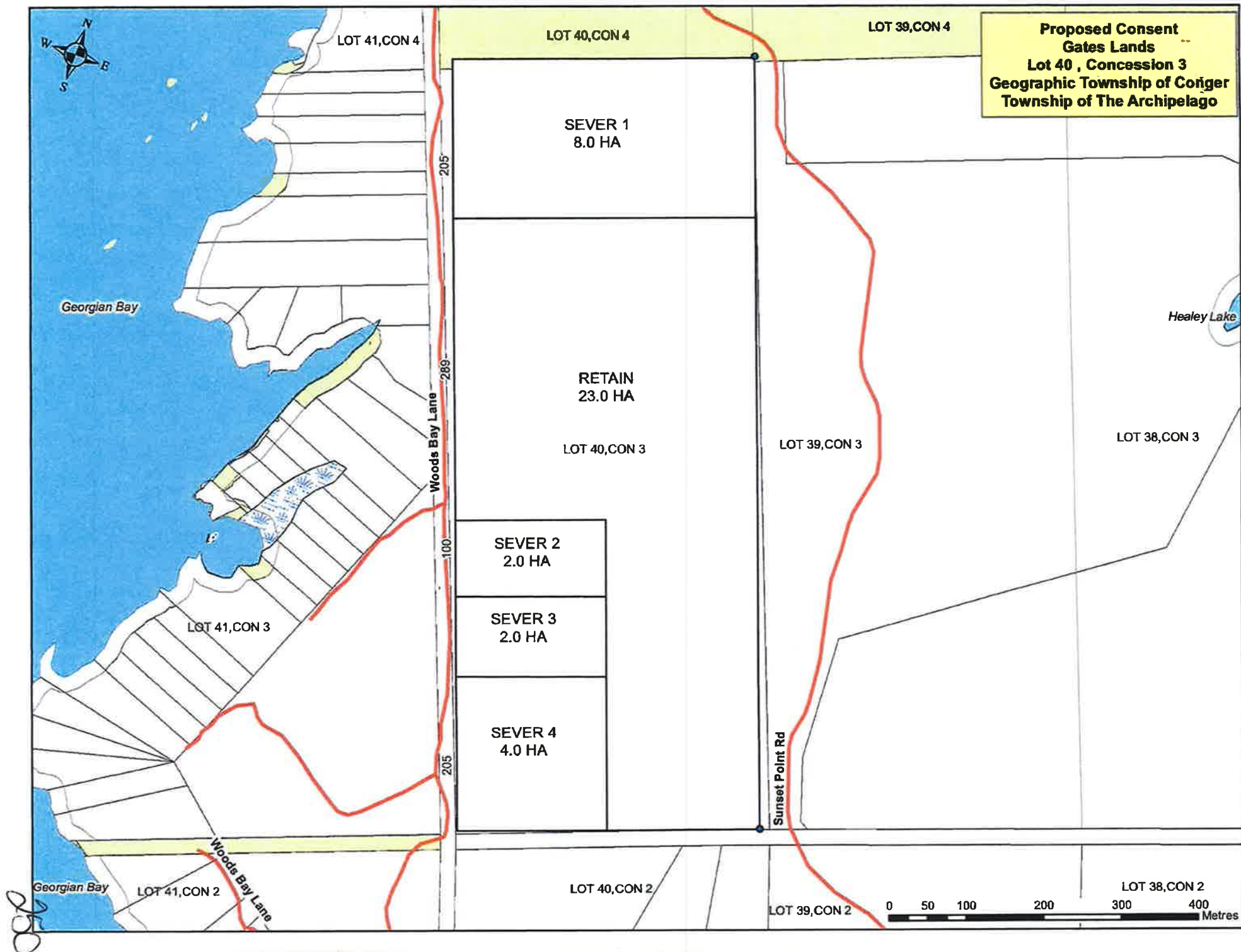
#### Climate Change

Council will incorporate into the official plan goals, objectives and actions to mitigate greenhouse gas emissions and to provide for adaptation to a changing climate, including through increasing resiliency.

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Dated at Toronto this 21 of December, 2018

  
\_\_\_\_\_  
Marcia Wallace  
Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs and Housing







# Site Evaluation Report

11 Woods Bay Lane; Concession 3, Lot 40  
Township of the Archipelago  
District of Parry Sound

October 2020

**FRICORP**  
ECOLOGICAL SERVICES

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## 1.0 Introduction

FRi Ecological Services was retained to conduct a Site Evaluation Report (SER) for of a proposed 4-lot severance application for a property located in the Woods Bay - Moon River region of the Township of the Archipelago known by civic address 11 Woods Bay Lane. The subject property is bordered by Woods Bay Lane, a private road, to the west and Sunset Point Rd meanders to the east. This SER includes reporting that specifically addresses the lots (1-4) that are proposed to be severed.

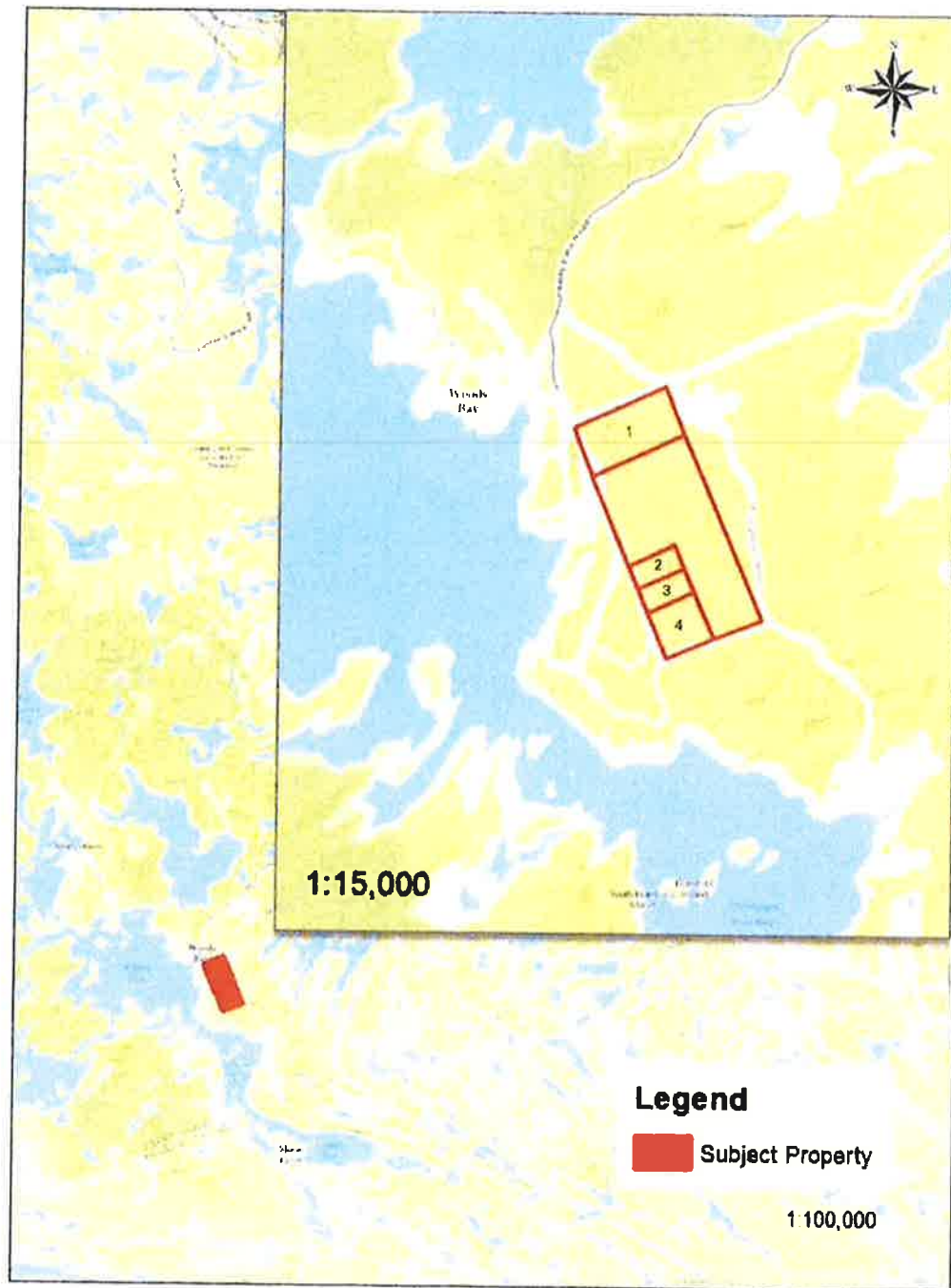


Figure 1: Property location and proposed severed lots (inset)

A desktop review of the available information related to natural heritage values on or within 120 metres of the proposed development was conducted prior to field investigations. The following sources of information were consulted:

- Township of the Archipelago Official Plan and staff (2019, 2020)
- Ontario Natural Heritage Information Centre and Make-a-Map Tool (2020)
- Ontario Breeding Bird Atlas & eBird.org (Accessed 2020)
- District Species at Risk Tool (2019), Ministry of Natural Resources and Forestry
- Significant Wildlife Habitat Ecoregion 5E Criterion Schedule (January 2015)
- Lands Information Ontario Geodatabases (Accessed 2020)

Five natural heritage categories were considered in an assessment of potential impacts to determine if the proposed severed lot is suitable for development and consistent with the Provincial Policy Statement (2020)<sup>1</sup> and in accordance with the Terms of Reference outlined in the Township's Official Plan (section 13.15). A summary is included below for each of the following categories:

- Habitat of Endangered and Threatened Species
- Significant Wetlands
- Significant Wildlife Habitat
- Significant Areas of Natural and Scientific Interest; and
- Fish Habitat

### 1.1 Location and Surrounding Land Use

The subject property is located within the Moon River neighborhood of the Township of the Archipelago within the District of Parry Sound. The property has been zoned as RU – residential units and the surrounding existing land uses are both commercial and residential including cabin rentals, a marina, and private seasonal dwellings. Woods Bay is a well protected harbour and the only road access point to Georgian Bay in the southern part of The Archipelago.

## 2.0 Existing Conditions

### 2.1 Environment & Ecological Land Classification

A residential dwelling and accessory structures are present on the proposed retained lands and the remainder of the subject lands remains in a natural state. Nine natural ecosites were identified on the property including treed, wetland, and shrub communities in addition to the existing development (Figure 2). Ecosite descriptions can be found in Appendix 1.

<sup>1</sup> Ministry of Municipal Affairs and Housing. 2020. Provincial Policy Statement, Third Edition. Toronto. Queen's Printer for Ontario.

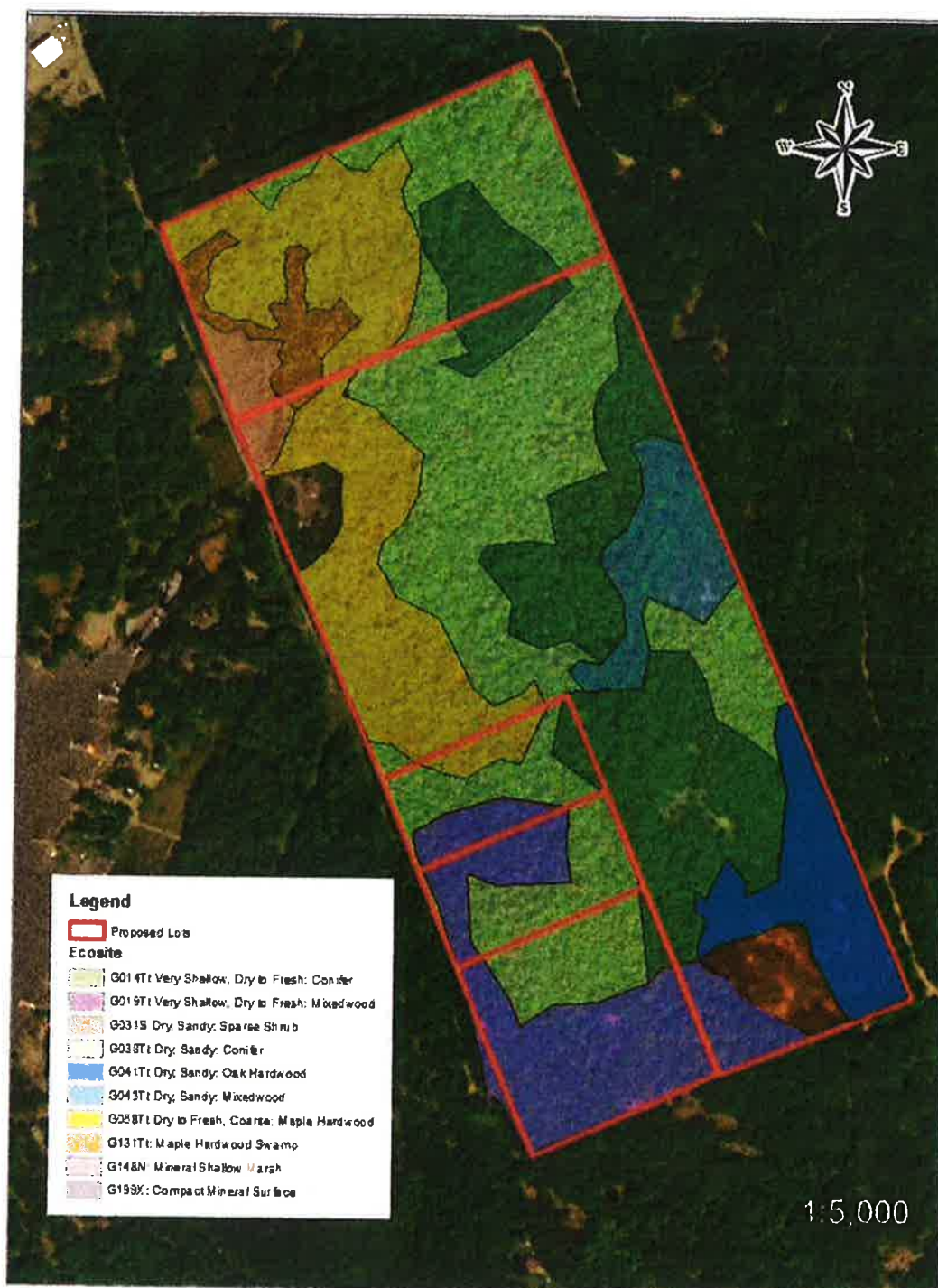










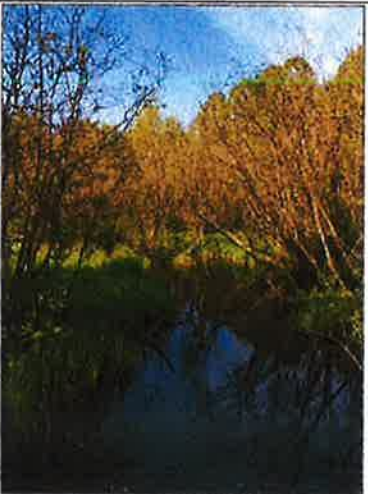
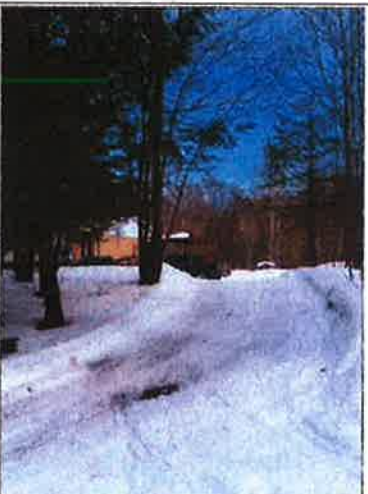


Figure 2: Ecosites mapped on property



		
G014Tt / G038Tt	G019Tt	G031S
		
		
G041Tt	G043Tt	G058Tt
		
G131Tt	G148N	G199X

Photos 1 to 9: Representative photos of ecosites mapped on the subject property



## 2.2 Wetlands, Watercourses and Drainage Patterns

### Wetlands

Background information including Land Information Ontario and Township mapping was consulted and no wetlands or Provincially Significant Wetlands (PSWs) were identified on the subject property. Field investigations on site confirmed the presence of a mineral shallow marsh wetland that transitions into a maple hardwood swamp ecosite. Boundaries for these ecosites were mapped and the boundaries are defined in Figure 2.

### Watercourses

An unnamed watercourse flows from the northeast corner of the property in a southwesterly direction under Woods Bay Lane through a twinned culvert and outlets into Woods Bay approximately 250m downstream from the private road. The watercourse flows through the hardwood swamp and flattens out as it reached the alder thicket just east of Woods Bay Lane. The channel of the watercourse follows bedrock ridges and low-lying areas through the maple hardwood and shallow conifer ecosites and averages approximately 1m in wetted width and 0.5m deep with soft substrates, slow moving waters, high dissolved organic content, and low turbidity (Photos 10 and 11; Figure 4).



*Photos 10 and 11: Watercourse flowing southwest towards Woods Bay*

## 2.3 Aquatic and Terrestrial Habitat

### Fish Habitat

Fish habitat is located both in the watercourse noted in section 2.2 and in the ponds located in the shrub ecosite. A minimum 30m buffer and development setback is recommended from the watercourse feature as well as the entire G031S ecosite. No additional mitigation is recommended.

## Wildlife Habitat

### *Endangered and Threatened Species at Risk & Assessment*

The Endangered Species Act (2007) (ESA) affords protection to species at risk (SAR) and their habitats and provides for recovery of the same. It seeks to balance the protection of species with social and economic considerations. Species are assessed according to their risk of extinction and are designated as either endangered, threatened or special concern on the Species at Risk in Ontario list (Ont. Reg. 230/08). Species listed as Special Concern do not receive specific protection under the ESA, rather they are included under considerations for Significant Wildlife Habitat.

An initial list of species for consideration was generated from the above-mentioned sources and was subsequently scoped following field investigations to include those species with suitable or potential habitat contained in or near the proposed development, specifically: Species at Risk Bats (Endangered), Blanding's Turtle (Threatened), Eastern Foxsnake (Threatened), Eastern Hog-nosed Snake (Threatened), Eastern Whip-poor-will (Threatened), Massasauga rattlesnake (Threatened), and Spotted Turtle (Endangered).

### **SAR Bats (*Myotis leibii*, *Myotis lucifugus*, *Myotis septentrionalis*, *Perimyotis subflavus*)**

Eastern Small-footed Myotis (*Myotis leibii*), Little Brown Myotis (*Myotis lucifugus*), Northern Myotis (*Myotis septentrionalis*), and the Tricolored Bat (*Perimyotis subflavus*) have been recently listed as endangered species at risk in Ontario. They are experiencing significant population declines because of a disease called White Nose Syndrome. During the active season, bats feed on insects at night and roost during the day. They roost either individually (males) or in groups (females with pups), usually in warm, elevated spaces. Bats often choose human-created roosts such as attics and abandoned buildings as they offer optimum habitat for summer roosts, usually close to water and open areas for foraging. Natural roosts include large hollow trees and spaces behind loose bark. All four SAR bat species show distinct seasonal behavioural shifts, hibernating reliably in caves and abandoned mines each year from October through April where temperatures remain above freezing and humidity levels are high.<sup>2 3</sup>

### **Little Brown Myotis (*Myotis lucifugus*)**

Little brown myotis often use caves, quarries, tunnels, hollow trees or buildings for roosting. Maternity colonies of Little Brown Myotis are most frequently found in warm dark areas, like barns, attics, and old buildings and overwinters in caves and mine adits (horizontal mine shafts) in Ontario. These bats mainly forage over open areas including wetlands and near forest edges where insect densities are greatest.<sup>4</sup>

### **Northern Myotis (*Myotis septentrionalis*)**

According to Table G4 in Appendix G4 of the Significant Wildlife Habitat Technical Guide, Northern myotis roost in hollow trees or under loose bark. Males roost individually while

<sup>2</sup> Dobbyn, S. 1994. Atlas of the Mammals of Ontario. Federation of Ontario Naturalists. 120 pp.

<sup>3</sup> Ontario Ministry of Natural Resources. 2000. Significant Wildlife Habitat Technical Guide. Toronto: Queen's Printer for Ontario. 151pp.

<sup>4</sup> Forbes, G. 2012. COSEWIC. Technical Summary and Supporting Information for an Emergency Assessment of the Little Brown Myotis, *Myotis lucifugus*. 25pp.

females are found in maternity colonies of up to 60 adults. They overwinter in mines and caves similar to other species which hibernate in Ontario. Unlike little brown myotis, Northern myotis hunt primarily in forested areas, below the canopy.

#### **Tri-colored Bat (*Perimyotis subflavus*)**

During the active season, Tri-colored Bats can be found throughout older forested habitats. The species is known to form day roosts and maternity colonies in forests but may also be found roosting in barns or other anthropogenic structures. They forage for flying insects over water and along streams in the forest. Nearing the end of the summer, Tri-colored Bats will travel to their overwintering site, often situated underground or near a cave, where they swarm. This species typically overwinters in caves where they roost by themselves rather than as part of a group.

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Development within each proposed lot will be restricted to a predetermined building envelope and to avoid impacts to roosting bats, it is recommended that any site clearing necessary for construction take place outside of the bat active season which conservatively runs from April 1 until September 30 of any given year.

The Ministry of Northern Development and Mines' (MNDM) (now ENDM) mapping of abandoned mines was queried; there are no appropriate adits or other similar known features near the property.

#### **Blanding's Turtle (*Emydoidea blandingii*)**

The Blanding's turtle is a mostly aquatic turtle found in a variety of habitats, including lakes, ponds, marshes, ditches, creeks, rivers, and bogs. Within these habitats, the species generally prefers shallow water, organic substrates and dense submergent and/or emergent vegetation. Basking sites are a critical component of suitable habitat. These are characteristically floating vegetation mats, hummocks, partially submerged logs, rocks, bog mats, or suitable shoreline areas with access to full sunlight. Blanding's turtles hibernate from October through April, usually in permanent bodies of water, often the same wetlands they utilize during the active season. Recent studies confirm seasonally isolated wet areas, ditches for example, are used for hibernacula in some years.

Blanding's turtles will travel up to 6km or more to nesting sites that are usually within 250 m from the shore of some waterbody. Nesting activities generally occur at the end of June through the beginning of July. Nest sites are chosen in areas that offer suitable substrate for digging (e.g. loose soil), well-drained, open locations which increases the incubation temperatures because of sunlight exposure. This in turn increases nest success.

Upland areas adjacent wetlands can be used for nesting, basking and travel between summer activity areas. Turtles regularly move up to 1 km between wetlands and will choose a 'wetted' corridor, rather than a direct route.<sup>5 6 7 8 9</sup>

### Assessment

Initial field investigations determined suitable aquatic habitat for Blanding's turtles was present in the ponds within the G031S ecosite on the property. The mineral marsh ecosite and associated watercourse have the potential to provide aquatic habitat for all semi-aquatic turtles including Blanding's turtles. Painted turtles were observed basking in the ponds within the G031S ecosite in early April, indicating suitable overwintering and basking habitat is present for aquatic turtle species. The exposed and south-facing sandy soils surrounding the ponds may offer turtles suitable nesting habitat and therefore, to avoid negative impacts to the species, development is recommended to occur outside of the G148N, G131Tt, and G031S ecosites. A 30m naturally vegetated buffer is also recommended to be retained around each ecosite as well as the watercourse.

### Eastern Foxsnake (*Pantherophis gloydi*)

Eastern foxsnakes are a large oviparous snake that prefers rock barrens and meadow marshes along the Georgian Bay coast. Most individuals are found within 150 metres of the shore and are known to use the water to move between terrestrial habitats.

Habitats for thermoregulation and shelter include rocky sites, brush piles, root systems, and the base of common junipers. Oviposition sites are typically in rock crevices and composting vegetation piles. Foxsnakes are active from mid-April through early October; mating occurs in late May to early June; eggs are laid in late June through early July. Hatching follows in late August through early October, likely closer to October for the majority of the Georgian Bay population. They hibernate, often communally from October through April in fissures in the bedrock. Habitat alteration, fragmentation and loss of connectivity between key features i.e. hibernacula and foraging area are considered causative of population declines. Human persecution and road mortality are also significant threats to foxsnakes.<sup>10 11 12 13 14</sup>

<sup>5</sup> COSEWIC 2005. COSEWIC assessment and update status report on the Blanding's Turtle *Emydoidea blandingii* in Canada.

Committee on the Status of Endangered Wildlife in Canada. Ottawa. viii + 40 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm))

<sup>6</sup> Edge, C. B. 2008. Multiple Scale Habitat Selection by Blanding's Turtles (*Emydoidea blandingii*). Master's Thesis. School of Graduate Studies, Laurentian University.

<sup>7</sup> Ontario Ministry of Natural Resources. 2012. Survey Protocol: Blanding's Turtle (*Emydoidea blandingii*). Policy Division, Species at Risk Branch. 15pp.

<sup>8</sup> Seburn, D. C. 2007. Recovery Strategy for Species at Risk Turtles in Ontario. Ontario Multi-Species Turtles at Risk Recovery Team. 83pp.

<sup>9</sup> Ontario Ministry of Natural Resources. 2013. General Habitat Description for the Blanding's turtle (*Emydoidea blandingii*).

<sup>10</sup> [http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/MNR\\_SAR\\_ESTRN\\_FOXSNK\\_EN.html](http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/MNR_SAR_ESTRN_FOXSNK_EN.html)

<sup>11</sup> Government of Canada. 2013. Species Profile, Eastern Foxsnake, Great Lakes/St. Lawrence population. [http://www.sararegistry.gc.ca/species/speciesDetails\\_e.cfm?sid=1022](http://www.sararegistry.gc.ca/species/speciesDetails_e.cfm?sid=1022)

<sup>12</sup> COSEWIC. 2008. COSEWIC assessment and update status report on the Eastern Foxsnake *Elaphe gloydi*, Carolinian population and Great Lakes/St. Lawrence population, in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. vii + 45 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).

<sup>13</sup> OMNR. 2012. Habitat Protection Summary for Eastern Foxsnake (Georgian Bay Population).

[http://www.mnr.gov.on.ca/sidoregconsume/groups/lr/@mnr/@species/documents/regulation/stdprod\\_096829.pdf](http://www.mnr.gov.on.ca/sidoregconsume/groups/lr/@mnr/@species/documents/regulation/stdprod_096829.pdf)

<sup>14</sup> Eastern Foxsnake Recovery Team. 2010. Recovery strategy for the Eastern Foxsnake (*Pantherophis gloydi*) – Carolinian and Georgian Bay populations in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources, Peterborough, Ontario. vi + 39 pp.

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### Assessment

Eastern foxsnakes are known to occur within this region of Georgian Bay and due to their large home ranges and preference for a variety of habitats, it is impossible to completely rule out their presence. Mitigation measures and recommendations for SAR snakes such as massasaugas will also benefit and apply to this species. Development shall be located outside any potential thermoregulation sites, wetlands, and watercourses.

### Eastern Hog-nosed Snake (*Heterodon platirhinos*)

Eastern hog-nosed snakes are highly mobile and have large home ranges. This makes it especially challenging to define a habitat as important. Features which are required by hog-nosed are widespread and in relatively abundant supply at the northern edge of the species' range.<sup>15 16 17</sup>

Ontario has adopted the federal recovery strategy for hog-nosed snakes and included an addendum which outlines the recommended areas to be considered for a habitat regulation. Oviposition and hibernation sites are the areas described as critical habitat; essential for the long-term persistence of the species. Habitat used for foraging, thermoregulating, mating and dispersal is also important. Contiguous natural habitat is generally described as open areas (meadow, sand, beach and beach dunes, open forest, brushland, rock barrens), wetlands, forest and forest edge in the species range.<sup>18</sup>

As outlined in the Recovery Strategy for the Eastern Hog-nosed Snake in Canada states the five physical features that are used to describe preferred habitat. They include well-drained loose or sandy soil, open vegetative cover such as open woods, brush land or forest edge, proximity to water and climatic conditions typical of the eastern deciduous forest biome. Females lay eggs beginning in late June in sandy soils, sometimes under rocks and driftwood and tend to use the same general area for nesting in subsequent years. Hibernation sites are also found in sandy soils; and unlike other snakes, the Eastern hog-nosed usually hibernates alone. Hibernation takes place from October through April. The sites have been documented in upland intolerant forests below the frost line.

### Assessment

Eastern hog-nosed snakes are also known to have large home ranges and preference for a variety of habitats so it is impossible to completely rule out their presence. Mitigation measures and recommendations for SAR snakes such as massasaugas will also benefit and apply to this species and have been included in Table 3.

### Eastern Whip-poor-will (*Caprimulgus vociferous*)

Eastern Whip-poor-wills are found in a variety of open habitats and avoid areas where the forest canopy is extensive and closed. Breeding habitat is considered suitable when it contains features related to the following life processes: territory establishment, nesting,

<sup>15</sup> Kraus, T. 2011. Recovery Strategy for the Eastern Hog-nosed Snake (*Heterodon platirhinos*) in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources, Peterborough, Ontario. i + 6 pp + Appendix vi + 24 pp. Adoption of the Recovery Strategy for the Eastern Hog-nosed Snake (*Heterodon platirhinos*) in Canada (Seburn, 2009).

<sup>16</sup> COSEWIC. 2007. COSEWIC assessment and update status report on the Eastern Hog-nosed Snake *Heterodon platirhinos* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. viii + 36 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm))

<sup>17</sup> [http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/MNR\\_SAR\\_ESTBN\\_HG\\_NSD\\_SNK\\_EN.html](http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/MNR_SAR_ESTBN_HG_NSD_SNK_EN.html)



foraging and roosting. Whip-poor-wills typically select rock or sand barrens with scattered trees, savannahs, old burns, and open conifer plantations. These and other sites in a state of early to mid-forest succession are preferred for breeding.

Whip-poor-wills have been documented in a variety of semi-open habitats, usually near wetlands. Their eggs are laid directly on the ground in an area that provides sparse ground cover and offers shade and tree cover as well. Nest sites are usually close to open areas which are necessary for foraging. They are crepuscular insectivores, feeding predominantly on Lepidopterans (moths). Breeding is typically mid-May through mid-July.<sup>19 20 21 22</sup>

#### Assessment

Considering the relatively closed canopy of the subject lands with the exception of the G031S ecosite, the site provides very little suitable foraging habitat. Regardless, a survey for whip-poor-will was conducted under ideal conditions in the shrub ecosite, the most open area on the property, on June 4, 2020. No whip-poor-will were heard calling on or near the subject lands. Surveys conducted by FRI staff on the same evening off-site heard the species calling in great numbers under nearly identical survey conditions. It is unlikely that whip-poor-will are present on or near the property and no impacts are anticipated.



Photo 12: Representative photo of ideal nightjar survey conditions

<sup>19</sup> Desy, G. 2010. Habitat Description, Whip-poor-will (*Caprimulgus vociferus*): Threatened. Ontario Ministry of Natural Resources. 16 pp. DRAFT.

<sup>20</sup> Ontario Ministry of Natural Resources. 2013. General Habitat Description for the Eastern Whip-poor-will (*Caprimulgus vociferus*)

<sup>21</sup> COSEWIC. 2009. COSEWIC assessment and status report on the Whip-poor-will *Caprimulgus vociferus* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. vi + 28 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).

<sup>22</sup> Cink, Calvin L. 2002. Eastern Whip-poor-will (*Antrostonius vociferus*). The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/520>



Figure 3: Locations of nightjar survey stations on subject property



### **Massasauga Rattlesnake (*Sistrurus catenatus*)**

The Massasauga uses a variety of habitats along the eastern shore of Georgian Bay. The two critical habitats include hibernation and gestation habitats. Foraging and mating habitats are also important components of their required landscape. Hibernation habitats are most often moist conifer ecosites with some depth of organics to provide adequate insulation and moisture retention during the winter. Typical gestation habitat includes fairly open rock barren communities that contain suitable table rock along with some vegetation cover adjacent. Mating and foraging habitat often includes open meadow or fen habitats that have an abundance of small rodents. When these habitats are found in close proximity over the landscape, they create excellent conditions for this species.

#### ***Assessment***

Massasauga occurrences have been documented less than 1km from the subject property however, the presence of any potentially suitable habitat such as open areas with southern exposure, outcrops, and wetlands found on the proposed severed lands including an additional 30m buffer are recommended to be excluded from the development envelopes.

### **Spotted Turtle (*Clemmys guttata*)**

The Spotted Turtle uses a range of habitat types. In the spring months they tend to congregate in small well-vegetated ponds to bask and mate. Nesting occurs in June in crevices in rock outcrops and forest litter. The bulk of the summer in July and August may be spent in aestivation buried in rock outcrop habitats or forests. The remainder of the summer they continue to bask and feed and as September approaches they seek out sphagnum swamps for hibernation.

#### ***Assessment***

Similar to Blanding's turtles, potential habitat for this species may be present in the G031S and G148N ecosites. Mitigation measures and recommendations for semi-aquatic turtles such as Blanding's turtles will also benefit and apply to spotted turtles.

### ***Significant Wildlife Habitat***

The site was investigated for significant wildlife habitat including seasonal concentration areas, rare vegetation communities and specialized habitats for wildlife, habitat for species of conservation concern, and animal movement corridors. The Significant Wildlife Habitat Criteria Schedules for Ecoregion 5E was used to identify potential significant wildlife habitat.<sup>23</sup>

#### **i. Deer Wintering**

The property is located within the Healey Lake Deer Yard and specifically supports Stratum I deer wintering habitat in the G014Tt and G038Tt conifer ecosites.

Field investigations that took place during March 2020 confirmed the presence of deer and ample evidence for deer utilizing the site (Photo 13). Areas of browsed shrubs (Photo 14) and evidence for cervid movement (tracks and scat) were documented crossing through the property specifically in areas with dense conifer canopy cover >60%. All mapped Stratum

<sup>23</sup> Ontario Ministry of Natural Resources and Forestry, January 2010, Significant Wildlife Habitat Criteria Schedules for Ecoregion 5E, 45pp.



1 deer habitat is recommended to be retained in its current state and all development should be located outside of this mapped area (Figure 4).



*Photo 13: Evidence of deer use on subject property*



*Photo 14: Representative photo of browse by deer on the subject lands*

ii. Turtle Wintering Areas

The ponds within ecosite G031S are confirmed to provide hibernation habitat for several midland painted turtles. Early spring field investigations verified the presence of numerous turtles using the wetland through basking observations. The approximate date of emergence aligned with emergences of other known turtle hibernacula. These observations coupled with the suitable substrates and water depths are indicative of winter use of habitat since turtles are almost always in their hibernacula by late August through early May. The proposed minimum 30-meter setback on entire ecosite will serve to maintain the overwintering habitat for turtles (Figure 4).

iii. Habitat for Species of Conservation Concern

Special concern reptile species with potential to be present on the subject lands include: Common Five-lined Skink, Eastern Musk Turtle, Eastern Ribbonsnake, and Snapping Turtle. The ponds found within the G031S ecosite were confirmed to provide suitable overwintering habitat for painted turtles. Avoidance measures outlined for endangered and threatened reptiles will serve to benefit all reptiles of special concern with potential to be found on site. Several special concern bird species known to exist in the Township also have potential to be found on the site; including Canada Warbler, Common Nighthawk, Eastern Wood-Pewee, Olive-sided Flycatcher, and Wood Thrush. To err on the side of caution, any vegetation clearing that occurs is recommended take place outside of the breeding bird window to comply with the Migratory Birds Convention Act and protect any nesting species at risk birds. Clearing restrictions for endangered bat species (no clearing from April 1 to September 30 of any given year) will capture the breeding bird timing window which typically spans from April 10 – August 31.

### 3.0 Significant Wetlands

There are no evaluated Provincially Significant Wetlands on or within 120m of the property.

### 4.0 Significant Areas of Natural and Scientific Interest (ANSI)

There are no known significant areas of natural and scientific interest on or within 120m of the property.

### 5.0 Impact Assessment & Recommended Mitigation Measures

To avoid impacts to the natural heritage features with potential to be found on the property (identified in the sections 2.0 to 4.0 of this report, inclusive), it is recommended that development be directed outside of the identified areas and that potential habitat be retained and no alteration permitted. Table 3 summarizes the features and recommended mitigation measures to avoid negative impacts.

Table 3: Summary of Impacts to Potential Natural Heritage Features & Mitigation

Natural Sciences Feature Category		Species/ Habitat/ Feature Potentially Present	Recommended Mitigation
Endangered and Threatened SAR		Blanding's Turtle (THR) & Habitat	<ul style="list-style-type: none"> <li>Any potentially suitable habitat on the property plus a 30m naturally-vegetated buffer will be excluded from development</li> </ul>
		Eastern Hog-nosed Snake (THR) & Habitat	
		Massasauga Rattlesnake (THR) & Habitat	
		Spotted Turtle (END) & Habitat	
Significant Wildlife Habitat	Seasonal Concentration Areas	Turtle Wintering	<ul style="list-style-type: none"> <li>Retain all ponds and 30m surrounding entire ecosites (G031S and G142N)</li> </ul>
		Deer Yarding Areas (Stratum I)	<ul style="list-style-type: none"> <li>Locate development footprint outside of areas with conifer canopy cover &gt;60% and avoid clearing conifer cover as much as possible; utilize existing cleared areas wherever possible</li> <li>All mapped Stratum I habitat will be excluded from development and retained in its present state</li> </ul>
	Habitats of Species of Conservation Concern	Common Five-lined Skink, Eastern Musk Turtle, Eastern Ribbonsnake, Snapping Turtle	<ul style="list-style-type: none"> <li>delineate and isolate work areas and inspect for individual SAR reptiles</li> <li>individuals found shall be moved properly out of harm's way</li> <li>isolate any imported aggregate stockpiles to prohibit use by turtles and snakes</li> <li>Ponds with confirmed turtle habitat on the property plus a 30m naturally vegetated setback is recommended to be excluded from development</li> </ul>
Significant Wildlife Habitat		Canada Warbler, Common Nighthawk, Eastern Wood-pewee, Olive-sided Flycatcher, and Wood Thrush	<ul style="list-style-type: none"> <li>Vegetation clearing to occur between October 1 and March 31 of any given year</li> </ul>



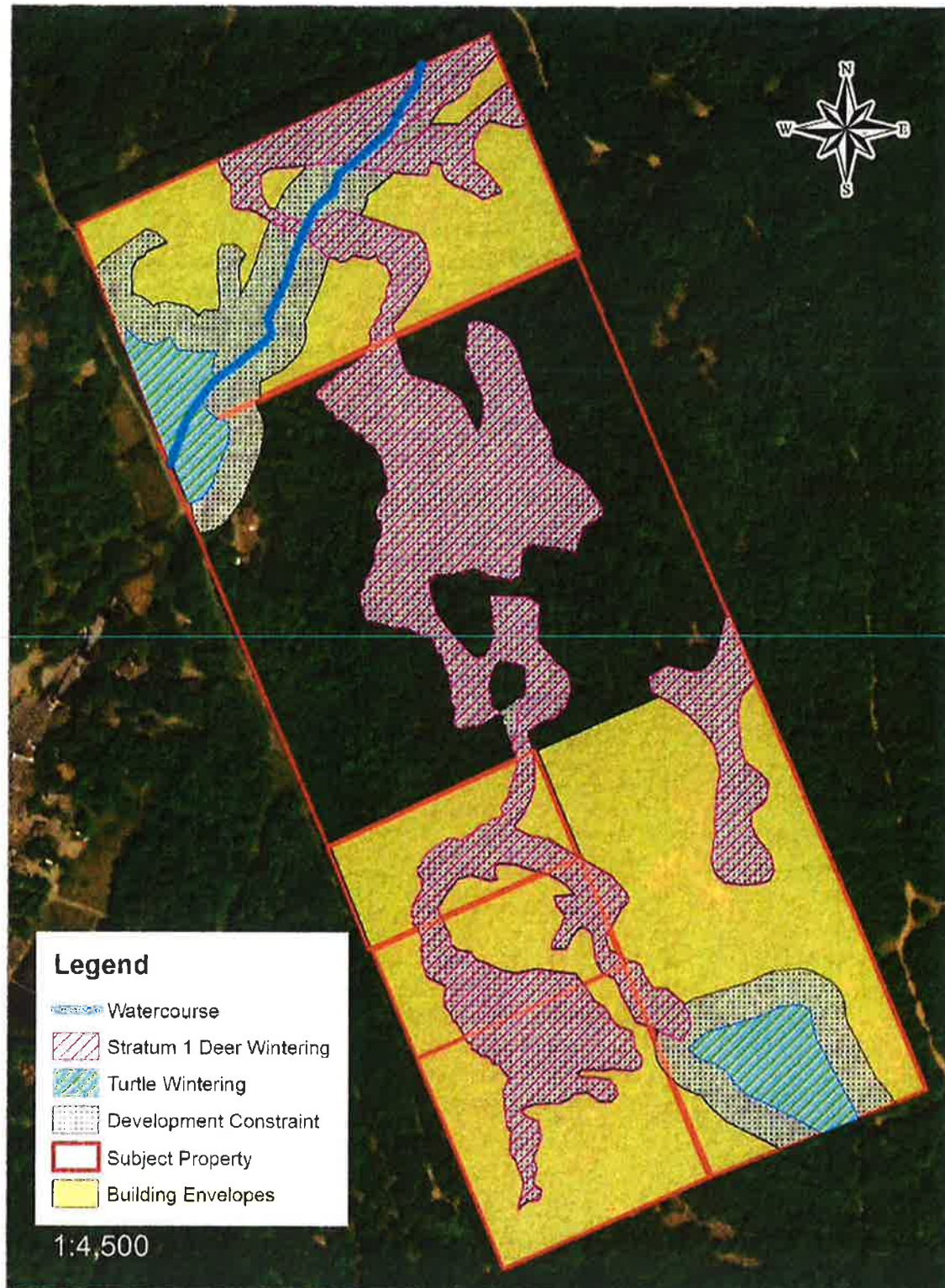


Figure 4: Natural features with recommended setbacks and building envelopes

## 6.0 Conclusion

The purpose of this site evaluation report of the proposed consent is to assess the suitability of the proposed development from a natural heritage perspective. This assessment is based on habitat delineation, site investigations, and background information.

Based on our evaluation, the following mitigation measures are recommended to avoid all impacts to the identified features present or potentially present on the site:

1. Development should be located outside of all constraint areas
2. Site clearing and vegetation removal may be permitted on a small scale during the active season provided the site is 'swept' and confirmed clear of breeding birds and other wildlife by a qualified individual
  - a. Note that if a 'sweep' identifies the presence of breeding/active wildlife, that may result in adhering to the suggested timing
  - b. Once site clearing and vegetation removal are completed, construction activities can proceed any time of the year

Where mitigation measures are applied as directed, the proposed severance will be consistent with section 2.1 of the Provincial Policy Statement (2020) and the Township of the Archipelago Official Plan as it relates to natural heritage features and areas.

Respectfully submitted,



Hannah Wolfram  
Biologist

# Appendix 1

ecosite descriptions



## Very Shallow, Dry to Fresh: Conifer

G014TUT1

DEC 2011

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Conifer canopy consisting of a mixture of balsam fir, white spruce and/or other conifer species. May be mixed with white birch, trembling aspen, and red maple. Stand composition is highly variable. Understory tree species consisting of moderate levels of balsam fir, red maple, white birch, and eastern white cedar. Shrub and herb poor. Ground surface mostly conifer litter, feathermoss, lichen, and exposed bedrock. Substrate texture variable. Mostly very shallow ( $\leq 15$  cm) and dry to fresh ( $MR \leq 3$ ) or xeric.

### Substrate Description

Substrate Series	VS1 VS2 O1 O2 R3 R4 R5 R6 R7 R8													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
Moisture Regime	0	1	2	3	4	5	6	7	8	9	x	h	s	
Moisture	d	f			m		v	w		x	h	s		
Depth	R		VS		S		M		MD		D			
Chemistry	k				n				z					

### Vegetation Description

Tall treed ( $> 10$  m) and low treed ( $\leq 10$  m) ecosites common. Canopy closure highly variable, generally open where substrate depth is limited. Low treed condition often indicative of younger trees or very limited substrate depth. Ecosite composed of a combination of conifer species where the combined total relative cover is  $> 50\%$  in the main canopy. Common understory vegetation includes mountain maple, low sweet blueberry, beaked hazel, wild lily-of-the-valley, bluebead-lily, spinulose wood fern, Schreber's moss, false pixie cup, and powder horn lichen. Often contains Central v-types V24, V37; NE v-types V21.

Trees	<i>Abies balsamea</i> , <i>Picea glauca</i> , <i>Thuja occidentalis</i> , <i>Picea mariana</i> , <i>Betula papyrifera</i> , <i>Populus tremuloides</i> , <i>Acer rubrum</i> , <i>Sorbus decora</i>
Shrubs	<i>Acer spicatum</i> , <i>Vaccinium angustifolium</i> , <i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Lonicera canadensis</i> , <i>Diervilla lonicera</i> , <i>Viburnum nudum</i> var. <i>cassinoides</i>
Vascular Herbaceous	<i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Clintonia borealis</i> , <i>Dryopteris carthusiana</i> , <i>Cornus canadensis</i> , <i>Aralia nudicaulis</i>
Non-vascular	<i>Pleurozium schreberi</i> , <i>Cladonia coniocraea</i> , <i>C. chlorophaea</i> , <i>Plagiothecium laetum</i>





### Ecology

Substrate depth restricts rooting zone, moisture, and nutrient availability resulting in limited plant growth potential and increasing windthrow risk. Variable sized patches of exposed bedrock may result in sparse canopy. Uniform veneers may support a more consistent, closed canopy. Shrub and herb poor when canopy closed. Ground cover, notably lichen, increases as canopy becomes more open. Maintenance of structure and composition associated with low to moderate intensity fire or repeated human disturbance (i.e., agricultural clearing, partial harvesting). Mixed species compositions are generally stable and can persist with non stand replacing disturbances, such as wind and insect damage. Deeper folc material may develop over time in the absence of fire.

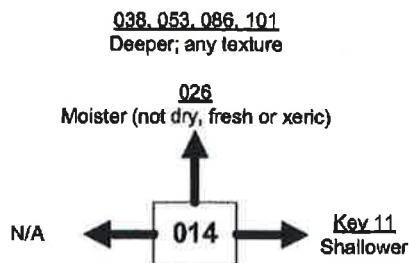
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. More abundant on the landscape as you move further north. Generally on coarse textured morainal veneer with pockets of glaciofluvial material. Typically non-calcareous. Calcareous veneers (4E-5) and bedrock (5E-11), base-rich bedrock (5E-8 and 5E-13), as well as finer textured substrates in 5E-4 and 5E-5 may increase diversity and vigour of the understory. Wide variety of associated vegetation including yellow birch, red maple, basswood, and red oak in the southern portion of 4E throughout 5E. Boreal hardwoods, trembling aspen and white birch, more common in the northern portion of 4E.

### Edaphic Variability

Typically very shallow. However highly variable in stoniness, depth, texture, and moisture especially in morainal deposits over bedrock. Underlying bedrock topography results in exposed bedrock outcrops, variation in substrate depth, and inclusions of bedrock controlled wetlands. High spatial Variability results in a complex of very shallow and rock barren systems. Often on crest, upper slope, or level slope positions. Deeper and silty materials likely on lower and toe slope positions. While predominantly coarse textured, a wide variety of tree species as well as increased shrub and herb diversity and abundance likely on inclusions of deep mineral substrate, finer texture, or over base-rich bedrock. Black spruce, tamarack, eastern white cedar, mixed lowland hardwoods, alders, Labrador tea, and *Sphagnum* likely in poorly drained depressions where pockets of deep peat or wet mineral material may also occur. Often partially treed areas supporting xeric vegetation including pines, pin cherry, white-grained mountain-rose, and lichens likely on exposed bedrock. When the underlying bedrock is calcareous components of this ecosite may be subjected to seasonal flooding with severe and prolonged summer droughts creating distinctive vegetation types (alvars). Plant species in this vegetation type may include Cooper's milk-vetch, Crawe's sedge, lance-leaved tickseed, and compressed spike-rush.

### Related Ecosites



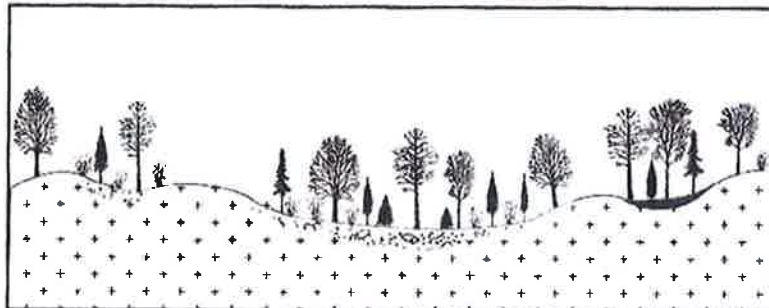




## Very Shallow, Dry to Fresh: Mixedwood

G019Tt/TI

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Hardwood canopy consisting of a mixture of sugar maple, American beech, American basswood, red oak, white birch, red maple, ironwood, balsam fir, and yellow birch. Stand composition highly variable. Understory tree species consisting of moderate levels of sugar maple, American beech, American basswood, and red oak. Shrub and herb moderate rich. Ground surface mostly broadleaf litter and exposed bedrock. Mostly very shallow ( $\leq 15$  cm) and dry to fresh (MR  $\leq 3$ ) or xeric.

### Substrate Description

Substrate Series	VS1 VS2 O1 O2 R3 R4 R5 R6 R7 R8													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
Moisture Regime	G	0	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d		f		m		v		w		x		h	s
Depth	R		VS		S		M		MD		D			
Chemistry	k				n				z					

### Vegetation Description

Tall treed ( $> 10$  m) and low treed ( $\leq 10$  m) ecosites common. Canopy closure highly variable, generally open where substrate depth is limited. Low treed condition often indicative of younger trees or very limited substrate depth. Hardwood species with a relative cover  $> 50\%$ . Common understory vegetation includes striped maple, beaked hazel, serviceberries, spinulose wood fern, wild lily-of-the-valley, and wild sarsaparilla. Non-vascular species may include reflexed *Brachythecium* moss and powder horn lichen. May contain Central v-type V6 and V24; NE v-types V1 and V2.

Trees	<i>Acer saccharum</i> var. <i>saccharum</i> , <i>Fagus grandifolia</i> , <i>Tilia americana</i> , <i>Quercus rubra</i> , <i>Betula papyrifera</i> , <i>Acer rubrum</i> , <i>Ostrya virginiana</i> , <i>Abies balsamea</i> , <i>Betula alleghaniensis</i>
Shrubs	<i>Acer pensylvanicum</i> , <i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Amelanchier</i> spp., <i>Viburnum lantanoides</i> , <i>Diervilla lonicera</i> , <i>Lonicera canadensis</i>
Vascular Herbaceous	<i>Dryopteris carthusiana</i> , <i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Aralia nudicaulis</i> , <i>Eurybia macrophyllus</i> , <i>Oryzopsis asperifolia</i>
Non-vascular	<i>Brachythecium reflexum</i> var. <i>reflexum</i> , <i>Cladonia coniocraea</i> , <i>Callicladium haldanianum</i>



### Ecology

Substrate depth restricts rooting zone, moisture, and nutrient availability resulting in limited plant growth potential and increasing windthrow risk. Variable sized patches of exposed bedrock may result in sparse canopy. Uniform veneers may support a more consistent, closed canopy. Shrub and herb poor when canopy closed. Ground cover, notably lichen, increases as canopy becomes more open. Maintenance of structure and composition associated with low to moderate intensity fire or repeated human disturbance (i.e., agricultural clearing, partial harvesting). Mixed species compositions are generally stable and can persist with non stand replacing disturbances, such as wind and insect damage.

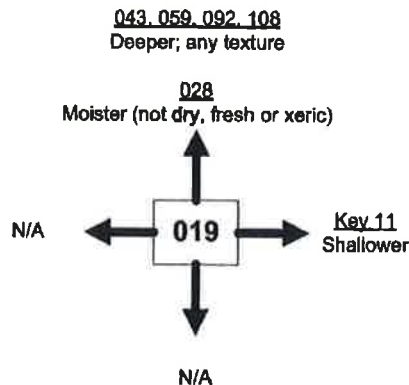
### Ecoregional Variability

Widespread across Great Lakes-St. Lawrence range, uncommon in 4E-1 and 4E-3. More abundant on the landscape as you move further south. Generally on coarse textured morainal veneer with pockets of glaciofluvial material. Typically non-calcareous. Calcareous veneers (4E-5) and bedrock (5E-11), base-rich bedrock (5E-6 and 5E-13), as well as finer textured substrates in 5E-4 and 5E-5 may increase diversity and vigour of the understory. Mixed forest that may contain yellow birch, American basswood, American beech, sugar maple, balsam fir and Ironwood is more frequent in 5E. Mixed forests of red oak, red maple, sugar maple, white birch, balsam fir, and eastern white pine occur throughout 4E.

### Edaphic Variability

Typically very shallow. However highly variable in stoniness, depth, texture, and moisture especially in morainal deposits over bedrock. Underlying bedrock topography results in exposed bedrock outcrops, variation in substrate depth, and inclusions of bedrock controlled wetlands. High spatial Variability results in a complex of very shallow and rock barren systems. Often on crest, upper slope, or level slope positions. Deeper and silty materials likely on lower and toe slope positions. While predominantly coarse textured, a wide variety of tree species as well as increased shrub and herb diversity and abundance likely on inclusions of deep mineral substrate, finer texture, or over base-rich bedrock. Black spruce, tamarack, eastern white cedar, mixed lowland hardwoods, alders, Labrador tea, and *Sphagnum* likely in poorly drained depressions where pockets of deep peat or wet mineral material may also occur. Often partially treed areas supporting xeric vegetation including pines, pin cherry, white-grained mountain-rice, and lichens likely on exposed bedrock.

### Related Ecosites





## Dry, Sandy: Sparse Shrub

G031S

### Profile/Slope Sequence

Approximately 250m

### Ecosite Description

Tall and/or short shrub. Tree poor. Herb moderately poor. Ground surface mostly conifer and broadleaf litter, lichen, and moss. Substrate texture sandy. Mostly deep (> 15 cm) and dry (MR = 0, 0 or 1).

### Substrate Description

Substrate Series	S1 M1 M2 MD1 MD2 D1 D2													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy	Coarse Loamy			Silty		Fine Loamy		Clayey		Peat		Folc	
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
Moisture Regime	0	1	2	3	4	5	6	7	8	9	x	h	s	
Moisture	d	f			m		v	w		x	h	s		
Depth	R		VS		S		M		MD		D			
Chemistry	k				n				z					

### Vegetation Description

Shrub sparse. Absolute cover of all shrub species 10-25%. Scattered small, open-grown trees often present, however they do not exceed 10% absolute cover. Common tree species include jack pine and white birch. Shrub species may include serviceberries, upland willow, and speckled alder. Common herbaceous plants include poverty oat grass, quackgrass, and evening primrose. Lichen and moss cover may include haircap mosses and fire moss.

Trees	<i>Pinus banksiana</i> , <i>Betula papyrifera</i> , <i>Populus tremuloides</i> , <i>Pinus strobus</i> , <i>P. resinosa</i> , <i>Prunus pensylvanica</i>
Shrubs	<i>Amelanchier</i> spp., <i>Salix humilis</i> , <i>Alnus incana</i> spp. <i>rugosa</i> , <i>Diervilla lonicera</i> , <i>Vaccinium</i> spp., <i>Gaultheria hispidula</i> , <i>Arctostaphylos uva-ursi</i> , <i>Chimaphila umbellata</i> ssp. <i>umbellata</i> , <i>Comptonia peregrina</i>
Vascular Herbaceous	<i>Danthonia spicata</i> , <i>Elymus repens</i> , <i>Oenothera biennis</i> , <i>Hypericum perforatum</i> ssp. <i>perforatum</i> , <i>Pteridium aquilinum</i> , <i>Solidago nemoralis</i> ssp. <i>nemoralis</i> , <i>S. juncea</i> , <i>Anaphalis margaritacea</i> , <i>Botrychium multifidum</i> , <i>Hieracium</i> spp., <i>Medicago lupulina</i>
Non-vascular	<i>Polytrichum</i> spp., <i>Ceratodon purpureus</i> var. <i>purpureus</i> , <i>Gladina rangiferina</i> , <i>C. mitis</i>



### Ecology

Substrate has a low nutrient and moisture holding capacity. The texture facilitates very rapid to rapid drainage and may limit species diversity, abundance, and growth potential. Ecosite is susceptible to drought. Often found in areas that were once open; either old fields or meadows. Maintenance of structure and composition associated with low to moderate intensity fire. In the absence of disturbance this ecosite will succeed to a more dense shrub (G032) or treed system.

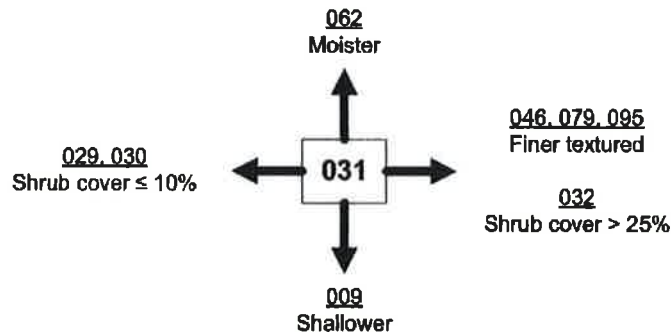
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. More abundant on the landscape closer to human settlements. Generally associated with flat to rolling glaciofluvial material found in large river valleys throughout the range. Can also occur on morainal, glaciolacustrine, lacustrine, fluvial, or eolian deposits. Typically non-calcareous. Staghorn sumac may occur east of Lake Superior.

### Edaphic Variability

Typically low in nutrient and moisture availability. Moderately deep to deep substrates. Depth of coarse material deposits variable. Often on level, low, and middle slopes. Increased species diversity may occur over base-rich bedrock or inclusions of fresh, moist and finer textured substrates in depressions or lower slope positions. Vegetation adapted to xeric conditions as well as decreased herb diversity may occur on shallow to moderately deep substrates and very coarse sands.

### Related Ecosites

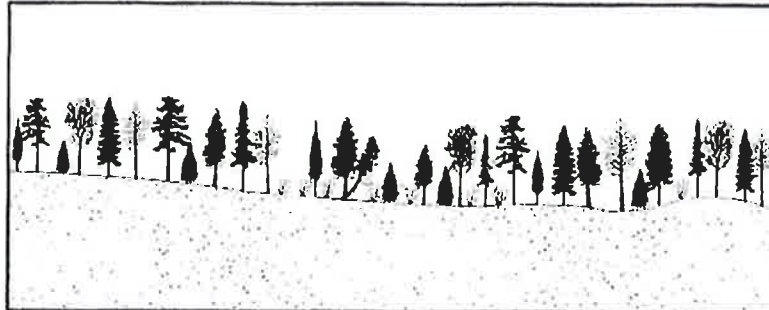




## Dry, Sandy: Conifer

G038T/U/I

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Conifer canopy consisting of a mixture of black spruce, balsam fir, eastern white cedar, white spruce, white birch, trembling aspen, red maple, sugar maple, and yellow birch. Stand composition highly variable. Understory tree species consisting of moderate levels of balsam fir, red maple, and eastern white cedar. Shrub and herb poor. Ground surface mostly conifer and broadleaf litter with occurrences of mosses. Substrate sandy. Mostly > 15 cm deep and dry (MR = 0, 0 or 1).

### Substrate Description

Substrate Series	S1 M1 M2 MD1 MD2 D1 D2												
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor		
Moisture Regime	0	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d	f			m		v	w			x	h	s
Depth	R		VS		S		M		MD		D		
Chemistry	k				n				z				

### Vegetation Description

Tall treed (> 10 m) and low treed (≤ 10 m) ecosites common. Canopy closure variable. Low treed condition often consisting of dense, younger trees. Ecosite composed of a combination of conifer species where the combined total relative coverage is > 50% in the main canopy. Common understory vegetation includes velvet-leaf blueberry, wintergreen, beaked hazel, wild lily-of-the-valley, bluebead-lily, starflower, and powder horn lichen. Often contains Central v-types V24 and V26; NE v-types V7, V1, V2, V14-16, and V22..

<b>Trees</b>	<i>Picea mariana</i> , <i>Abies balsamea</i> , <i>Thuja occidentalis</i> , <i>Picea glauca</i> , <i>Betula papyrifera</i> , <i>Populus tremuloides</i> , <i>Acer rubrum</i> , <i>A. saccharum</i> var. <i>saccharum</i> , <i>Betula alleghaniensis</i>
<b>Shrubs</b>	<i>Vaccinium myrtilloides</i> , <i>Gaultheria procumbens</i> , <i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Vaccinium angustifolium</i> , <i>Lonicera canadensis</i> , <i>Diervilla lonicera</i>
<b>Vascular Herbaceous</b>	<i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Clintonia borealis</i> , <i>Trientalis borealis</i> ssp. <i>borealis</i> , <i>Cornus canadensis</i> , <i>Aralia nudicaulis</i>
<b>Non-vascular</b>	<i>Cladonia coniocraea</i> , <i>Plagiothecium laetum</i> , <i>Dicranum flagellare</i> , <i>Cladonia chlorophaea</i>





### Ecology

Substrate has a low nutrient and moisture holding capacity. The texture facilitates very rapid to rapid drainage and may limit species diversity, abundance, and growth potential. Ecosite is susceptible to drought. Presence of lichen increases as canopy becomes open. Feathermoss abundance increases and shrub and herb diversity decreases with canopy closure. Maintenance of structure and composition associated with low to moderate intensity fire or repeated human disturbance (i.e., agricultural clearing, partial harvesting). Mixed species compositions are generally stable and can persist with non stand replacing disturbances, such as wind and insect damage.

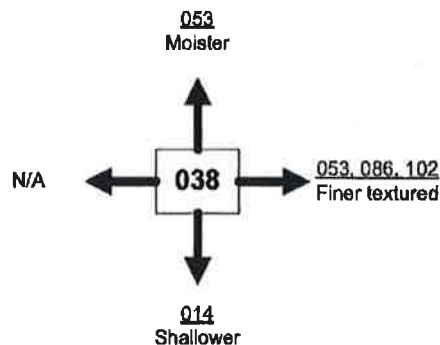
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. More abundant on the landscape as you move further north. Generally associated with flat to rolling glaciofluvial material found in large river valleys throughout the range. Can also occur on morainal, glaciolacustrine, lacustrine, fluvial, or eolian deposits. Typically non-calcareous. Wide variety of associated vegetation including eastern white cedar, yellow birch, red maple, basswood, and red oak in the southern portion of 4E and throughout 5E. Boreal hardwoods, trembling aspen and white birch, more common in the northern portion of 4E. Red spruce likely in 5E-5, 5E-6, 5E-9, or 5E-10. Boreal hardwoods, trembling aspen and white birch, more common in the northern portion of 4E.

### Edaphic Variability

Typically low in nutrient and moisture availability. Moderately deep to deep substrate. Depth of coarse morainal deposits variable. Often on level, low, and middle slopes. Increased species diversity may occur over base-rich bedrock or inclusions of fresh, moist and finer textured substrates in depressions or lower slope positions. Xeric vegetation such as lichens and serviceberries, as well as decreased shrub and herb diversity may occur on shallow to moderately deep substrates and very coarse sands.

### Related Ecosites



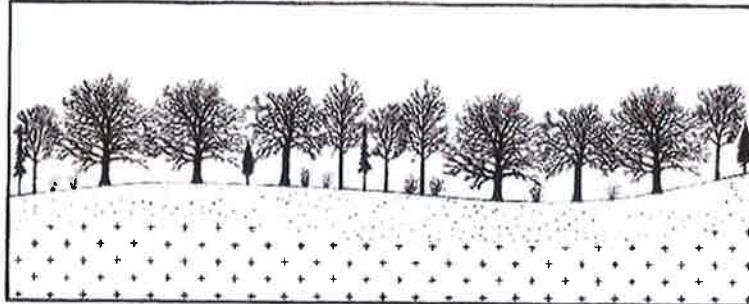


## Dry, Sandy: Oak Hardwood

G041TU/TI

000 0 0 0

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Hardwood canopy consisting mostly of oak species. Red oak typically present in the main canopy, but may include bur oak and white oak. May contain sugar maple, white ash, American beech, ironwood, red maple, and trembling aspen. Understory consisting of high levels of sugar maple, ironwood, balsam fir, and red oak. Shrub poor. Herb moderately poor. Ground surface mostly broadleaf litter. Substrate sandy. Mostly > 15 cm deep and dry (MR = 0, 0 or 1).

### Substrate Description

Substrate Series	S1 M1 M2 MD1 MD2 D1 D2														
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN		
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic		
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor				
Moisture Regime	0	0	1	2	3	4	5	6	7	8	9	x	h	s	
Moisture	d		f		m		v		w		x		h	s	
Depth	R		VS		S		M		MD		D				
Chemistry			k				n				z				

### Vegetation Description

Tall treed (> 10 m) and low treed (≤ 10 m) ecosites common. Canopy closure variable. Low treed condition often indicative of younger trees. Oak species compose > 50% of the hardwood tree species in the main canopy. Common understory vegetation includes fly honeysuckle, striped maple, twinflower, wild lily-of-the-valley, white-grained mountain-rice, wild sarsaparilla, and powder horn lichen. Often contains Central v-types V5, V3, and V6.

Trees	<i>Quercus rubra</i> , ( <i>Q. alba</i> , <i>Q. macrocarpa</i> ), <i>Acer saccharum</i> var. <i>saccharum</i> , <i>Fraxinus americana</i> , <i>Fagus grandifolia</i> , <i>Ostrya virginiana</i> , <i>Acer rubrum</i> , <i>Populus tremuloides</i> , <i>P. grandidentata</i>
Shrubs	<i>Lonicera canadensis</i> , <i>Acer pensylvanicum</i> , <i>Linnaea borealis</i> ssp. <i>longiflora</i> , <i>Corylus cornuta</i> ssp. <i>cornuta</i>
Vascular Herbaceous	<i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Oryzopsis asperifolia</i> , <i>Aralia nudicaulis</i> , <i>Eurybia macrophyllus</i> , <i>Maianthemum racemosum</i> ssp. <i>racemosum</i> , <i>Dryopteris carthusiana</i>
Non-vascular	<i>Cladonia coniocraea</i> , <i>Dicranum flagellare</i> , <i>Callicladium haldanianum</i> , <i>Dicranum montanum</i>





### Ecology

Substrate has a low nutrient and moisture holding capacity. The texture facilitates very rapid to rapid drainage and may limit species diversity, abundance, and growth potential. Ecosite is susceptible to drought. Presence of lichen increases as canopy becomes open. Feathermoss abundance and shrub and herb diversity decreases with increasing canopy closure. Maintenance of structure and composition associated with low to moderate intensity fire. In the absence of fire gap dynamics will transform this ecosite to favour shade tolerant species resulting in an uneven aged forest.

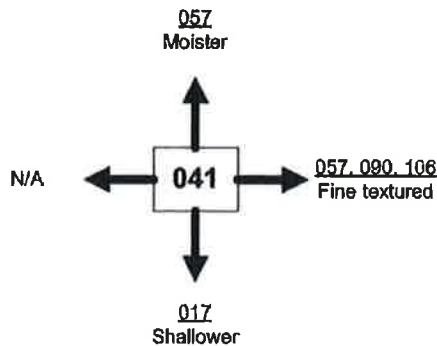
### Ecoregional Variability

Widespread and common through 5E, climatically limited to southern portions of 4E across Great Lakes-St. Lawrence range. Generally associated with flat to rolling glaciofluvial material found in large river valleys throughout the range. Can also occur on morainal, glaciolacustrine, lacustrine, fluvial, or eolian deposits. Typically non-calcareous. Red oak dominated forest found throughout the range. Bur oak is uncommon and limited to 5E. Occurrences of white oak begin in the extreme southern portions of 4E and become more prevalent as you move further south. Associated tree species American basswood, large-tooth aspen, and Ironwood are more frequent in 5E. Boreal hardwoods, trembling aspen and white birch, more common in the northern portion of 4E.

### Edaphic Variability

Typically low in nutrient and moisture availability. Moderately deep to deep substrate. Depth of coarse morainal deposits variable. Often on level, low, and middle slopes. Increased species diversity may occur over base-rich bedrock or inclusions of fresh, moist and finer textured substrates in depressions or lower slope positions. Xeric vegetation such as lichens and serviceberries, as well as decreased shrub and herb diversity may occur on shallow to moderately deep substrates and very coarse sands.

### Related Ecosites



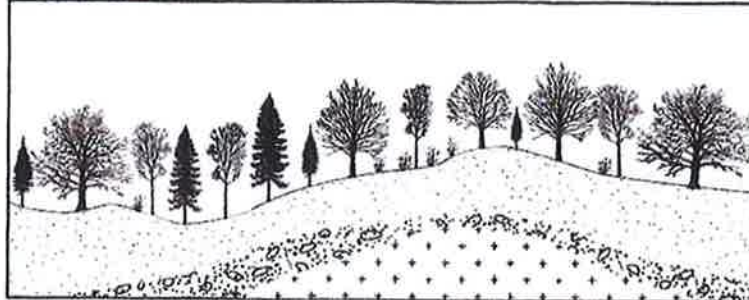


## Dry, Sandy: Mixedwood

G043Tt/TI

98 99 100 101 102

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Hardwood canopy consisting of a mixture of sugar maple, American beech, American basswood, red oak, white birch, red maple, Ironwood, and yellow birch. Stand composition is highly variable. Understory tree species consisting of moderate levels of sugar maple, balsam fir, ironwood, and red oak. Shrub and herb moderately rich. Ground surface mostly broadleaf litter. Substrate sandy. Mostly > 15 cm deep and dry (MR =  $\emptyset$ , 0 or 1).

### Substrate Description

Substrate Series	S1 M1 M2 MD1 MD2 D1 D2													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
Molsture Regime	Ø	0	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d		f		m		v		w		x		h	s
Depth	R		VS		S		M		MD		D			
Chemistry	k				n				z					

### Vegetation Description

Tall treed (> 10 m) and low treed ( $\leq$  10 m) ecosites common. Canopy closure variable. Low treed condition often indicative of younger trees. Hardwood species with a relative cover > 50%. Common understory vegetation includes striped maple, mountain maple, beaked hazel, fly honeysuckle, starflower, wild lily-of-the-valley, wild sarsaparilla, large-leaved aster, and reflexed Brachythecium moss. May contain Central v-types V1, V4, V12, V3, and V5; NE v-types V1, V2, V4, V6-V8, and V15.

<b>Trees</b>	<i>Acer saccharum</i> var. <i>saccharum</i> , <i>Quercus rubra</i> , <i>Ostrya virginiana</i> , <i>Tilia americana</i> , <i>Fraxinus americana</i> , <i>Populus grandidentata</i> , <i>Abies balsamea</i> , <i>Betula papyrifera</i> , <i>B. alleghaniensis</i> , <i>Ulmus americana</i>
<b>Shrubs</b>	<i>Acer pensylvanicum</i> , <i>A. spicatum</i> , <i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Lonicera canadensis</i> , <i>Dirca palustris</i>
<b>Vascular Herbaceous</b>	<i>Trientalis borealis</i> ssp. <i>borealis</i> , <i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Aralia nudicaulis</i> , <i>Eurybia macrophyllus</i> , <i>Maianthemum racemosum</i> ssp. <i>racemosum</i>
<b>Non-vascular</b>	<i>Brachythecium reflexum</i> var. <i>reflexum</i> , <i>Cladonia coniocraea</i> , <i>C. chlorophaea</i> , <i>Callicladium haldanianum</i>



### Ecology

Substrate has a low nutrient and moisture holding capacity. The texture facilitates very rapid to rapid drainage and may limit species diversity, abundance, and growth potential. Ecosite is susceptible to drought. Presence of lichen increases as canopy becomes open. Feathermoss abundance and shrub and herb diversity decreases with increasing canopy closure. Maintenance of structure and composition associated with low to moderate intensity fire or repeated human disturbance (i.e., agricultural clearing, partial harvesting). Mixed species compositions are generally stable and can persist with non stand replacing disturbances, such as wind and insect damage.

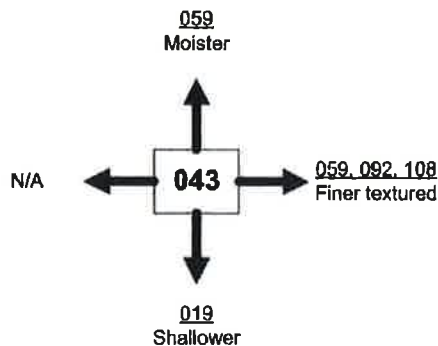
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. More abundant as you move further south. Generally associated with flat to rolling glaciofluvial material found in large river valleys throughout the range. Can also occur on morainal, glaciolacustrine, lacustrine, fluvial, or eolian deposits. Typically non-calcareous. Mixed forest that may contain yellow birch, American basswood, American beech, sugar maple, balsam fir and ironwood is more frequent in 5E. Mixed forests of red oak, red maple, sugar maple, white birch, balsam fir, and eastern white pine occur throughout 4E.

### Edaphic Variability

Typically low in nutrient and moisture availability. Moderately deep to deep substrate. Depth of coarse morainal deposits variable. Often on level, low, and middle slopes. Increased species diversity may occur over base-rich bedrock or inclusions of fresh, moist and finer textured substrates in depressions or lower slope positions. Xeric vegetation such as lichens and serviceberries, as well as decreased shrub and herb diversity may occur on shallow to moderately deep substrates and very coarse sands.

### Related Ecosites

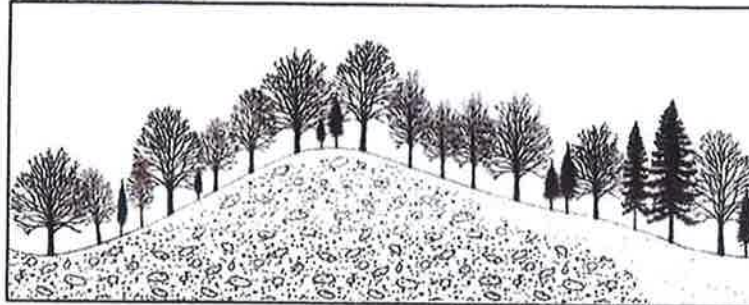




## Dry to Fresh, Coarse: Maple Hardwood

G058TU/PI

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Hardwood canopy consisting mostly of maple species. Sugar maple and red maple likely in the main canopy. May contain eastern hemlock, yellow birch, American basswood, American beech, ironwood, eastern white pine, and white birch. Understory tree species consisting of high levels of sugar maple, ironwood, American basswood, balsam fir, red oak, white ash and American beech. Shrub and herb moderately rich. Ground surface mostly broadleaf litter and variable stones. Substrate sandy to coarse loamy. Mostly > 15 cm deep and dry to fresh (MR = 2 or 3, if sandy; MR ≤ 3, if coarse loamy).

### Substrate Description

Substrate Series	S1 M2 M4 MD2 MD4 D2 D4													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
Humus Form	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
Moisture Regime	Q	0	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d		f		m		v		w		x		h	s
Depth	R		VS		S		M		MD		D			
Chemistry	k				n				z					

### Vegetation Description

Tall treed (> 10 m) and low treed (≤ 10 m) ecosites common. Canopy closure variable. Low treed condition often indicative of younger trees. Maple species compose > 50% of the hardwood tree species in the main canopy. Common understory vegetation includes beaked hazel, fly honeysuckle, striped maple, leatherwood, wild lily-of-the-valley, spinulose wood fern, starflower, purple trillium, and beautiful branch moss. May contain Central v-types V16, V2, V10, V3, V5, V11, V17, V1, and V4; NE v-types V3 and V4.

Trees	<i>Acer saccharum</i> var. <i>saccharum</i> , ( <i>A. rubrum</i> ), <i>Tsuga canadensis</i> , <i>Betula alleghaniensis</i> , <i>Tilia americana</i> , <i>Fagus grandifolia</i> , <i>Ostrya virginiana</i> , <i>Pinus strobus</i> , <i>Betula papyrifera</i>
Shrubs	<i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Lonicera canadensis</i> , <i>Acer pensylvanicum</i> , <i>Dirca palustris</i> , <i>Comus alternifolia</i>
Vascular Herbaceous	<i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Dryopteris carthusiana</i> , <i>Trientalis borealis</i> ssp. <i>borealis</i> , <i>Trillium erectum</i> , <i>Polygonatum pubescens</i>
Non-vascular	<i>Callicladium haldanianum</i> , <i>Cladonia coniocraea</i> , <i>Brachythecium salebrosum</i> var. <i>salebrosum</i> , <i>B. reflexum</i> var. <i>reflexum</i>



### Ecology

Substrate has a low nutrient and moisture holding capacity resulting in decreased growth rates and low vegetation diversity. Limitations to tree growth can also be the result of high coarse fragment concentrations in morainal deposits. Shrub and herb poor with a closed canopy. Species diversity increases as canopy becomes more open. Without the influence of fire, the vegetation will not likely succeed to another ecosite. Lack of fire favours sugar maple and American beech, shade tolerant species will become more prominent.

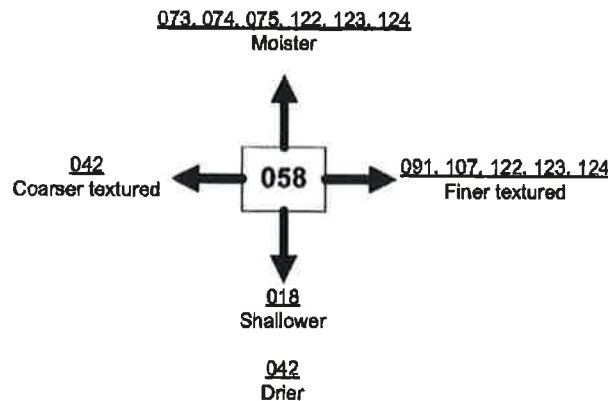
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. Generally flat to rolling morainal deposits with occurrences of glaciofluvial material found in large river valleys throughout the range. Rugged bedrock controlled topography occurs in 5E-1, 5E-3, 5E-5, and 5E-13. Typically non-calcareous. Red maple dominated forests found throughout the range. Sugar maple dominated forests are more likely in southern 4E and 5E. Associated tree species yellow birch, American basswood, American beech, balsam fir and ironwood are more frequent in 5E. Red oak, white birch, balsam fir, and eastern white pine likely throughout 4E.

### Edaphic Variability

Typically uniform in nutrient availability with variable moisture due to inconsistency of substrate depth over bedrock. Generally moderately deep to deep substrate. Depth of coarse morainal deposits variable which may result in bedrock controlled wetlands. Abundant stoniness in morainal deposits is common. Often on upper, middle, or lower slopes positions. Increased species diversity likely over base-rich bedrock or inclusions of fine textured or moister materials. Xeric vegetation such as lichens and serviceberries, as well as decreased shrub and herb diversity likely on exposed bedrock or very shallow substrates.

### Related Ecosites



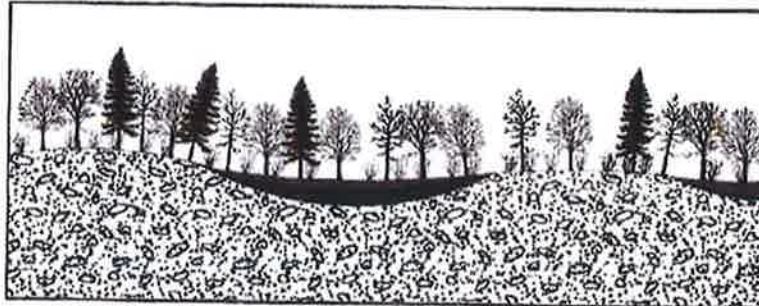




## Maple Hardwood Swamp

G131T/TI  
2000 M H

### Profile/Slope Sequence



approximately 250m

### Ecosite Description

Hardwood canopy consisting mostly of maple species. Red maple, sugar maple, and silver maple likely in main canopy. May contain trembling aspen, black ash, balsam fir, yellow birch, and eastern white cedar. Understory tree species consisting of moderate levels of balsam fir, red maple, sugar maple, and black ash. Shrub and herb rich. Ground surface mostly broadleaf litter with occurrences of feathermoss. Evidence of vernal pools or presence of standing water common. Substrate organic or mineral. Mostly deep and very moist to wet (MR = 6, 7, 8, or 9) or saturated.

### Substrate Description

Substrate Series	VS1	VS2	S1	S2	M8	M9	M10	M11	MD12	MD13	MD14	MD15	D12	D13	D14	D15	O2	O4	O5	O6
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN							
Family	Sandy	Coarse Loamy	Silty	Fine Loamy	Clayey	Peat	Folc													
Humus Form	Mull	Moder	Fibrimor	Humimor	Peatymor	Anmoor														
Moisture Regime	0	1	2	3	4	5	6	7	8	9	x	h	s							
Moisture	d	f	m	v	w	x	h	s												
Depth	R	VS	S	M	MD	D														
Chemistry	k	n	z																	

### Vegetation Description

Tall treed (> 10 m) and low treed (≤ 10 m) ecosites common. Canopy closure variable. Low treed condition often indicative of younger trees. Maple species compose > 50% of hardwood tree species in the main canopy. Common understory vegetation includes beaked hazel, striped maple, mountain maple, fly honeysuckle, northern wild raisin, wild lily-of-the-valley, rose twisted-stalk, spinulose wood fern, wild sarsaparilla, sedges, powder horn lichen, and *Brachythecium* spp. Often contains Central v-types V6, V7, V9, and V12.

Trees	<i>Acer rubrum</i> , <i>A. saccharum</i> var. <i>saccharum</i> , <i>A. saccharinum</i> , <i>Populus tremuloides</i> , <i>Fraxinus nigra</i> , <i>Abies balsamea</i> , <i>Betula alleghaniensis</i> , <i>Thuja occidentalis</i>
Shrubs	<i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Acer pensylvanicum</i> , <i>A. spicatum</i> , <i>Lonicera canadensis</i> , <i>Viburnum nudum</i> var. <i>cassinoides</i> , <i>Cornus stolonifera</i> , <i>Ilex mucronata</i>
Vascular Herbaceous	<i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Streptopus lanceolatus</i> ssp. <i>lanceolatus</i> , <i>Dryopteris carthusiana</i> , <i>Aralia nudicaulis</i> , <i>Carex</i> spp., <i>Onoclea sensibilis</i> , <i>Clintonia borealis</i> , <i>Athyrium filix-femina</i> var. <i>angustum</i> , <i>Rubus pubescens</i>
Non-vascular	<i>Cladonia coniocraea</i> , <i>Brachythecium salebrosum</i> var. <i>salebrosum</i> , <i>B. reflexum</i> var. <i>reflexum</i> , <i>Callicladium haldanianum</i> , <i>Plagiothecium laetum</i>



### Ecology

Substrate has good nutrient and moisture conditions for plant growth. Subjected to periodic flooding or ground water movement enriching the site with mineral and organic material. Moisture content high. Hardwood swamps are the richest of hydric ecosites leading to abundant herbaceous cover including graminoids, ferns, and herbs and vigorous tree and shrub growth. Limitations to tree growth are the result of high levels of moisture. Fire frequency low due to wetness of site. Stable unless moisture levels change. Successional trends result in an uneven-aged stand.

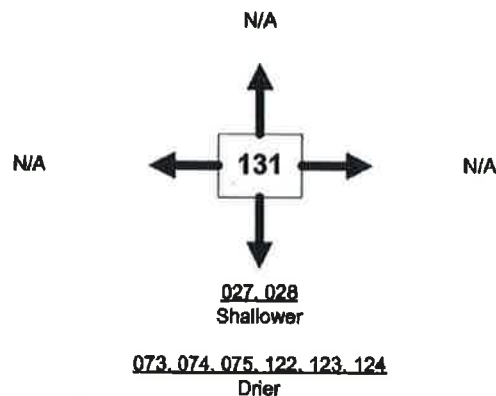
### Ecoregional Variability

Widespread across Great Lakes-St. Lawrence range. Confined to depressions, or riparian areas such as floodplains associated with lakes, streams, or rivers. Generally level to undulating glaciolacustrine and glaciofluvial deposits. Typically non-calcareous where calcareous increased diversity and vigour of the understory may occur. Red maple forests found throughout the range. Sugar maple and silver maple dominated forests are more likely in southern 4E and 5E. Wide variety of associated vegetation including eastern white cedar, red maple, and white elm in 4E and northern 5E. Yellow birch becomes more likely as you move south.

### Edaphic Variability

Hydric. Nutrient and moisture availability uniform. Mineral, peaty phase, or deep organic substrates likely. Generally on lower or level slopes, in depressions, or adjacent to flowing water, lakes, or peatlands. Changes in microtopography within the site result in better drained conditions supporting localized communities of feathermosses and tree species reflective of drier conditions. Seasonal and persistent water filled depressions are common and can support unique communities of bryophytes, sedges, and assorted shrubs. Xeric vegetation such as eastern white pine, white-grained mountain-rose, as well as decreased shrub and herb diversity and abundance likely on occasional exposures of bedrock or very shallow substrates.

### Related Ecosites





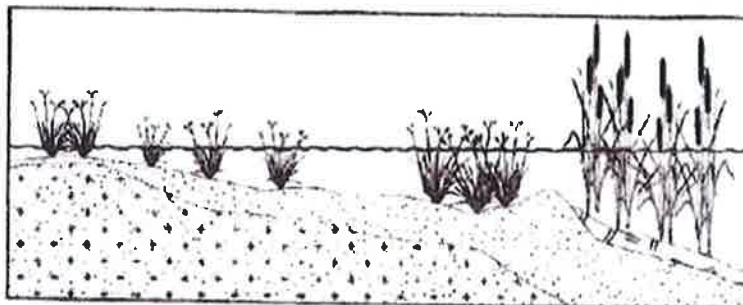


## Mineral Shallow Marsh

G143N

02 03 M K

### Profile/Slope Sequence



Approximately 50%

### Ecosite Description

Herbaceous vegetation community typically composed of emergent grasses, rushes, sedges, forbs (occasionally), or horsetails. Floating-leaved herbaceous species may also be present. Water normally above the substrate surface (less than 2 m deep). Substrate mineral. Mostly deep and saturated.

### Substrate Description

Substrate Series	L4 L5													
Mode of Deposition	RO	GO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Family	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
Moisture Regime	G	O	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d		f		m		v		w		x		h	s

### Vegetation Description

Herbaceous dominated community with > 25% emergent vegetation. Submergent and floating-leaved vegetation variable. Ecosite may be dominated by one species or have a variable composition. Emergent species may include cattails, woolgrass, and arrowheads. Floating-leaved species may include duckweed and fragrant white water lily. Submergent species may include coontail and common waterweed.

Herbs and Graminoids	<i>Typha</i> spp., <i>Scirpus cyperinus</i> , <i>Sagittaria</i> spp., <i>Eleocharis palustris</i> , <i>Sparganium eurycarpum</i> , <i>Pontederia cordata</i> , <i>Schoenoplectus</i> spp., <i>Equisetum fluviale</i> , <i>Carex aquatilis</i> , <i>C. vesicaria</i> , <i>C. utriculata</i> , <i>Dulichium arundinaceum</i>
Floating-leaved	<i>Lemna</i> spp., <i>Nymphaea odorata</i> ssp. <i>tuberosa</i> , <i>Potamogeton</i> spp., <i>Nuphar variegata</i> , <i>Enocaulon aquaticum</i>
Submergent	<i>Ceratophyllum demersum</i> , <i>Elodea canadensis</i> , <i>Potamogeton</i> spp., <i>Stuckenia pectinatus</i> , <i>Myriophyllum sibiricum</i>



### Ecology

Nutrient levels typically high due to abundant waterflow, and periodic exposure and aeration of the substrate. Dominant plants are tolerant of persistently deep water levels. Variation in species composition over time is in response to changes in hydrological conditions. May contain standing dead trees. In communities with a stable water level species diversity decreases and the area is often dominated by a single species. Ecosite is exposed regularly to wave action, river currents, ice-scouring, or drawdowns preventing the accumulation of organic material. Mineral shallow marshes are early-seral ecosites forming naturally in recently created wetland environments. This ecosite will persist as long as the hydrological regime is maintained.

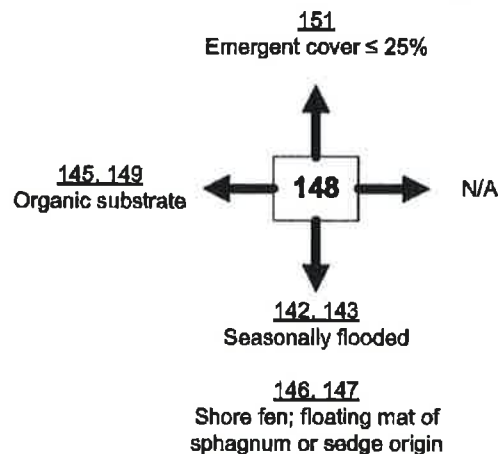
### Ecoregional Variability

Widespread across Great Lakes-St. Lawrence range in wave-washed lakeshores, stream floodplains, and back-levees. May also occur at seepage sites. Atlantic coast plain species may occur along the shores of lake in Parry Sound and Muskoka. These species may include Virginia meadow-beauty, Carolina yellow-eyed-grass, tow-cupped pondweed, conifervoid pondweed, bayonet rush, hidden-fruited bladderwort, and floating-heart. Heart-leaved pickerel-weed may occur in 4E and 5E and Purple bladderwort may occur along the southern edge of 5E.

### Edaphic Variability

Hydric. Typically uniform in nutrient and moisture availability. Generally on lower or level slopes, or in depressions. Often found as a part of a wetland complex adjacent to open water marshes and meadow marshes. Sandy or fine textured mineral substrate. Water depth variable. Submergent and floating-leaved vegetation more prevalent in deeper water.

### Related Ecosites





9 James Street  
Parry Sound, Ontario  
P2A 1T4  
Phone: 705-746-4243  
Fax: 705-746-7301  
web: www.thearchipelago.on.ca

Print Form

## Application for Amendment to the Comprehensive Zoning By-law

under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended

### OFFICE USE ONLY

Date Received October 7/00

Complete Application ☐ Yes ☐ No

Application No. 302-20

Date Accepted \_\_\_\_\_

Applicable Fee Paid ☐ Yes ☐ No

#### 1. Applicant / Agent Information

Name of Applicant / Agent

John Jackson Planner Inc.

Address

70 Isabella Street, Unit 110

City Parry Sound

Province / State Ontario

Postal / Zip Code P2A 1M6

Home Phone No. \_\_\_\_\_

Business Phone No. 705-746-5667

email JJPlan@cogeco.net

#### 2. Owner(s) Information

Name of Owner(s)

Richard Gates

Address

City \_\_\_\_\_

Province / State \_\_\_\_\_

Postal / Zip Code \_\_\_\_\_

Home Phone No. \_\_\_\_\_

Business Phone No. \_\_\_\_\_

email \_\_\_\_\_

Please advise to whom all communication should be directed. ☐ Owner ☒ Applicant / Agent

If known, please provide the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

#### 3. Location of the Subject Land (please provide a copy of the Transfer/Deed of Land)

Assessment Roll Number 4905-09001003200 Lot 40 Concession 3 Island No. \_\_\_\_\_

Registered Plan of Subdivision No. (if any) Plan No. M - \_\_\_\_\_ Lot No. \_\_\_\_\_

Reference Plan No. (if any) Plan No. 42R - \_\_\_\_\_ Part No. \_\_\_\_\_

Parcel No. 21266SS Other Description Conger

#### Dimensions of Subject Property:

Depth (metres) 390 Frontage (metres) 1002.5 Hectares 39.1

#### 4. Purpose of Application

What is the existing zoning of the subject land?

GR

What is the nature and extent of the rezoning being requested?

A site specific policy to allow for non-waterfront lots on Woods Bay Lane

**4. Purpose of Application (cont'd)**

What are the reasons for the proposed rezoning?

Current policies do not allow severances on private roads.

**5. Land Use**

What is the existing Official Plan designation(s), if any, of the subject land?

Recreational / Residential

How does this application conform to the policies of the Township's Official Plan?

An official plan amendment application has been filed

Is the application consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act? ☐ Yes ☐ No

Is the subject property within an area of land designated under any Provincial plan or plans?

☐ Yes ☐ No

If yes, does the application conform to or not conflict with the applicable Provincial plan or plans?

☐ Yes ☐ No

What are the existing uses of the subject land?

Residential

How long have the existing uses of the subject land continued?

Atleast since 1992

What are the proposed uses of the subject land?

Residential

**6. History of Land**

When was the subject land acquired by the current owner?

1998

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?

If YES and if known, provide the application number and the decision made on the application.

Concurrent Consent Application

Has the subject land ever been the subject of an application under Section 34 of the Planning Act?

☐ Yes ☒ No ☐ Unknown

Has the subject land ever been the subject of a Minister's Zoning Order? If known, please provide the Ontario Regulation number of the Zoning Order.

☐ Yes ☒ No ☐ Unknown Ontario Regulation Number

**7. Service Information** (check appropriate box)**Access**

- ☐ Provincial Highway    ☐ Municipal road, maintained all year    ☐ Municipal road, maintained seasonally  
☒ Other public road    ☐ Right-of-way    ☐ Water Access (see below)

If access to the subject land is by private road, or if by "other public road" or "right-of-way", indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

If access to the subject land is by water, describe the parking and docking facilities and the approximate distance of these facilities from the subject land and the nearest public road.

Access via Woods Bay Lane, which is on a Municipal Road allowance and is maintained all year by Moon River Road Assoc.

**Water**

- ☒ Privately owned and operated individual well    ☐ Privately owned and operated communal well  
☐ Lake    ☐ Other Means \_\_\_\_\_

**Sewage Disposal** (check appropriate box)

- ☒ Privately owned and operated individual septic system    ☐ Privy  
☐ Privately owned and operated communal septic system    ☐ Other Means \_\_\_\_\_

Please provide a copy of the building permit or certificate of approval for the existing septic system on the property, if applicable.

Pursuant to the Planning Act, if the requested amendment would permit development on a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the development being completed, the applicant may be requested to provide the Township with a servicing options report and a hydrogeological report.

**8. Buildings and Structures** (on or proposed for the subject land)

EXISTING - List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
Dwelling	1995	6	152	152	38	356	338	636
Shed	1992	4	44	44	24	372	297	665

PROPOSED - List all proposed buildings and structures				PROPOSED DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
To be determined							

**9. Plans** (to assist in the preparation of plans, please refer to the attached sample sketch)**Location Plan**

Every application shall be accompanied by a location plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries of the parcel of land that is the subject of the application, the part of the parcel that is the subject of the application, the location of all adjacent properties and/or islands, transportation routes, etc.;
- the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;
- existing and proposed uses on the subject land (e.g. residential, agricultural, cottage, commercial etc.);
- existing uses of all lands within 120 metres (400 feet) of the subject land.

**Site Plan**

Every application shall be accompanied by a site plan, drawn to an appropriate scale, properly dimensioned and showing thereon:

- the boundaries and dimensions of the subject land and the part that is the subject of this application;
- the location and dimensions of existing and proposed buildings and structures and their distances from lot lines;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that, in the opinion of the applicant, may affect the application, such as railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, landscaped open spaces, planting strips, parking areas, loading areas, driveways and walkways;
- the existing uses on adjacent lands;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a publicly travelled road, a private road or a right-of-way;
- If access to the subject land is by water only, the location of the parking and boat docking facilities used;
- the location and nature of any easement affecting the subject land.

**Additional information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Township.**

**10. Other Information**

Is there any other information that you think may be useful to the Township in reviewing this application?  
If so, explain below or attach a separate page.

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**11. Affidavit or Sworn Declaration**

Dated at the Town of Parry Sound this 28th day of September, 2020

I, John Jackson of the Town of Parry Sound in the

County/District/Regional Municipality of Parry Sound solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT.**

DECLARED BEFORE ME at the Town of Parry Sound

in the District of Parry Sound this 28th day of September, 2020



A Commissioner of Oaths

Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2021.



Signature of Owner or authorized Applicant / Agent

**12. Authorizations****Authorization of Owner(s) for Agent to Make the Application**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and I/we authorize John Jackson Planner Inc. to make this application on my/our behalf.

Date September 26, 2020 Signature of Owner R. Gates  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**Authorization of Owner(s) for Agent to Provide Personal Information**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize John Jackson as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date September 26, 2020 Signature of Owner R. Gates  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

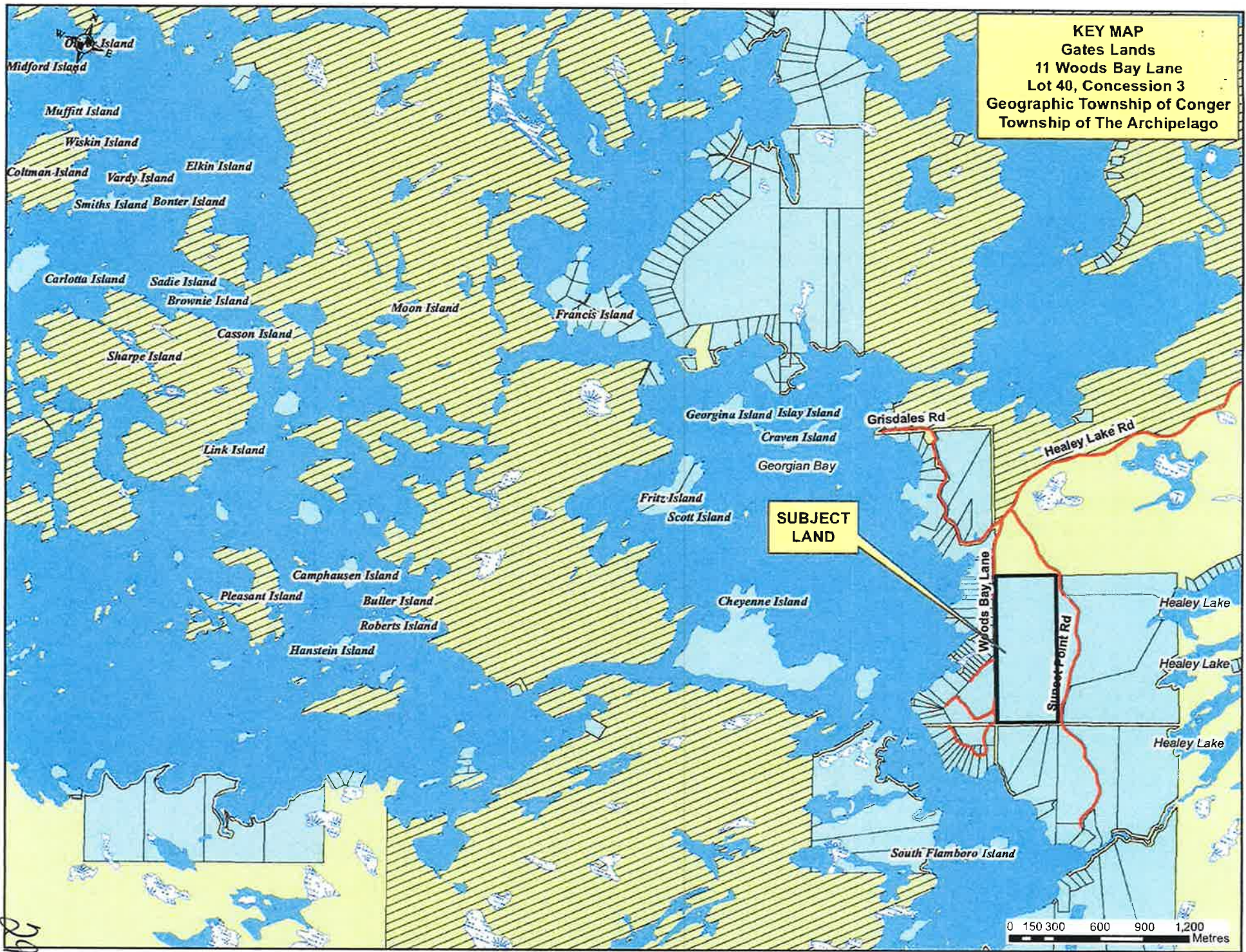
**13. Consent of the Owner(s) to the Use and Disclosure of Personal Information**

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

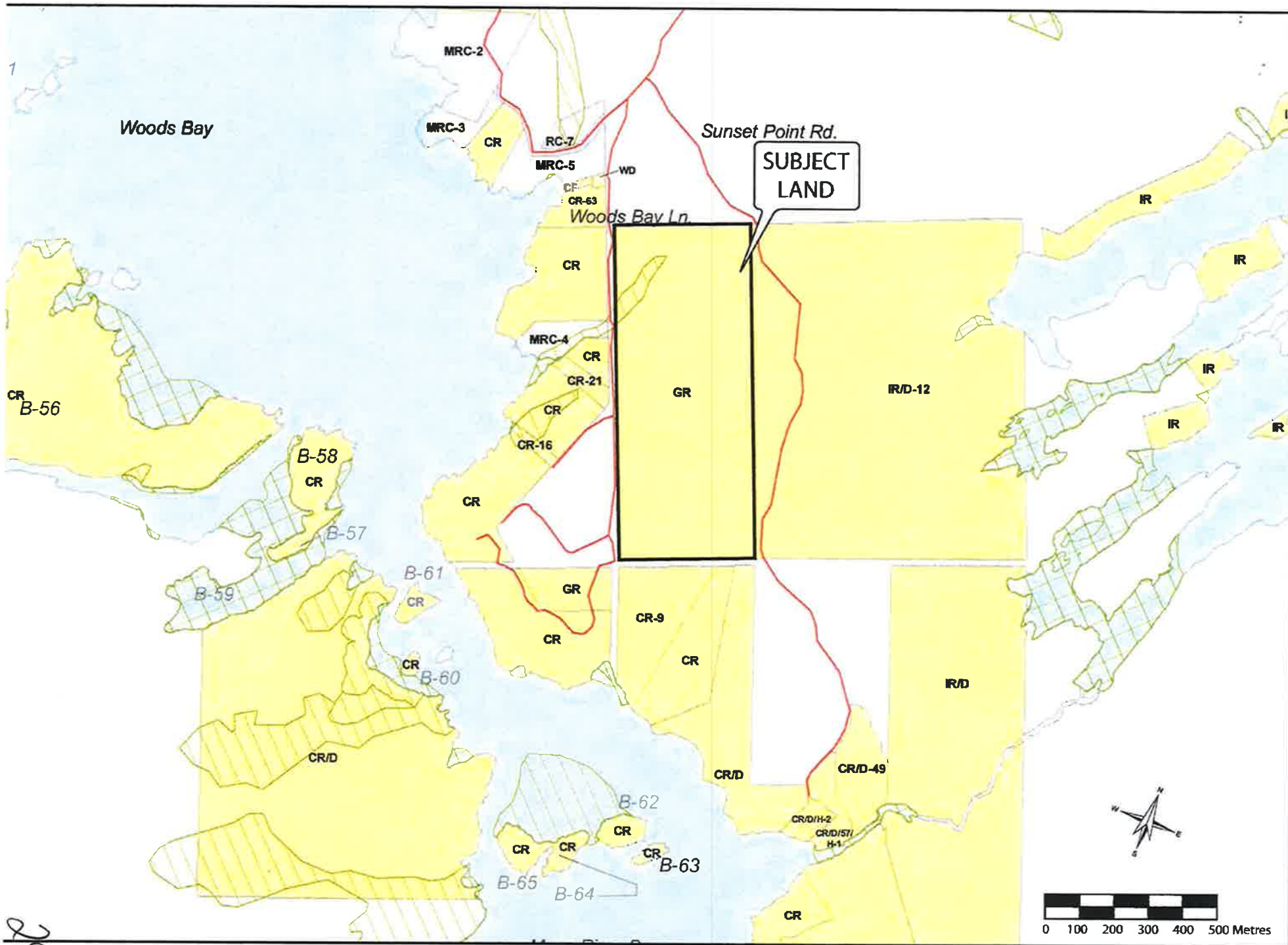
Date September 26, 2020 Signature of Owner R. Gates  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_





760





295



9 James Street  
Parry Sound, Ontario  
P2A 1T4  
Phone: 705-746-4243  
Fax: 705-746-7301  
web: www.thearchipelago.on.ca

Print Form

## Application for Amendment to the Township's Official Plan

under Section 17 of the Planning Act, R.S.O. 1990, c.P. 13, as amended

### OFFICE USE ONLY

Date Received October 7, 2020 Complete Application ☐ Yes ☐ No

Application No. 001-02

Date Accepted \_\_\_\_\_ Applicable Fee Paid ☐ Yes ☐ No

### 1. Applicant / Agent Information

Name of Applicant / Agent

John Jackson Planner Inc.

Address

70 Isabella Street, Unit 110

City Parry Sound Province / State Ontario Postal / Zip Code P2A 1M6

Home Phone No. \_\_\_\_\_ Business Phone No. 705-746-5667 email JJPlan@cogeco.net

### 2. Owner(s) Information

Name of Owner(s)

Richard Gates

Address

City \_\_\_\_\_ Province / State \_\_\_\_\_ Postal / Zip Code \_\_\_\_\_

Home Phone No. \_\_\_\_\_ Business Phone No. \_\_\_\_\_ email \_\_\_\_\_

Please advise to whom all communication should be directed. ☐ Owner ☒ Applicant / Agent

### 3. Location of the Subject Land (please provide a copy of the Transfer/Deed of Land)

Assessment Roll Number 4905-09001003200 Lot 40 Concession 3 Island No. \_\_\_\_\_

Registered Plan of Subdivision No. (if any) Plan No. M - \_\_\_\_\_ Lot No. \_\_\_\_\_

Reference Plan No. (if any) Plan No. 42R - \_\_\_\_\_ Part No. \_\_\_\_\_

Parcel No. 21266SS Other Description Conger

### Dimensions of Subject Property:

Depth (metres) 390 Frontage (metres) 1002.5 Hectares 39.1

**4. Purpose of the Application**

What is purpose of the requested amendment?

To allow for a land division on Woods Bay Lane

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Does the requested amendment add, change, replace or delete a policy in the Official Plan?

☒ add      ☐ change      ☐ replace      ☐ delete      ☐ not applicable

Please advise the policy to be changed, replaced or deleted, if applicable.

A site specific policy to allow for non-waterfront lots on Woods Bay Lane

---

If a policy is being added, changed or replaced, please provide the text to the requested amendment. (attach a separate page if necessary)

Notwithstanding the policies of this official plan, a consent creating up to four new lots fronting on

---

Woods Bay Lane is permitted in Lot 40, Concession 3, Geographic Township of Conger

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If the requested amendment changes or replaces a schedule in the Official Plan, please provide the requested schedule and the text that accompanies it.

**5. Land Use**

What land uses would the proposed Official Plan amendment authorize?

Residential Lots

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What is the current designation of the subject land in the Official Plan and what are the land uses the land designation authorizes?

Recreational / Residential

---

Does the requested amendment change or replace a designation in the Official Plan?    ☒ Yes      ☐ No

If yes, please advise the designation to be changed or replaced.

Non-development to development lands

---

Is the application consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act?    ☒ Yes      ☐ No

Is the subject property within an area of land designated under any Provincial plan or plans?

☒ Yes      ☐ No

If yes, does the application conform to or not conflict with the applicable Provincial plan or plans?

☒ Yes      ☐ No

Is the subject land or land within 120 metres of the subject land currently the subject of an application by the applicant under the Planning Act for a minor variance, a consent, a zoning by-law amendment, a Minister's zoning order, approval of a plan of subdivision or site plan approval?

☐ Yes      ☒ No

If yes, please provide, for each application: the file number; the land it affects; the purpose of the application; the application's status; and the effect of the application on the requested Official Plan amendment. (attach a separate page if necessary)

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8. Affidavit or Sworn Declaration

Page 6 of 7

Dated at the Town of Parry Sound this 11 day of March, 2020

I, Richard Gates of the \_\_\_\_\_ in the \_\_\_\_\_  
County/District/Regional Municipality of \_\_\_\_\_ solemnly declare that all the statements  
contained in this application are true, and I make this solemn declaration conscientiously believing it to be  
true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA**  
**EVIDENCE ACT.**

DECLARED BEFORE ME at the Town of Parry Sound

in the District of Parry Sound this \_\_\_\_\_ day of March, 2020.

\_\_\_\_\_  
A Commissioner of Oaths

\_\_\_\_\_  
Signature of Owner or authorized Applicant / Agent

9. Authorizations

**Authorization of Owner(s) for Agent to Make the Application**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, Richard Gates [Signature] am/are the owner(s) of the land  
that is the subject of this application and I/we authorize John Jackson  
to make this application on my/our behalf.

Date Mar 11, 2020 Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**9. Authorizations (cont'd)****Authorization of Owner(s) for Agent to Provide Personal Information**

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize John Jackson as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner R. Gates

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

**10. Consent of the Owner(s) to the Use and Disclosure of Personal Information**

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

I/We, Richard Gates, am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

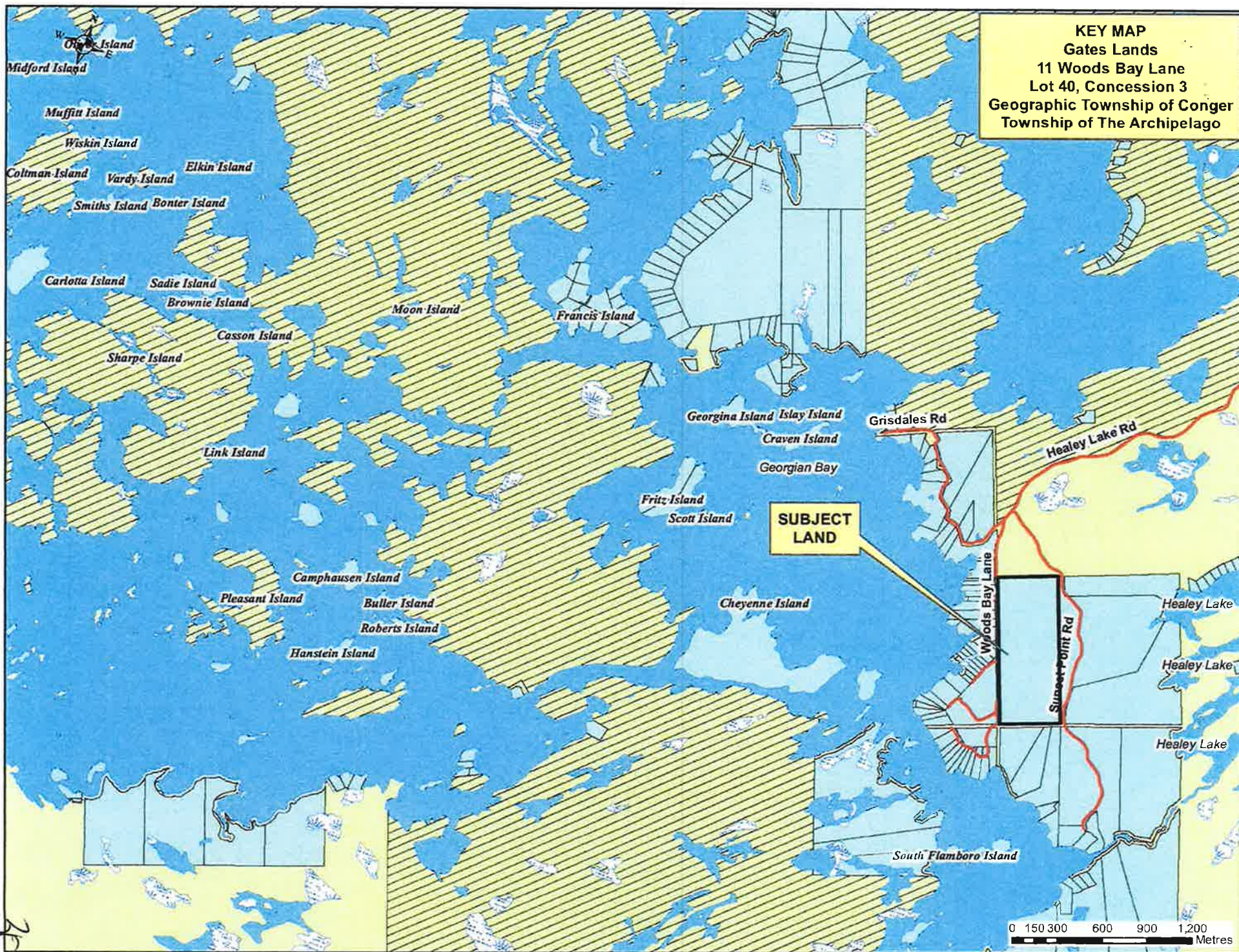
Date \_\_\_\_\_ Signature of Owner R. Gates

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_







## **Appendix E**

Notice of Complete Application issued for the Official Plan Amendment application and the Zoning By-law Amendment application



9 JAMES STREET • PARRY SOUND, ONTARIO • P2A 1T4  
705-746-4243 • FAX: 705-746-7301  
www.thearchipelago.on.ca

*emailed  
Oct 28, 2020  
efh*

Reply Attention of: Cale Henderson  
Telephone Extension: 305  
Email Address: chenderson@thearchipelago.on.ca

October 27, 2020

Louise and Chris Goulding

### NOTICE OF COMPLETE APPLICATION

**RE: Official Plan Amendment No. 68 (OP01-20)  
Zoning By-law Amendment No. Z02-20  
(GATES, Richard)**

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In accordance with the Planning Act, R.S.O., 1990, c.P.13, as amended, Sections 22 (6.1) and 34 (10.4), dictate that within 30 days, after an application has been made for an amendment to the Official Plan or to a by-law, and any fees are paid under Section 69, the Council shall notify the person or public body that the information and material required have been provided, or that they have not been provided, as the case may be.

The applications will be taken to Council for receipt, at its regular meeting scheduled for Thursday, November 19<sup>th</sup>, 2020. All of the fees, information and material required to process the Official Plan Amendment and Zoning By-law Amendment applications, at this time, have been received.

A **Public Meeting** to consider the **proposed** amendments will be scheduled following Council's receipt, and a formal Notice of the Public Meeting will be forwarded to you.

Council will **also be considering** your request for reimbursement of the application fees at the **November meeting**.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Cale Henderson  
Manager of Development &  
Environmental Services

:JN

cc. John Jackson Planner Inc.

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## **Appendix F**

Letter of receipt for the Consent Application

# THE ARCHIPELAGO AREA PLANNING BOARD

*emailed  
Oct. 28, 2020.  
jh.*

9 James Street, Parry Sound, Ontario P2A 1T4

Telephone: (705) 746-4243 Fax: (705) 746-7301

Reply Attention of: Jane Nawroth  
Telephone Extension: 304  
Internet Address: [jnawroth@thearchipelago.on.ca](mailto:jnawroth@thearchipelago.on.ca)

October 27, 2020

Louise and Chris Goulding

Dear Ms and Mr. Goulding:

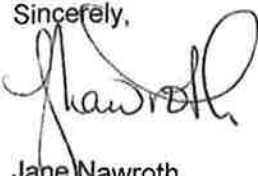
**RE: Consent Application Nos. B16-20, B17-20,  
B18-20 and B19-20 (GATES, Richard)**

In accordance with Section 51(19.1) of the Planning Act, R.S.O.1990, c.P., as amended, please be advised that the Planning Board is in receipt of the consent applications submitted by you. It appears, at this time, that the applications are complete. The Planning Board will hold the applications in abeyance until such time as the Official Plan Amendment and Zoning By-law Amendment applications have been processed by the Township.

Your request for a reimbursement of the application fees will be taken to the Planning Board at its regularly scheduled meeting on Friday, November 20<sup>th</sup>. Staff will contact you with respect to the Board's decision. The cheque you submitted for the consent applications was made payable to the 'Township of The Archipelago'. The cheque will be held until the Board makes its decision with respect to your request for a reimbursement of the fees. If the Board agrees all fees are to be reimbursed, I will return the cheque to you. If they agree to refund a portion of the fees, we will discuss the matter at that time.

A formal Notice of Hearing will be circulated to you in due course. Should you have any questions regarding the process involved, please feel free to contact me.

Sincerely,



Jane Nawroth  
Secretary Treasurer

:JN

✓ C. John Jackson Planner Inc.

## **Appendix G**

Preliminary Staff Report regarding Official Plan Amendment Application No. 68 and Zoning By-law Amendment Application No. Z02-20 for the subject lands was presented to the Council on November 19, 2020



**TO:** Reeve & Council, Township of The Archipelago

**FROM:** Cale Henderson, Manager of Development & Environmental Services

**DATE:** November 19, 2020

**RE:** Preliminary Staff Report  
Official Plan Amendment Application OP01-20  
Zoning By-law Amendment Application No. Z02-20  
11 Woods Bay Lane  
Lot 40, Concession 3, Conger

**CONCURRENT:** Consent Application No. B16, B17, B18, B19-20 to the Archipelago Area Planning Board

**APPLICANT:** GATES, Richard

**AGENTS:** John Jackson Planner Inc.  
Chris and Louise Goulding

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### **OVERVIEW**

Official Plan Amendment and Zoning By-law Amendment applications have been submitted to the Township of The Archipelago, seeking eligibility to create 4 new, non-waterfront affordable housing lots fronting a privately maintained road within the Woods Bay Neighbourhood. The purpose of this report is to provide Council with information to receive the application, determine whether sufficient information has been provided to consider the application complete, to direct staff to proceed with notification and to schedule a future public meeting.

### **INFORMATION PROVIDED**

The Official Plan Amendment and Zoning By-law Amendment applications are attached as Appendix 'A'. In support of the applications, the agents have also submitted the following additional information:

- I. A planning justification report, prepared by John Jackson, John Jackson Planner Inc., May 7, 2019 (revised on October 1, 2020). (Attached as Appendix 'B').
- II. Site Evaluation Report, prepared by Hannah Wolfram, FRICORP Ecological Services, October 2020 (Attached as Appendix 'C').

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- III. Moon River Affordable Housing Business Plan, April 29, 2019 (Attached as Appendix 'D').
- IV. Moon River Métis Community Information Sheet (Attached as Appendix 'E').
- V. OPA No. 61 (Five Year Review) Ministry of Municipal Affairs & Housing Decision, December 21, 2018 (Attached as Appendix 'F')
- VI. Cover Letter, prepared by Louise and Chris Goulding, October 6, 2020 (Attached as Appendix 'G')

### **PLANNING INFORMATION:**

Ward:	4
Official Plan Neighbourhood:	Woods Bay
Zoning:	General Residential (GR) & Environmentally Sensitive (ES)
Lot Area:	40 ha (100 ac)

### **BACKGROUND**

Originally, on May 17, 2019, Applications for Consent (B11-19 to B20-19) were submitted to The Archipelago Area Planning Board by John Jackson Planner Inc. and Louise & Chris Goulding, on behalf of Richard Gates, for property he owns at 11 Woods Bay Lane. The purpose of the application was to create 10 new residential lots, 8 of which were proposed to be for affordable housing.

The applications were taken to Council to consider the following questions:

- i) Is an Official Plan Amendment required to facilitate the proposed development?
- ii) Are Council and the Planning Board prepared to waive the necessary fees associated with the Applications for Consent, Zoning By-law Amendment Application and a potential Official Plan Amendment Application?
- iii) Will Council and the Planning Board deem the Applications for Consent and future Application for Zoning By-law Amendment complete in accordance with the Planning Act, in the absence of supporting studies that are required by the Regulations of the Planning Act, or that are required by the Township's Official Plan policies, or that may be discretionary under the Township's Official Plan policies?
- iv) If supporting studies are required by Council and the Planning Board, is Council and/or the Planning Board prepared to share in the cost of having such studies completed?



In consideration of the above questions, Council passed Resolution 19-119 on July 19, 2019, which stated the following:

**WHEREAS** Consent Application Nos. B11-19 through B20-19 (GATES, Richard & Eleanor) have been submitted to The Archipelago Area Planning Board to create 10 new residential lots located in Lot 40, Concession 3, in the geographic Township of Conger (11 Woods Bay Lane);

**AND WHEREAS** the agents and other community members completed a deputation on July 18, 2019 to the Planning & Building Committee, outlining the need for additional affordable housing opportunities within the Woods Bay Neighbourhood;

**AND WHEREAS** the applicants have requested, in order to support the development of affordable housing in the Woods Bay Neighbourhood, that the application be deemed to conform to the Official Plan, that no additional studies are required to further consider the application, that planning application fees be waived, and that the Township of The Archipelago provide financial support to assist with the associated development costs;

**AND WHEREAS** Section 6.7 of the Official Plan, as modified by the Ministry of Municipal Affairs, states:

*'In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.'*

**AND WHEREAS** The Township of The Archipelago has not implemented Section 6.7 and there are no designated strategic policy areas within the Township;

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago refuses to accept the applications, until the prescribed information is submitted in accordance with Sections 53(3) and 53(4) of the Planning Act and Section 14.67 of the Official Plan;

**AND FURTHER BE IT RESOLVED** that Council for the Township of The Archipelago, in order to support the creation of affordable housing, directs staff to review options and establish criteria in order to further consider the designation of a strategic policy area or areas, in order to implement Section 6.7 of the Official Plan.

Following the passing of the above resolution, the applicants revised the proposal from ten (10) new residential lots (8 of which were proposed as affordable) to four

(4) new residential lots, all of which are proposed as affordable housing. In addition, the applicants submitted an Official Plan Amendment application, Zoning By-law Amendment Application and a Site Evaluation Report in support of the proposal.

### **Subject Lands**

The lands subject to the application are located at 11 Woods Bay Lane, and include all of Lot 40, Concession 3, Conger. The property is approximately 40 hectares (100 acres) in size. Woods Bay Lane extends from the termination of Healey Lake Road and is a privately maintained road located primarily on the Original Municipal Road Allowance which abuts the western boundary of the property. To the east of the property, but not abutting the property, is Sunset Point Road, a privately maintained road that crosses over both Crown Land and private land.

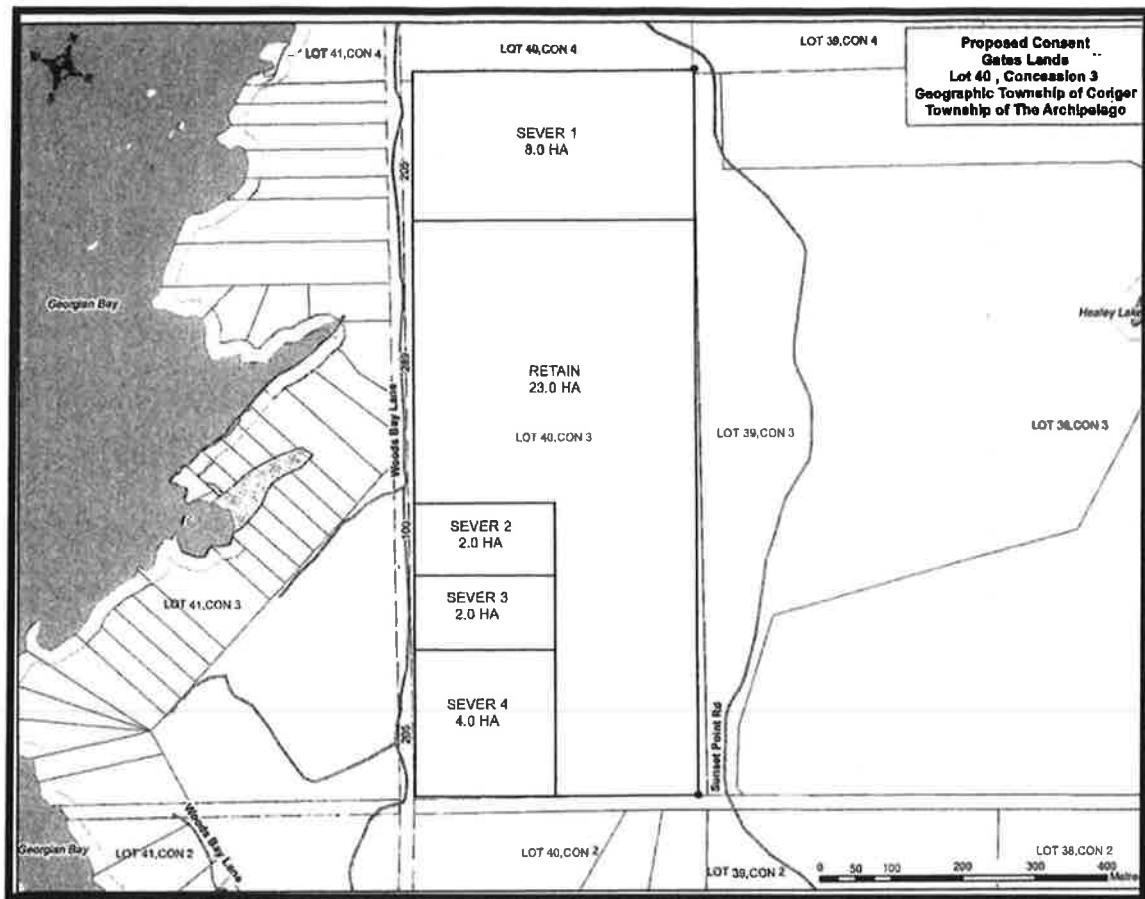
The property currently contains a single detached dwelling.

### **Development Proposal**

The application submitted would divide the property into a total of five (5) lots, with four (4) of the proposed lots intended to accommodate affordable housing. The proposed lots are as follows:

<b>Lot</b>	<b>Area</b>	<b>Frontage</b>	<b>Access</b>	<b>Existing Use</b>	<b>Proposed</b>
Retained	23 ha (56.8 ac)	289 m (948 ft)	Existing access from Woods Bay Lane	Dwelling	Owners Residence
Severed Lot #1	8.0 ha (19.8 ac)	205 m (673 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #2	2.0 ha (4.9 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #3	2.0 ha (4.9 ac)	100 m (328 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing
Severed Lot #4	4 ha (9.9 ac)	205 m (673 ft)	New Driveway from Woods Bay Lane	Vacant	Affordable Housing

Below is a sketch of proposal submitted with the application:



## **Official Plan**

As Council may recall, the Township's recent Official Plan Review was completed with the approval of Official Plan Amendment No. 61. Contained in the Ministry of Municipal Affairs' approval was a modified Section 6.7 of the Official Plan to read as follows:

- 6.7 *Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand and supports a goal of 10% of new permanent residential dwelling units being affordable. For purposes of this policy, affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30% of gross annual household*

*income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive.*

*In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township, where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.*

*The municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the official plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target.*

Section 6.7 of the Official Plan was the policy foundation for the original proposal. However, per resolution 19-119, passed by Council on July 19, 2019, Council for the Township of The Archipelago determined that Section 6.7 of the Official Plan had not been implemented and there are no strategic policy areas designated for affordable housing within the Township of The Archipelago, outside of the existing settlement area of Pointe au Baril Station.

The current applications, which includes an Official Plan Amendment application, would facilitate Council considering implementing the above policy by way of a site specific Official Plan Amendment.

In addition to conformity with Section 6.7 of the Official Plan, the original proposal would not or may not have conformed with the following policies:

- Section 6.3 requiring all development in the Township to have frontage on a navigable body of water with the exception of existing rural and farm residences, natural resource uses, Pointe au Baril Station and Skerryvore;
- Section 10.54 prohibiting lot creation in rural areas of neighbourhoods;
- Section 14.4 requiring new lots to front onto a navigable waterway; and,
- Section 14.49 requiring new lots created by consent to have a minimum of 100 metres of water frontage and 1 hectare of lot area.

However, through the approval of a site specific Official Plan amendment implementing Section 6.7, it would provide an obvious exemption to those sections of the Official Plan pertaining to the requirement for waterfrontage, i.e., Sections 6.3, 14.4 and the waterfrontage requirement of 14.49. Similarly, the Section could be considered to exempt the proposed development from Section 10.54, as the rural area is considered to be areas that do not have waterfrontage.

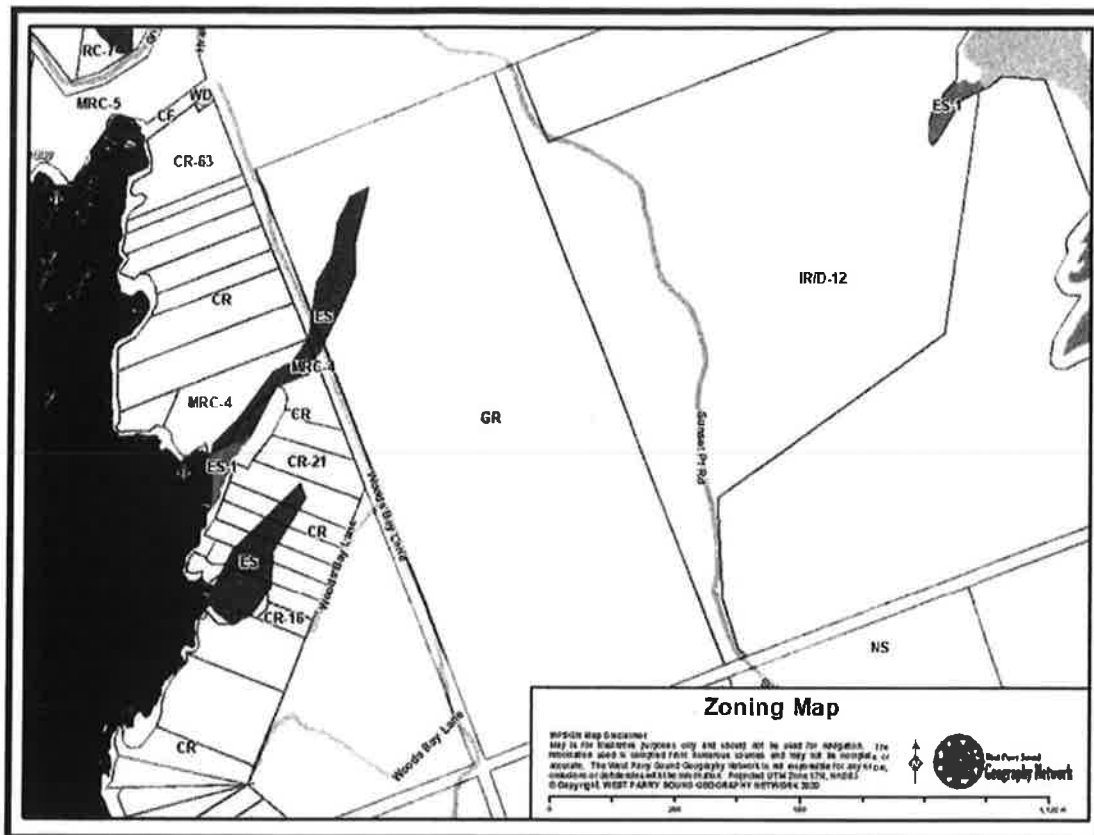
### **Additional Information**

Per Resolution 19-119, Council determined that the proposal needed additional information, per Section 14.67 of the Official Plan, in order to be considered complete.

1. **Site Evaluation Report:** In accordance with Section 16.7 and Section 7 of the Official Plan, the applicants have submitted a Site Evaluation Report, prepared by FRICORP Environmental Services, which is attached as Appendix 'C'. The purpose of the site evaluation report was to assess the suitability of the proposed development from a natural heritage perspective. The conclusion of the study indicates that where the recommended mitigation measure is applied as directed, the proposed severance will be consistent with Section 2.1 of the Provincial Policy Statement (2020) and the Township of The Archipelago Official Plan.
2. **Archaeological Assessment:** Section 7.50 requires the submission of an Archaeological Assessment as a condition of development in various areas. In this case, the property would not represent any of the specific areas identified with the possible exception of being in areas exhibiting archaeological potential. This is due to the fact that, as indicated in the material submitted, the property is one of the original Métis free land grants. As an alternative to undertaking an Archaeological Assessment, should the application be approved, a provision could be included in the associated 51(26) Agreement requiring the appropriate protocol be followed should archaeological remains be found.
3. **Hauled Sewage Capacity:** Section 11.17 requires confirmation of hauled sewage capacity for lot creation. This policy was inserted into the Official Plan by Official Plan Amendment No. 61 due to the requirement being in the Provincial Policy Statement, 2020. This is not expected to be an issue and can be addressed as a condition of consent approval.
4. **Hydrogeological Assessment / Servicing Options Report:** With the original proposal for 10 new lots, Section 11.8 of the Official Plan states a hydrogeological assessment may be required, by the Township, to be submitted in support of a development proposal for more than five residential lots, in accordance with applicable Ministry of Environment D-Series Guidelines. However, as the proposal has been reduced from ten (10) new lots to four (4) new lots, this information is no longer required.

### Zoning By-law

The subject property is currently zoned General Residential (GR) and Environmentally Sensitive (ES) within Comprehensive Zoning By-law No. A2000-07, as amended. See the zoning map below:



The General Residential (GR) Zone is used for non-waterfront residential lots. Below is excerpt from the Section 8 of the Zoning By-law, which outlines the general use provision for the General Residential (GR) Zone.

#### *'Section 8 – General Residential (GR) Zone*

##### *8.1            General Use Provisions:*

##### *8.1.1        Permitted Uses*

###### *Main Use:*

- *Residential Use*

###### *Accessory Use:*

- *Accessory Residential uses;*

- *A home occupation*
- *A Bed and Breakfast*

**8.1.2 Permitted Buildings and Structures**

- *A single, detached dwelling;*
- *Accessory structures and buildings;*

Below is an excerpt from Section 18 of the Zoning By-law, listing the general use provisions for the portion of the property currently zoned 'Environmental Sensitive (ES)'.

**'Section 18 – Environmentally Sensitive (ES) Zone**

**18.1 General Use Provisions:**

**18.1.1 Permitted Uses**

- *Uses connected with the conservation of water, soil, wildlife and other natural resources.*
- *Passive recreational uses*
- *Flood and erosion/sediment control structures*
- *Existing buildings, structures and uses*
- *Docks and a Boathouse/Boatport as provided by the provisions of Section 5.*

**18.1.2 Zone Standards**

- a) *Buildings and structures of any kind including but not limited to extensions or enlargements to existing buildings or structures, observation platforms are prohibited within the ES Zone. Flood, erosion or sedimentation control structures may only be permitted with approval of the Ministry of Natural Resources and the Department of Oceans and Fisheries Canada.*

**Application Fees**

The required application fees were submitted with the Official Plan and Zoning By-law Amendment applications. Below is a breakdown of the submitted fees:

- Official Plan Amendment Application: \$2,000
- Zoning By-law Amendment Application: \$625

The agents have submitted a request to have the above fees, totaling \$2,625, reimbursed to help achieve affordable housing (attached as Appendix 'G').



In addition, in support of this request, the Planning Report references Section 8.24 of the Official Plan which reads as follows:

*"The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need. Council may consider the reduction of municipal fees, such as development charges, parkland dedication and building permits, for affordable housing projects."*

This policy is contained within the policies for Pointe au Baril Station and this is recognized in the Planning Report. However, with the inclusion of Section 6.7 into the Official Plan by the Ministry of Municipal Affairs, it would be appropriate to consider the application of Section 8.24 to all areas of the Township. Also, although application fees are not specifically referenced, they would be considered a municipal fee.

In addition to the fees submitted to the Township of The Archipelago, a separate fee of \$2,000 has been submitted to The Archipelago Area Planning Board. A separate request will be taken to The Archipelago Area Planning Board at a future meeting.

Council can deny the request to reimburse the fees, approve the request now, or conditionally approve the request with assurances the resulting lots are affordable.

**RECOMMENDATION:**

That Council for the Township of The Archipelago formally receives the Official Plan Amendment and Zoning By-law Amendment applications, deem them complete, direct staff to complete a thorough review, circulate notice and schedule at least one public meeting.

Respectfully submitted,



Cale Henderson, MCIP, RPP  
Manager of Development &  
Environmental Services

## **Appendix H**

Notice of Application on December 4, 2020



## TOWNSHIP OF THE ARCHIPELAGO

9 James Street - Parry Sound, Ontario - P2A 1T4

Phone: (705) 746-4243

Fax: (705) 746-7301

### NOTICE OF APPLICATION

#### PROPOSED OFFICIAL PLAN AMENDMENT No. 68 and ZONING BY-LAW AMENDMENT No. Z02-20 (GATES)

**TAKE NOTICE** that the Council of the Corporation of the Township of The Archipelago deemed the following applications to amend the Official Plan and the Comprehensive Zoning By-law No. A2000-07, as amended, complete applications under Sections 22 (6.1) and 34 (10.4) of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

**THE PURPOSE** of proposed **Official Plan Amendment No. 68** is to add a new paragraph to "Section 16 – Special Provisions" of the Official Plan with respect to the lands designated as part of Lot 40, Concession 3, being Parcel 21266 PSSS, in the geographic Township of Conger.

**THE EFFECT** of proposed **Official Plan Amendment No. 68** will be to allow for the residential property to be severed to create 4 new, non-waterfront affordable housing lots fronting a privately-maintained road.

**THE PURPOSE** of proposed **Zoning By-law Amendment No. Z02-20** is to rezone part of Lot 40, Concession 3, being Parcel 21266 PSSS, in the geographic Township of Conger from the 'General Residential (GR)' Zone to a site specific General Residential zoning.

**THE EFFECT** of proposed **Zoning By-law Amendment No. Z02-20** is to rezone the subject land to allow for the creation of non-waterfront lots on Woods Bay Lane.

**AND TAKE NOTICE** that the Council of the Corporation of the Township of The Archipelago, in accordance with Sections 17(15)(d) and 34(12)(a)(ii) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, **will hold a future public meeting** at the Township of The Archipelago's Council Chamber, 9 James Street, Parry Sound, Ontario, to consider proposed Official Plan Amendment No. 68 and Zoning By-law Amendment No. Z02-20.

**AND FURTHER TAKE NOTICE** that if you wish to be notified of the decision of the Corporation of the Township of The Archipelago on the proposed Official Plan Amendment No. 68 and the passing of proposed Zoning By-law Amendment No. Z02-20, you must make a written request to the Council of the Corporation of the Township of The Archipelago, 9 James Street, Parry Sound, Ontario P2A 1T4.

**IF A PERSON OR PUBLIC BODY** would otherwise have an ability to appeal the decision of the Corporation of the Township of The Archipelago to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of The Archipelago before the proposed Official Plan Amendment No. 68 is adopted or Zoning By-law Amendment No. Z02-20 is passed; the person or public body is not entitled to appeal the decision.

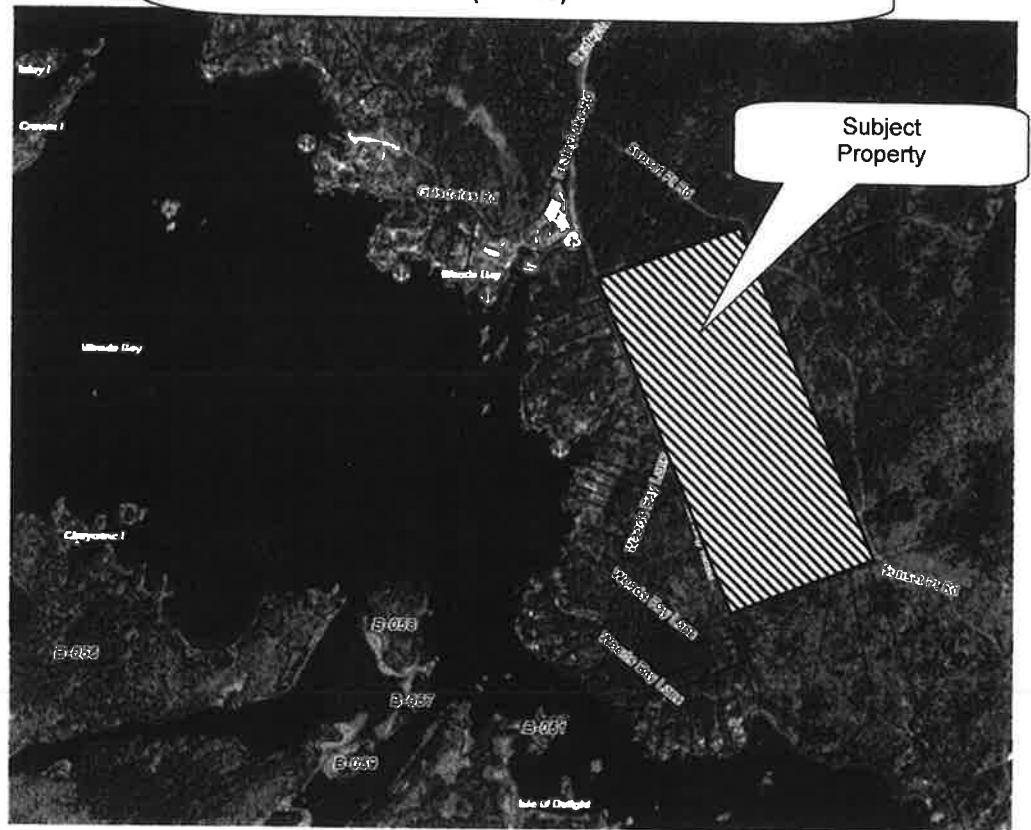
**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting or make written submissions to The Township of The Archipelago before proposed Official Plan Amendment No. 68 is adopted and Zoning By-law Amendment No. Z02-20 is passed; the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

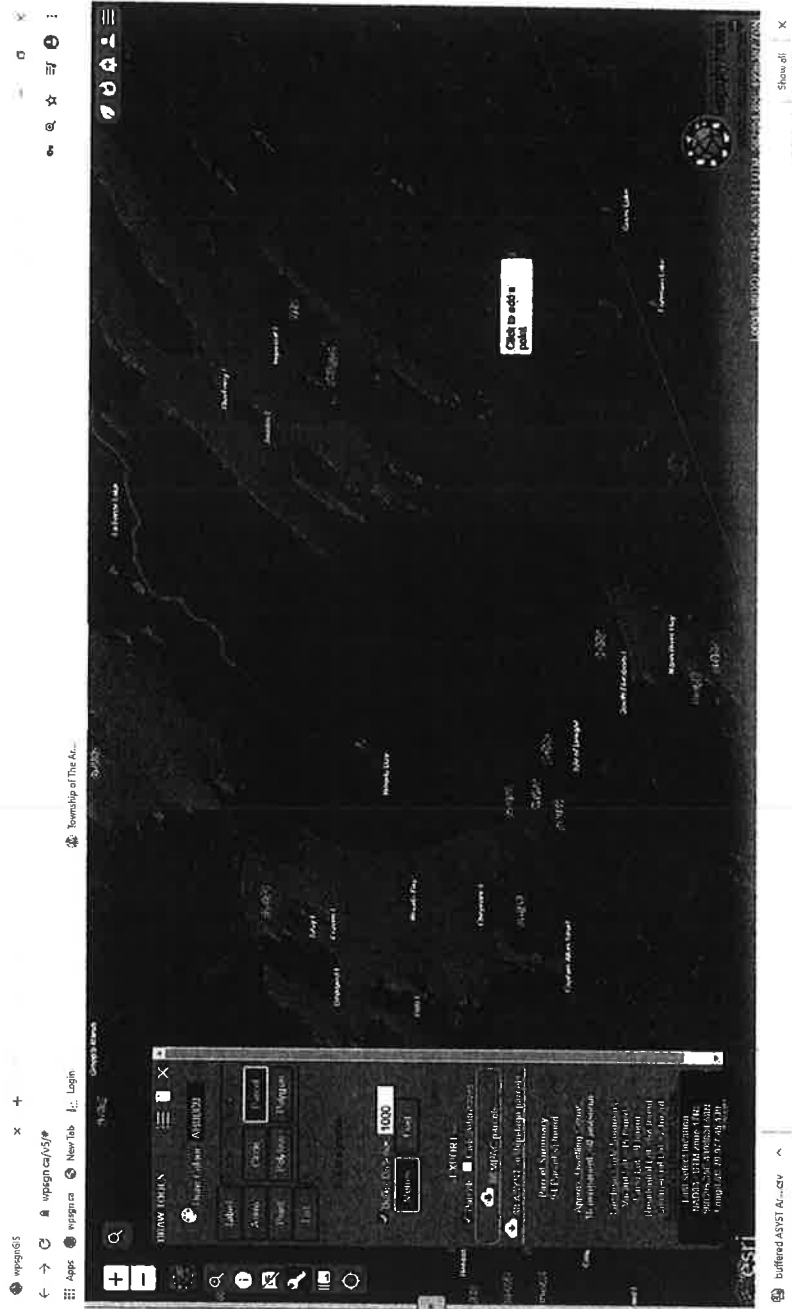
**ADDITIONAL INFORMATION** is available for inspection at the Township office during normal office hours and will be posted on the Township's website at [www.thearchipelago.on.ca](http://www.thearchipelago.on.ca). Please direct any inquiries to the Planning Department.

**DATED** at the Township office this 4<sup>th</sup> day of December, 2020.

Cale Henderson, MCIP, RPP  
Manager Development &  
Environmental Services

PROPOSED OFFICIAL PLAN AMENDMENT No. 68 and  
ZONING BY-LAW AMENDMENT No. Z02-20  
(GATES)





Grates.  
Notice of Particulars  
1000metres.  
Dec 4/20

## **Appendix I**

Staff Report No. PLANNING-01-2021

# **The Township of The Archipelago**

## **Information Report to Committee**

**Report No.:** PLANNING-01-2021      **Date:** January 21, 2021  
**Originator:** Cale Henderson, MCIP RPP  
Manager of Development & Environmental Services  
**Subject:** Land Supply Study – Affordable Housing: Update

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### **EXECUTIVE SUMMARY**

Council for the Township of The Archipelago, in the consideration of OPA No. 68 and ZBLA No. Z02-20 (GATES, Richard), requested staff to provide an update and additional information on a land supply study and affordable housing, per Sections 19 and 6.7 of the Official Plan (See Appendix A)

### **AFFORDABLE HOUSING**

Affordable housing is a broad term which encompasses a range of housing types. It includes both low-cost market housing for homeowners and renters, and non-market housing available at subsidized rates. Providing affordable housing in a community means that families and individuals, of all income levels and lifestyles, can find suitable and adequate places to live without spending a disproportionate percentage of their income on housing.

Affordable housing is housing for people in need. People in need of affordable housing are diverse and represent a broad spectrum of households along the housing continuum – from renters and homeowners to those in need of supportive, transitional and social housing. Households, in housing need, can include seniors and young families, low and moderate-income workers, people with special needs, and the homeless.

In accordance with the Provincial Policy Statement and Section 6.7 of the Official Plan for the Township of The Archipelago, affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the Parry Sound District, or housing for which the purchase price results in annual accommodation costs that do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. Per the Provincial Policy Statement Housing Tables, 2018, provided by the Ministry of Municipal Affairs, the 60<sup>th</sup> percentile household income, affordable housing price for the District of Parry Sound is **\$275,600**.



With respect to rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in the Parry Sound District or, a unit for which the rent does not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. The Provincial Policy Statement Housing Table, 2018, provided by the Ministry of Municipal Affairs, illustrates the 60<sup>th</sup> percentile household income, affordable rent equates to \$860/month.

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## **LAND SUPPLY**

In February 2020, Township staff provided the Committee with a background report discussing options for designating strategic policy areas, to facilitate additional affordable housing opportunities. In summary, the report discussed the following options for consideration when designating strategic policy areas:

1. Municipal Initiated Official Plan Amendment
2. Developer/land owner initiated Official Plan Amendment
3. Ad Hoc Planning Act Application Decision
4. Resolution of Council

At the time, in the absence of a developer/land owner-initiated Official Plan Amendment, staff recommended moving forward with a Municipal-initiated, township wide Official Plan Amendment. However, in order to establish a rationale and basis for such a designation, a land supply study, per Section 19 of the Official Plan, was recommended to be completed.

Section 1.1.2 of the Provincial Policy Statement states:

*'Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.*

*Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*

*Nothing in policy 1.1.2 limits the planning for infrastructure and public service facilities beyond a 20-year time horizon.'*

Section 19 of the Official Plan states:

*'Prior to revising the Plan, Council will undertake a study in order to determine whether sufficient land is available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years, including whether sufficient*

*land is available in Pointe au Baril Station to serve as the focus of growth and development for the Township of The Archipelago.*

*The study will also determine whether there is a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.'*

Council directed staff to investigate opportunities to coordinate a land supply study, including a review of affordable housing opportunities throughout the Township of The Archipelago, including the West Parry Sound region, with our Municipal partners.

Staff reached out to counterparts in the West Parry Sound region to determine interest or the ability to complete such a study at a regional level. Based on preliminary discussions; however, it does not appear as though there are any opportunities to coordinate a regional study at this time. Should Council wish to proceed, the study would have to be completed independently and not at a regional scale.

As Council is aware, at the end of 2020, a private Official Plan Amendment was initiated for the creation of 4 new lots (OPA No. 68). As outlined in a February 2020 staff report, a privately initiated Official Plan Amendment would be site specific and as a result, it would not necessarily require a Township-wide land supply study for consideration of a site specific application. Further, the onus is on the applicants to provide the basis and the rationale for the policy amendment.

Should Council wish to proceed with a Township-wide land supply study, it may be premature to further consider OPA No. 68, until such time as the study has been completed.

#### **STRATEGIC POLICY AREAS – PRELIMINARY REVIEW**

As Council may recall, the Township's recent Official Plan Review was completed with the approval of Official Plan Amendment No. 61. The Ministry of Municipal Affairs modified Section 6.7 of the Official Plan to read as follows:

- 6.7 *Council is supportive of private initiatives respecting the provision of affordable housing to meet local demand and supports a goal of 10% of new permanent residential dwelling units being affordable. For purposes of this policy, affordable means housing for which the purchase price is at least 10% below the average purchase price of a resale unit in Parry Sound District, or housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive. For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in Parry Sound District, or a unit for which the rent does not exceed 30%*

*of gross annual household income for the 60<sup>th</sup> percentile of household incomes in Parry Sound District, whichever is the least expensive.*

*In order to support the creation of affordable housing, the municipality may consider the designation of one or more strategic policy areas in the Township, where appropriate, in order to enable the creation of a limited number of residential lots by consent. Such area or areas would be conducive to the creation of affordable housing, strictly limited in scale, and without water frontage.*

*The municipality will monitor new dwelling units and the conversion from seasonal dwellings to permanent dwellings in the Township up until the time of the five-year review of the official plan, at which point its policies affecting the supply of land, range of housing types, and densities will be re-evaluated to determine if changes are needed in order to meet the target.*

In an effort to provide some additional context, with respect to Strategic Policy Areas, a preliminary review of lands within The Archipelago was conducted. Below is a summary of land tenure within the Township of The Archipelago (Source : Schedule 'A' of the Official Plan):

<b>Township of The Archipelago: Land Tenure Summary</b>		
<b>Islands</b>	<b>Size</b>	<b>Percentage</b>
Patented (private)	2762 ha (6,826 ac)	35%
Crown	5098 ha (12,597 ac)	65%
<b>Mainland</b>		
Patented (private)	5,071 ha (12,530 ac)	10%
Crown	45,994 ha (113,650 ac)	90%
<b>Combined (Islands &amp; Mainland)</b>		
Patented (private)	19,356 ha (47,830 ac)	13%
Crown	126,247 ha (311,963 ac)	87%
<b>Total</b>	<b>145,603 ha (359,793 ac)</b>	<b>100%</b>


Staff conducted a preliminary review of the patented lands, applying general criteria (land size, access, location) to determine existing and potential locations within the Township that are currently identified as a settlement or special policy area or that may have potential to be identified as Strategic Policy Areas for rural, non-waterfront, development potential. It must be highlighted, that this is a very preliminary review, and there are many, potentially unique constraints to development that, can only be determined on an individual basis. Additional research would be needed.

Neighbourhood	Approx. Number of with potential for additional lot creation	Approx. Total Land Area	Additional Comments
Pointe au Baril Station	8	70 ha (173 ac)	Currently Identified as a Settlement Area, policies exist to encourage and guide rural development.
Skerryvore	3	37 ha (91 ha)	Special Policy area, restrictive development policies and no new rural lots permitted. However, multiple Township owned lots and lots with Holding (H) Provision exist with ability for development.
Woods Bay ( including Western edge of Healey Lake Neighbourhood)	13	208.5 ha (515 ac)	No new rural lots currently permitted.
Healey Lake	15	160 ha (395 ac)	No new rural lots currently permitted.
Blackstone & Crane Lake	31	525 ha (1297 ac)	No new rural lots currently permitted.

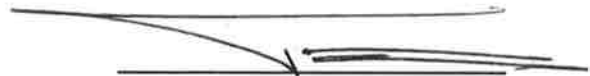
### **FINANCIAL IMPLICATIONS**

Should Council to complete a Land Supply Analysis for the Township, costs for consulting services will be incurred.

Respectfully Submitted,



Cale Henderson, MCIP RPP  
Manager of Development & Environmental Services



John Fior  
CAO

## **Appendix J**

Appeal Package received by Township on March 12, 2021

March 10, 2021

Township of Archipelago  
9 James Street  
Parry Sound, On  
P2A 1T4

Attention: John Fior, Chief Administrative Officer

Dear Mr. Fior:

**RE: NOTICE OF APPEAL  
OFFICIAL PLAN AMENDMENT NO 68  
CONSENT Application Nos B16-20, 17-20, 18-20, 19-20  
Zoning By-Law No.. Z02-20**



Mail

Please find enclosed the required appeal form to the Local Planning Appeal Tribunal (L.P.A.T.) for the above files.

Also enclosed is the required fee payable to the Minister of Finance with an Appeal Fee Reduction Request Form.

The purpose of the appeal(s) relates to a period from 2002 to the present to have policy reform made in the Municipality to allow desperately needed opportunities for housing for the Metis Community in the Moon River area of the Township.

It will be demonstrated that Council of the Township of the Archipelago has neglected the needs of this community for twenty years and continues to frustrate these needs today.

Policy changes secured by the community under Official Plan Amendments 45 and 61 through appeals to the former Ontario Municipal Board and the Ministry of Municipal Affairs have not been acted upon to allow for the need for opportunities for housing to proceed.

The citizens of Moon River have agreed to make the innumerable changes, added assessments, and proceeded to file the necessary applications set before them by the Municipality and still, the applications continue to be frustrated.

Let me know if you require additional information.

Yours Truly,

*Chris D. Goulding*  
*Louise Goulding*  
Chris and Louise Goulding



**Ontario Land Tribunals**  
**Local Planning Appeal Tribunal**  
 655 Bay Street, Suite 1500  
 Toronto ON M5G 1E5  
 Telephone: 416-212-6349  
 Toll Free: 1-866-448-2248  
 Website: [www.plt.gov.on.ca](http://www.plt.gov.on.ca)

## Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

To file an appeal, select one or more below

- ☒ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- ☒ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☐ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

### 1 A. Appeal Type (Please check all applicable boxes)

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b>	<input type="checkbox"/> Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	<input checked="" type="checkbox"/> Approval Authority failed to make a decision on the plan within 120 days	17(40)
	<input type="checkbox"/> Council failed to adopt the requested amendment within 120 days	22(7)
	<input type="checkbox"/> Council refuses to adopt the requested amendment	
<b>Zoning By-law or Zoning By-law Amendment</b>	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input checked="" type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 90 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 120 days where the application is associated with an Official Plan Amendment	
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
<b>Interim Control Zoning By-law</b>	<input type="checkbox"/> Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	<input type="checkbox"/> Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)
<b>Site Plan</b>	<input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days	41(12)



Subject of Appeal	Type of Appeal	Reference (Section)
	<input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	<input type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision that approved or refused the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input checked="" type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
Plan of Subdivision	<input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days	51(34)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision	
	<input type="checkbox"/> Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	<input type="checkbox"/> Appeal a lapsing provision imposed by an Approval Authority	51(39)
	<input type="checkbox"/> Appeal conditions imposed by an Approval Authority	
	<input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	<input type="checkbox"/> Appeal changed conditions	51(48)

1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).

For matters subject to Bill 139 and the associated transition regulation (the second appeal).

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal of a <b>decision</b> by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	<input checked="" type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	<input checked="" type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council following a LPAT decision	34(19) and 34(26.5)

329

† C. Other Appeal Types (Please check all applicable boxes)

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Development Charges Act Matters</b>		
<b>Development Charge By-law</b>	<input type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
<b>Development Charge Complaint</b>	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
<b>Front-ending Agreement</b>	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
<b>Education Act Matters</b>		
<b>Education Development Charge By-law</b>	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65
	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
<b>Education Development Charge Complaint</b>	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)
<b>Aggregate Resources Act Matters</b>		
<b>Aggregate Removal Licence</b>	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	<input type="checkbox"/> Revocation of licence	20(4)
<b>Municipal Act Matters</b>		
<b>Ward Boundary By-law</b>	<input type="checkbox"/> Appeal the passing of a by-law to divide the municipality into wards	222(4)
	<input type="checkbox"/> Appeal the passing of a by-law to redivide the municipality into wards	

Subject of Appeal	Type of Appeal	Reference (Section)
	<input type="checkbox"/> Appeal the passing of a by-law to dissolve the existing wards	

#### Ontario Heritage Act Matters

Designation of Property	<input type="checkbox"/> Appeal a Notice of intention to designate property	29(11)
	<input type="checkbox"/> Appeal of an amendment to a by-law designating property	30.1(10)
	<input type="checkbox"/> Appeal a Notice of Intention to repeal a designating by-law or part of a designating by-law	31(9)
	<input type="checkbox"/> Appeal a council's decision to approve or refuse the repealing of a designating by-law or part of a designating by-law	32(7)/32(8)
	<input type="checkbox"/> Appeal council's decision to alter a heritage designated property	33(9)
Heritage Conservation District	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation district	41(4)

#### Other Act Matters

Subject of Appeal	Act/Legislation Name	Section Number

## 2. Location Information

Address and/or Legal Description of property subject to the appeal  
 Lot 40, Concession 3, Township of Conger  
 11 Woods Bay Lane

Municipality  
 Township of the Archipelago

Upper Tier (Example: county, district, region)  
 District of Parry Sound

## 3. Appellant/Objector Information

**Note:** You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name Gates	First Name Richard
--------------------	-----------------------

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Email Address  
 jjplan@cogeco.net

Daytime Telephone Number	ext.	Alternate Telephone Number
--------------------------	------	----------------------------

### Mailing Address

Unit Number	Street Number	Street Name	
City/Town	Province	Country	Postal Code

#### 4. Representative Information

☒ I hereby authorize the named company and/or individual(s) to represent me

Last Name  
Jackson

First Name  
John

Company Name  
John Jackson Planner Inc.

Professional Title  
Land Use Planner

Email Address  
jjplan@cogeco.net

Daytime Telephone Number  
705-746-5667

ext.

Alternate Telephone Number

#### Mailing Address

Unit Number  
110

Street Number  
70

Street Name  
Isabella Street

PO Box

City/Town  
Parry Sound

Province  
On

Country  
Canada

Postal Code  
P2A 1M6

**Note:** If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☒ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

#### 5. Appeal Reasons

Municipal Reference Number(s)  
OPA # 68, ZBA - Z02-20, Consent B16-20, B17-20, B18-30, B19-20

For all appeal types, please outline the nature of the appeal and the reasons for your appeal.

Council of the Township of the Archipelago has failed to process the necessary applications to provide needed housing opportunities that the province has required in its decisions on a previous policy approvals and the Township continues to frustrate the applications necessary to achieve needed housing in the Moon River Metis Community

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:

A: A decision of a Council or Approval Authority is:

- ☒ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*
- ☒ Fails to conform with or conflicts with a provincial plan
- ☒ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- ☒ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☒ Conformity with a provincial plan
- ☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If you intend on arguing on one or more of the above throughout a proceeding, please explain:

For many years, the Metis/Moon River Community in the Township of the Archipelago have been asking the Council

of the Archipelago to recognize the specialty needs for housing, access and general quality of life improvements and the municipality has constantly, and consistently denied what otherwise is an extremely reasonable policy shift to allow some limited housing development contrary to its own Official Plan, Provincial Policies and needed planning needs of the community. The Township appears to continue to ignore the needs of its own community with no interest in responding to clearly evident needs.

#### Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council  
☒ Written submissions to council

#### 6. Related Matters

Are there other appeals not yet filed with the Municipality?

- ☐ Yes ☒ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- ☐ Yes ☒ No

If yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)

#### 7. Mediation

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

- ☒ I have read and understand the above statement.

#### 8. Witness Information

Detail the nature and/or expertise of witnesses you will have available.

Planners

Biologists

Residents of the area

Metis of Ontario

#### For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

#### 9. Required Fee

Total Fee Submitted \$ 400

Payment Method ► ☐ Certified cheque ☒ Money Order ☐ Lawyer's general or trust account cheque

## 10. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
John Jackson		2020/03/10

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.



Ontario Land Tribunals  
Local Planning Appeal Tribunal  
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5  
Tel: 416 212-6349 or toll free 1-866-448-2248  
[www.olt.gov.on.ca](http://www.olt.gov.on.ca)

## Appeal Fee Reduction Request Form

### Instructions:

- This form can be used to request a reduction of LPAT's appeal fee.
- Prepare this form and submit with your Appeal Form at the time of filing your appeal.
- Note: An appeal fee reduction may only be requested if the appeal fee for the matter you are appealing is \$1,100 AND you are a private citizen, a registered charity or a non-profit ratepayers' association.
- This form is to request the appeal fee be reduced to \$400.
- Please submit \$400 appeal fee with your appeal. If your request is denied you will be required to pay the balance owing.

Date Stamp – Received by LPAT

### Part 1: Appeal Information (subject of your appeal)

Municipal File Number	Appeal Type (Official Plan Amendment, Zoning By-law, Development Charges, etc.)	Date of Municipal Decision
OPA #68, ZBA - Z02/20, Con - B16-20, B17-20, B18-20, B19-20	OPA, Zoning By-Law and Consent	

Address and/or Legal Description of property subject to the appeal

Lot 40, Concession 3, Township of Conger - 11 Woods Bay Lane Township of Archipelago - District of Parry Sound **March 12, 2021**

Municipality	Upper Tier (Region, County, District)	Date Appeal Filed
--------------	---------------------------------------	-------------------

### Part 2: Appellant Information

First Name: Richard Last Name: Gates

Company Name or Association Name (if Applicable)

Email Address:

Daytime Telephone #: \_\_\_\_\_ Alternate Telephone #: \_\_\_\_\_


Mailing Address:

Street Address	Apt/Suite/Unit #	City/Town
----------------	------------------	-----------

Province

Country (if not Canada)

Postal Code

Signature of Appellant: 

Date: Mar 12, 2021

### Part 3: Reason

I am seeking a reduction to the appeal fee on the basis that I am filing the appeal as or on behalf of:

- ☒ A private citizen
- ☐ A registered charity
- ☐ A non-profit ratepayers' association



*If filing on behalf of a registered charity or non-profit ratepayers' association:*  
The name of the charity/non-profit is:

My relation to the charity/non-profit is:

**Part 4: Affirmation**

I affirm the above information is accurate to the best of my knowledge and that I have authority to act on behalf of the charity/non-profit (if filing on behalf of either).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person signing: \_\_\_\_\_

**NOTE: Personal information or documentation requested on this form is collected under the provisions of the Planning Act, RSO 1990 c. P 13 and the Local Planning Appeal Tribunal Act, 2017. All information collected is included in the LPAT case file and forms part of the public record in this proceeding.**

**OFFICE USE ONLY**

Request Received by: \_\_\_\_\_

Day	Month	Year
_____	_____	_____

Fee Received: \_\_\_\_\_ Reviewed \_\_\_\_\_

## **Appendix K**

Municipal/Approval Authority Submission of Appeal to LPAT on March 26, 2021



9 JAMES STREET • PARRY SOUND, ONTARIO • P2A 1T4  
705-746-4243 • FAX: 705-746-7301  
[www.thearchipelago.on.ca](http://www.thearchipelago.on.ca)

Reply Attention of: Cale Henderson  
Telephone Extension: 305  
Internet Address: [chenderson@thearchipelago.on.ca](mailto:chenderson@thearchipelago.on.ca)

March 26, 2021

Ontario Land Tribunals  
Local Planning Appeal Tribunal  
655 Bay Street, Suite 1500  
Toronto, ON M5G 1E5

Dear Sir/Madam:

**Re: Municipal/Approval Authority Submission**

On March 12<sup>th</sup>, 2021, the Township received a Notice of Appeal to Official Plan Amendment No. 68, Zoning By-law Amendment No. Z02-21 and Consent Application Nos. B16-20, B17-20, B18-20 and B19-20, from Mr. Chris Goulding and Ms. Louise Goulding, agents working on behalf of the owner; Mr. Richard Gates.

Please note it appears that the applicants have not submitted the proper fees to accompany these appeals. The Township's solicitor is contacting the applicants; Mr. and Ms. Goulding and Mr. John Jackson, to inform them.

Enclosed is the original appeal from Mr. and Ms. Goulding, the Municipal/Approval Authority Submission, as well as all requisite materials.

I trust this is the information that you require. Please do not hesitate to contact me should you have any questions.

Sincerely,

Cale Henderson, MCIP, RPP  
Manager of Development and  
Environmental Services

:JN

encl.

c. Mr. C. Tzekas, WeirFoulds LLP

To forward an appeal, select one or more below

- ☒ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A.
- ☐ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☐ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and *Ontario Heritage*, proceed to Section 1C.

**1 A. Appeal Type (Please check all applicable boxes)**

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b> (Use R1 checklist)	<input type="checkbox"/> Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	<input checked="" type="checkbox"/> Approval Authority failed to make a decision on the plan within 120 days	17(40)
	<input type="checkbox"/> Council failed to adopt the requested amendment within 120 days	22(7)
	<input type="checkbox"/> Council refuses to adopt the requested amendment	
<b>Zoning By-law or Zoning By-law Amendment</b> (Use R2 checklist)	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 90 days	34(11)
	<input checked="" type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 120 days where the application is associated with an Official Plan Amendment	
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
<b>Interim Control Zoning By-law</b> (Use R2 checklist)	<input type="checkbox"/> Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	<input type="checkbox"/> Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)
<b>Site Plan</b> (Use R3 Checklist)	<input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days	41(12)
	<input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
<b>Minor Variance</b> (Use R4 checklist)	<input type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
<b>Consent/Severance</b> (Use R5 checklist)	<input type="checkbox"/> Appeal a decision that approved or refused the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input checked="" type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
	<input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days	51(34)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision	

**Plan of Subdivision**  
(Use R6 checklist)

<input type="checkbox"/> Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
<input type="checkbox"/> Appeal a lapsing provision imposed by an Approval Authority	51(39)
<input type="checkbox"/> Appeal conditions imposed by an Approval Authority	
<input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
<input type="checkbox"/> Appeal changed conditions	51(48)

**1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).**

**For matters subject to Bill 139 and the associated transition regulation (the second appeal).**

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b> (Use R1 checklist)	<input type="checkbox"/> Appeal of a <b>decision</b> by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
<b>Zoning By-law or Zoning By-law Amendment</b> (Use R2 checklist)	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council following a LPAT decision	34(19) and 34(26.5)

**1 C. Other Appeal Types (Please check all applicable boxes)**

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Development Charges Act Matters</b>		
<b>Development Charge By-law</b> (Use R7 checklist)	<input type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
<b>Development Charge Complaint</b> (Use R7 checklist)	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
<b>Front-ending Agreement</b> (Use R7 checklist)	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
<b>Education Act Matters</b>		
<b>Education Development Charge By-law</b>	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65

Subject of Appeal	Type of Appeal	Reference (Section)
(Use R7 checklist)	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
<b>Education Development Charge Complaint</b> (Use R7 checklist)	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)

**Aggregate Resources Act Matters**

<b>Aggregate Removal Licence</b> (Use R8 checklist)	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	<input type="checkbox"/> Revocation of licence	20(4)

**Other Act Matters (Use R11 checklist)**

Subject of Appeal	Act/Legislation Name	Section Number

**2. Location Information**

Address and/or Legal Description of property subject to the appeal  
as Part of Lot 40, Concession 3, being Parcel 21266 PSSS, in the geographic Township of Conger,

Municipality  
Township of The Archipelago

Upper Tier (Example: county, district, region)

Approval Authority (if different than above)  
N/A

**3. Municipal/Approval Authority Contact Information**

Last Name HENDERSON	First Name CALE
------------------------	--------------------

Professional Title  
MANAGER OF DEVELOPMENT AND ENVIRONMENTAL SERVICES / PLANNER

Email Address chenderson@thearchipelago.on.ca	Telephone Number 705-746-4243 ext. 305
--	---

**Mailing Address**

Unit Number	Street Number 9	Street Name James Street	PO Box
City/Town PARRY SOUND	Province ON	Postal Code P2A 1T4	

**4. Municipal/Approval Authority Representative Information (Legal or Planning) (Person attending LPAT hearing)**

Last Name TZEKAS	First Name CHRISTOPHER
---------------------	---------------------------

Company Name  
WEIRFOULDS LLP

Professional Title  
SOLICITOR

Email Address  
ctzekas@weirfoulds.com

Daytime Telephone Number ext.	Alternate Telephone Number 416-365-1110
----------------------------------	--

**Mailing Address**

Unit Number 4100	Street Number 66	Street Name Wellington St W, TD Bank Twr	PO Box 35
City/Town Toronto	Province ON	Country CDA	Postal Code M5K 1B7

**5. Appeal Reasons**

Municipal Reference Number(s)  
Non-Decision - OPA # 68, ZBLA No. Z02-20, Consent Appl'n Nos. B16-20, B17-20, B18-20, B19-20



For all appeal types, please outline the nature of the appeal and the reasons for the appeal. Should you need more room to expand upon the appeal reasons, please attach a letter to this form.

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:

A: A decision of a Council or Approval Authority is:

- ☐ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- ☐ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Conformity with a provincial plan
- ☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If you intend on arguing on one or more of the above throughout a proceeding, please explain:

Sections intentionally left blank, as no decision has been made with respect to these applications.

Did this matter start with a request/application?

☒ Yes ☐ No ▼

If yes, what was the date the municipality/approval authority deemed the application/request complete? Provide in date format: (yyyy/mm/dd)

2020/11/19

Date of Decision/Notice of Passing (yyyy/mm/dd)  
N/A

Date Notice of Decision/Passing was issued/provided (yyyy/mm/dd)  
N/A

#### Oral/written submissions to council

If applicable, did the Appellant(s) make their opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council
- ☒ Written submissions to council

#### Planning Act matters only

Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/ were passed on or after July 1, 2016. (Bill 73)

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

☐ Yes ☒ No

343

## 6. Related Matters

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

☐ Yes ☒ No

If yes, please provide LPAT Case/File Number(s) and/or Municipal File Number(s)

Does the Municipality anticipate further appeals to be filed related to this matter?

☒ Yes ☐ No

## 7. Mediation

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

☒ I have read and understand the above statement.

## 8. Witness Information

If known, how many expert witnesses or other witnesses does the Municipality/Approval Authority expect to have at the hearing providing evidence and/or testimony?

1

If known, describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

Land use Planner

## 9. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

I confirm that I have included applicable checklist(s) with required documents in the order listed in the checklist(s).

Name of Clerk/Representative

Cale Henderson

Signature of Clerk/Representative



Date (yyyy/mm/dd)

2021/03/26

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.



Ontario Land Tribunals  
**Local Planning Appeal Tribunal**  
655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: 416-212-6349  
Toll Free: 1-866-448-2248  
Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca)

**Checklist (R1)**  
**Official Plans and**  
**Amendments**  
*Planning Act*

**Required Documentation** (Please check boxes below to indicate that the document is included)

**Format of Submissions:**

Provide both an electronic copy (.pdf) and paper copy for all document submissions. Provide all electronic submissions on a USB key. Each file should be labelled using the numbered headings listed below, and indexed to a table of contents.

**1. Appeal**

- ☒ a. Original or certified copy of each notice of appeal received and reasons for appeal with indication of the date on which each notice was filed.
- ☒ b. Tribunal fee paid by each appellant made payable to the Minister of Finance. The appeal will not be processed without this fee being paid by each appellant. Ensure that cheque/fee payment is affixed to each appeal.

**2. Application**

- ☒ a. Original or certified copy of the request for an amendment to the official plan. [Section 22(7)]
- ☒ b. If applicable, the original or certified copy of the prescribed information and material received by council or the planning board under subsection 22(4) of the *Planning Act* or the original or certified copy of the record received by the approval authority under section 7 of O.Regulation 543/06 under the *Planning Act*.

**3. Decision/Resolution/Notice of Adoption**

- ☐ a. A certified copy of the by-law adopting the proposed official plan or plan amendment. [Section 17(24)]
- ☐ b. A certified copy of the decision of the approval authority, if applicable.
- ☐ c. If applicable, a copy of the resolution of the council or planning board refusing to adopt the requested amendment.
- ☐ d. If applicable, a copy of the council or planning board's written explanation for the notice of refusal, including the date that the giving of notice of refusal was completed and an indication that notice of the refusal was given in accordance with the provisions of the Act. [Section 17(36) and 22(7)]
- ☐ e. If applicable, a copy of the notice of adoption by council or planning board.

**4. List**

- ☒ a. List of names, e-mail addresses and mailing addresses of all parties (including the applicant) and persons and agencies to be notified of the Local Planning Appeal Tribunal (LPAT) hearing.
- ☐ b. Where notice of a decision was issued by e-mail, a list of all names and e-mail addresses and an indication of the date that the e-mail was sent.

**5. Affidavit/Statement**

- ☒ a. If applicable, an affidavit or sworn declaration from an employee of the municipality or approval authority certifying:
  - i) The statutory requirements for the giving of notice and the holding of public meetings and open houses, if required, or the alternative measures for informing and obtaining the views of the public as set out in the official plan have been complied with; and
  - ii) The statutory requirements for the giving of notice of adoption have been complied with. Include date written notice was given.
  - iii) If subsection 22(6.4) of the Act applies, a certificate that the requirements of clause 22(6.4)(a) of the Act have been complied with.
  - iv) That the information and material provided as required by paragraph 10 of section 7 is accurate.
- ☐ b. An affidavit or sworn declaration made by an employee of the approval authority certifying that the requirements for giving notice of the decision under subsection 17(35) of the Act have been complied with. [Section 17(36)]

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- ☐ c. In the case of a proposed official plan, a statement as to whether it replaces an existing official plan. [Section 17(36)]
- ☐ d. A statement from an employee of the municipality or planning board as to whether the decision of the council, planning board or approval authority,
  - i. is consistent with the policy statements issued under subsection 3(1) of the Act, and
  - ii. conforms to or does not conflict with any applicable provincial plan or plans. [Sections 17(36), 17(40), 22(7)]
  - iii. conforms with the upper-tier municipality's official plan
- ☒ e. An affidavit or sworn declaration of an employee of the municipality and/or approval authority listing all persons and public bodies that provided written submissions or comments, if applicable. Attach a Schedule with a typed list of their full names, e-mail addresses, mailing addresses and telephone numbers. [Sections 17(24), 17(36) and 22(7)]
- ☐ f. An affidavit or sworn declaration of an employee of the municipality and/or approval authority listing all persons and public bodies that made oral submissions at the public meeting, if applicable. Attach a Schedule with a typed list with their full names, e-mail addresses, mailing addresses and telephone numbers. [Sections 17(24), 17(36) and 22(7)]
- ☐ g. A statement indicating whether or not an extension was provided under section 17(40.1) and, if an extension was provided, an indication of the number of days that were allowed for the extension. Include a copy of the notice of extension.
- ☐ h. A statement addressing whether or not the 2-year no application restriction under section 22(2.2) is applicable. If a restriction is applicable, please provide a copy of any notice that was provided.

#### 6. Notice of Public Meeting

- ☐ Where a public meeting has been held, a copy of the Notice.

#### 7. Minutes

- ☐ Where a public meeting has been held, a copy of the minutes of the public meeting (printed format).

#### 8. Planning Report

- ☒ A copy of any planning report considered by the council or planning board.

#### 9. Oral/Written Submissions

- ☒ Provide all information and material that the Municipal Council or Approval Authority considered in making their decision and/or received in relation to the matter such as any written or oral submissions from the public relating to the planning matter.

Provide, where available, a USB key upon which is stored a video and audio record of each public session at which oral submissions were made to the Municipal Council or Approval Authority regarding the application, together with a list of the names of the persons who made the submission, and the time on the recording where the submission begins.

Examples:

- Written submissions
- Minutes containing oral submission records
- Video of Council meeting
- Other (Please describe)

#### 10. Official Plan Amendment (or Proposed OPA)

- ☐ Certified copy of the proposed official plan or plan amendment. (If municipal staff have not drafted a proposed amendment, this draft can be requested from the applicant.)

#### 11. Other Information

- ☒ The original or a certified copy of any other information and material that is required to be provided by the official plan of the municipality or planning board.



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**Checklist (R2)**  
**Zoning By-laws and**  
**Amendments**  
*Planning Act*

**Required Documentation** (Please check boxes below to indicate that the document is included)

**Format of Submissions:**

Provide both an electronic copy (.pdf) and paper copy for all document submissions. Provide all electronic submissions on a USB key. Each file should be labelled using the numbered headings listed below, and indexed to a table of contents.

**1. Appeal**

- ☒ a. Original or certified copy of each notice of appeal received and reasons for appeal with indication of the date on which each notice was filed.
- ☐ b. Tribunal fee paid by each appellant made payable to the Minister of Finance. The appeal will not be processed without this fee being paid by **each** appellant. Ensure that cheque/fee payment is affixed to each appeal.

**2. Application**

- ☒ If applicable, the original or a certified copy of the application for amendment to the by-law that includes name, e-mail address, address and telephone number of the applicant and lawyer or agent.

**3. Notice of Passing/Refusal**

- ☐ a. A copy of the notice of passing of the zoning by-law or interim control by-law. [Sections 34(19) or 38(4)]
- ☒ b. A copy of Council's refusal, including the date that the giving of notice was completed, or an affidavit or declaration duly sworn certifying that Council refused or neglected to make a decision on the complete application within 90 days and an indication that notice of the refusal was given in accordance with the provisions of the Act. [Section 34(11)]

**4. Explanatory Note**

- ☒ An explanation of the purpose and effect of the by-law/proposed by-law.

**5. List**

- ☒ a. List of names, e-mail addresses and mailing addresses of all parties (including the applicant) and persons and agencies to be notified of the Local Planning Appeal Tribunal (LPAT) hearing.
- ☐ b. Where notice of a decision/refusal was issued by e-mail, a list of all names and e-mail addresses and an indication of the date that the e-mail was sent.

**6. Zoning By-law**

- ☐ Certified copy of the zoning by-law/proposed amending by-law under appeal.

**7. Map**

- ☒ A map of the land under appeal or a description of the subject land.

## 8. Affidavit

- ☒ a. An affidavit or sworn declaration from an employee of the municipality or planning board certifying, as applicable:
- i) The statutory requirements for the giving of notice and the holding of public meetings and open houses, if required, or the alternative measures for informing and obtaining the views of the public as set out in the official plan have been complied with;
  - ii) The statutory requirements for the giving of notice of passing or refusal of the by-law have been complied with. Include date written notice was given. Attach a copy of the notice, explanatory note and key map;
  - iii) A typed list of all persons and public bodies that made oral submissions at the public meeting, including their full names, e-mail addresses, mailing addresses and telephone numbers; and
  - iv) If subsection 34(10.7) of the Act applies, a certificate that the requirements of clause 34(10.7)(a) of the Act have been complied with.
- ☐ b. A statement from an employee of the municipality or planning board as to whether the decision of the council or planning board,
- i) is consistent with the policy statements issued under subsection 3(1) of the Act,
  - ii) conforms to or does not conflict with any applicable provincial plan or plans, and
  - iii) conforms with applicable official plans.
- ☐ c. Report on the position taken by Council in response to each appeal, including conformity with official plan.
- ☐ d. A statement addressing whether or not the 2-year no application restriction under section 34(10.0.0.2) is applicable. If a restriction is applicable, please provide a copy of any notice that was provided.

## 9. Notice of Public Meeting

- ☐ Where a public meeting has been held, a copy of the Notice.

## 10. Minutes

- ☐ Where a public meeting has been held, a copy of the minutes of the public meeting (printed format).

## 11. Planning Report

- ☒ A copy of any planning report considered by the council or planning board.

## 12. Oral/Written Submissions

- ☒ Provide all information and material that the Municipal Council or Approval Authority considered in making their decision and/or received in relation to the matter such as any written or oral submissions from the public relating to the planning matter.

Provide, where available, a USB key upon which is stored a video and audio record of each public session at which oral submissions were made to the Municipal Council or Approval Authority regarding the application, together with a list of the names of the persons who made the submission, and the time on the recording where the submission begins.

Examples:

Written submissions  
Minutes containing oral submission records  
Video of Council meeting  
Other (Please describe)

## 13. Other Information

- ☒ a. The original or a certified copy of the prescribed information and material received by the council or planning board under subsection 34(10.1) of the Act.
- ☒ b. The original or a certified copy of any other information and material that is required to be provided by the official plan of the municipality or planning board.
- ☐ c. Original or true copy, if any, of each written withdrawal of appeal.



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**Checklist (R5)**  
**Consent and**  
**Severance**  
*Planning Act*

**Required Documentation** (Please check boxes below to indicate that the document is included)

**Format of Submissions:**

Provide both an electronic copy (.pdf) and paper copy for all document submissions. Provide all electronic submissions on a USB key. Each file should be labelled using the numbered headings listed below, and indexed to a table of contents.

**1. Appeal**

- ☒ a. Original or certified copy of each notice of appeal received and reasons for appeal **with indication of the date on which each notice was filed.**
- ☐ b. Tribunal fee paid by **each** appellant made payable to the Minister of Finance. The appeal will not be processed without this fee being paid by **each** appellant. Ensure that cheque/fee payment is affixed to each appeal.

**2. Application**

- ☒ a. Original or certified copy of the application received by the approval authority. This includes the original or a copy of the prescribed information and material received under subsection 53(2) of the Act.
- ☒ b. Authorization, if application made by other than the owner.

**3. Decision**

- ☐ a. Decision of the approval authority with written reasons.
- ☐ b. Last date for filing notice of appeal to the Clerk or Minister.

**4. Sketch**

- ☒ All plans and sketches considered by the approval authority.

**5. List**

- ☒ a. Names, e-mail addresses and mailing addresses of all legal counsel and all persons, officials and agencies who were sent a copy of the Approval Authority's decision and of those who requested to receive notice from the Local Planning Appeal Tribunal (LPAT).
- ☐ b. Where notice of a decision was issued by e-mail, a list of all names and e-mail addresses and an indication of the date that the e-mail was sent.

**6. Affidavit**

- ☐ a. Affidavit or sworn declaration of the approval authority listing all persons and public bodies that made oral submissions at the public meeting.
- ☐ b. Where a local municipality gives notice of an application for consent pursuant to a request by an approval authority under subsection 53(7.1) of the Act, an affidavit or sworn declaration by an employee of the municipality certifying that the requirements for the giving of notice under clause 53(5)(a) of the Act have been complied with.
- ☐ c. A statement by an employee of the approval authority as to whether the decision of the approval authority,
  - i. is consistent with the policy statements issued under subsection 3(1) of the Act,
  - ii. conforms to or does not conflict with any applicable provincial plan or plans, and
  - iii. conforms to the official plan of the municipality or planning board.
- ☐ d. Affidavit or sworn declaration by the approval authority of compliance with the requirements for giving notice under subsection 53(17) and 53(24) of the *Planning Act*.



## 7. Public Hearing Notice

- ☐ Copy of the Public Notice.

## 8. Minutes

- ☐ Minutes of public meeting (in written/printed format).

## 9. Planning Report

- ☐ A copy of any planning report considered by the approval authority.

## 10. Oral/Written Submissions

- ☒ a. Original or a copy of all written submissions and comments received.
- ☐ b. Provide all information and material that the Municipal Council or Approval Authority **considered** in making their decision and/or received in relation to the matter such as any written or oral submissions from the public relating to the planning matter.

Examples:

Written submissions  
Minutes containing oral submission records  
Video of Council meeting  
Other (Please describe)

## 11. Official Plan/Zoning By-law Extracts

- ☒ Copy of relevant extracts from the Official Plan.
- ☒ Copy of relevant extracts from the Zoning By-law.
- ☐ Copy of relevant extracts from Minister's Zoning Order, if applicable.

## 12. Other Information

- ☒ a. Original or certified copy of the prescribed information and material received under subsection 53(2) of the Act.
- ☒ b. The original or a certified copy of any other information and material that is required to be provided by the official plan of the municipality or planning board.
- ☐ c. Original or true copy, if any, of each written withdrawal of appeal.

## **Appendix L**

Public Input received till date



**Subject:** Woods Bay Lane Amendment No. 68 & By-Law Amendment Z02-20 (Gates)

**From:** Pam Graham

>

**Date:** 12/17/2020, 9:52 AM

**To:** chenderson@thearchipelago.on.ca

**CC:** Derek Johnston

Cale,

As a property owner on Woods Bay Lane, I have received the Notice of Application dated December 4, 2020, and would like to be involved in the Application process and consultation.

Do I need to send a physical letter to you or will this suffice as my "written request"?

What are the next steps for community involvement?

Thanks,

*Pam*

Pam Graham & Derek Johnston

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**Subject:** Separation proposal

**From:** Kelly Walsh

**Date:** 12/14/2020, 2:32 PM

**To:** chenderson@thearchipelago.on.ca

I'm am a home owner on woodsby lane I have been here for 34 years and have enjoyed the quite on my road I'm against the proposal of the lots going up across from me here are my concerns

The water table -how do they propose to reroot the water it runs now across my property I was under the impression that it was an environmental protective area what will happen to wildlife

Who will maintain the road since Rick Gates pays nothing now

I have many more

I'M AGAINST IT

THANK YOU

KELLY WALSH

Re: Gates Application

**Subject:** Re: Gates Application

**From:** Robin Flumerfelt

**Date:** 1/31/2021, 7:00 PM

**To:** "chenderson@thearchipelago.on.ca" <chenderson@thearchipelago.on.ca>

Dear Mr. Henderson,

I hope that this email finds you well and that you and yours are fairing well during this trying time.

I am writing to you regarding **Proposed Official Plan Amendment No. 68 and Zoning By-Law Amendment No. 202-20 (Gates)**. I am a nearby property owner (Islands) and I wish to express my grave concerns about the proposal. I offer the following thoughts respectfully.

While I do not oppose the creation of affordable housing in the Municipality of the Archipelago, the proposed development should not be approved. This area that is under the protection of the Municipality will be irrevocably damaged by this plan. Waterfront residents on Woods Bay Lane will have their property values plummet. These represent major investments, life savings in some cases, that will be reduced significantly in value to accommodate this plan. The constant amendments to the plan in order to avoid scrutiny of the inevitable destructive effects on adjacent property owners and the environment demonstrate what is clear to objective observers: this is not the place for a "strategic policy area" designed to provide comparatively dense habitation immediately adjacent to properties, the value of which is based largely on their separation from such development. I offer the following non-exhaustive list of troubling questions:

- Has the municipality calculated how much its tax base will be reduced by the lowering of property values on the west side of Woods Bay Lane?
- Will the Municipality take over the road given the unsustainability of its current maintenance arrangement if this development is approved and the impact of significantly increased traffic and other changes (e.g. hydrological) drastically increase the cost of maintaining the road in serviceable condition??
- Has the municipality examined the actual uses to which this development will be put, for example, by the intended purchaser of the curiously larger severance at the northwest corner of the Gates property?
- Has consideration been given to alternative sites that would not cause such hardship to adjacent landowners?

The Municipality should not approve this proposal. While its goals are laudatory, they can be achieved elsewhere without the risk of abuse and the unnecessary harmful effects on property owners who rely on the municipality to protect this area.

Thank you kindly for passing on my views to the appropriate officials and please consider this email a request to be informed of any proceedings related to this proposal.

Respectfully,

Robin Flumerfelt

**Subject:** Response to : Official Plan Amendment Application OP01-20 Zoning Bylaw Amendment Application No. Z02-20

**From:** Susan and Peter McPhedran

**Date:** 1/29/2021, 2:54 PM

**To:** grant@olresources.ca, ianm@vianet.ca, Rick Zanussi

<rick@canadiancontractingservices.com>, David Ashley <dsashley@sympatico.ca>, Alice Barton <alice.barton@gmail.com>, <sheard@rogers.com>, earlmanners@gmail.com, phfrost44@gmail.com, lauriemayemery@gmail.com, gandrews7062@gmail.com, Bert Liverance <bert@colishcreations.com>

**CC:** Cale Henderson <chenderson@thearchipelago.on.ca>, mweaver@thearchipelago.on.ca

Reeve and Councillors:

Attached is our response to the proposal, referenced above, for your attention.  
We would appreciate your response, acknowledging receipt of this email.

Thank you.

Peter and Susan McPhedran  
Woods Bay Lane

— Attachments: —

Gates Proposal letter to TOA.docx

16.5 kB

Peter and Susan McPhedran

January 25, 2021

Dear Reeve and Councillors:

**Re: Official Plan Amendment Application OP01-20  
Zoning Bylaw Amendment Application No. Z02-20**

We are seasonal residents, owning property at Woods Bay Lane, with concerns regarding the Official Plan Amendment and Zoning Bylaw Amendment applications submitted by Richard Gates.

We are not in favour of this proposal.

We have reviewed all relevant planning and Township documentation, watched the video of your Council meeting where the proposal was discussed and have spoken with several neighbours about the application. This helped us to better understand the issues and nuances surrounding the proposal.

Our initial reaction is one of surprise that *amendments* to the Official Plan and Zoning Bylaw would be considered, given that a comprehensive Official Plan review has been recently completed and that the Zoning Bylaw is currently under review.

It is our opinion that it is completely premature for a proposal such as this to be considered by Council under these circumstances.

We understand the need for and can support the construction of affordable housing units under the condition that any project be carefully planned and executed.

From our research, we have found that affordable housing units are usually in multi-unit buildings, on municipal roads, close to public and commercial services and, if possible, have access to public transit. This proposal meets none of these criteria.

Does this proposal truly intend to build "affordable housing"? Neither the proposed ownership structure nor business plan as submitted by the applicant come close to being representative of its stated intent to provide affordable housing.

Our understanding is that the four available lots are already spoken for by area residents. Three of these currently own local waterfront property. The fourth owned local waterfront property until recently.

The business plan appears to contain totally unrealistic amounts. We do not believe that a well could be dug or a septic system installed for the amounts shown in the business plan. These numbers seem to have been reverse calculated to total \$282,000, the amount given as the cost to build an affordable housing unit in the Parry Sound area.



We are also concerned with the findings of the Fricorp Ecological Services' "Site Evaluation Report" submitted by the applicant. The findings did not take into account existing concerns on lands immediately adjacent to the subject lands where additional development could have adverse impact. For instance, there is a wetland in close proximity to the subject lands that is prone to flooding.

In Section 3 of the Official Plan, the general goal of the Township of the Archipelago's Planning Area is to "preserve the unique and high quality of the natural environment which leads to a recreational experience that is both relaxing and aesthetically appealing to property owners.....and is designed to make property owners and visitors realize they share equally in the responsibility of maintaining the ecological integrity with a UNESCO Biosphere Reserve.

We are concerned that this proposal is not consistent with the goal of the Township Planning Area. It will lead to clearing of land, increased overland water flow, increased noise and light production and interruption of wildlife corridors.

Woods Bay Lane is currently maintained by residents, as members of the Moon River Road Association. The road was designed and constructed by property owners to carry seasonal traffic. Culverts have already been installed and replaced in an effort to drain spring melt water under the road.

Woods Bay Lane was never intended for year round use. Accepting this proposal would result in increased usage of this road by year round residents, and increased heavy equipment traffic during the construction phase. It is unreasonable to expect the current residents to take on additional costs incurred by a development such as this.

Council may have an obligation to consider this proposal. However, Council has an equal, if not greater obligation to Woods Bay residents.

Do the right thing.

Complete the Strategic Policy Area study.

Determine where affordable housing is needed and can be built to achieve its desired aims consistent with the goals of the Township of the Archipelago Planning Area document.

We urge you not to accept the Gates proposal.

Sincerely,

Peter D. McPhedran

Susan W. McPhedran

**Subject:** Letter of Support

**From:** <shawn

**Date:** 1/29/2021, 1:21 PM

**To:** <bert@colishcreations.com>

**CC:** <chenderson@thearchipelago.on.ca>

Hi Reeve Liverance,

Please find attached my letter of support for the Gates Development in Moon River.

Regards,

Shawn



741 Yonge St.

Midland On L4R 2E1

1-705-427-1427

[www.metisfishmarket.com](http://www.metisfishmarket.com)

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— Attachments: —

Letter of Support.zip

2.9 MB

Shawn Goulding Zurawski

January 29, 2021

Reeve Bert Liverance  
Township of the Archipelago  
9 James Street  
Parry Sound, ON  
P2A 1T4

RE: GATES DEVELOPMENT IN MOON RIVER

Dear Reeve Liverance,

As a citizen of the Métis Nation of Ontario and having lived the majority of my life at Sans Souci and Moon River, I write to you today to express my support for the Gates Application for Consent. Having been born and raised on the islands in the area I can speak first hand to the rising costs of land and the lack of affordability.

My name is Shawn Goulding Zurawski and I am a proud Métis. I currently own and operate Métis Fish Market in Midland, Ontario. I descend from a long line of Métis commercial fishermen and my uncle continues the tradition today, supplying me with the freshest of fish. As you may already know, my grandparents, Henry and Edith LePage, were the founders of the famous Henry's Fish Restaurant on Frying Pan Island at Sans Souci.

After my public and high school years, I entered trade school and became a welder prior to entering the fishing industry. Henry LePage, my grandfather, was a blacksmith as well as a commercial fisherman and my fourth great grandfather, Jean Baptiste Trudeau, was also a master blacksmith and fisherman, working at the Military Establishments on the shores of Penetanguishene Bay in the very early 1800's. Both proud Métis men, it is ironic that I would follow in their footsteps and enter the welding and fishing industries.

I ran my company, "Up North Welding" in the Sans Souci area, from my parent's commercial property on Moon Island and serviced the cottager's in the area. As was my brother's case, it wasn't long before it became apparent that it was not suitable for my brother and I to operate our businesses on our parent's property. I also made the extremely difficult decision to close my business and move to the mainland in search of a new profession and more affordable housing.

I am extremely proud of the Métis Way of Life in which I grew up in and more so now that my children can go back to Moon Island and immerse themselves in their culture and heritage. My eldest son recently obtained his trapping licence and now enjoys spending time trapping with his grandfather, as our Métis ancestors did.

It saddens me greatly to know that I, along with my children, cannot afford to live in the area we love so much. We visit as often as we can but it will never be the same as living there and living the Métis Way of Life full time.

This is why I believe it is so important for the Township of the Archipelago to do what it can to keep the Métis youth in the area - by allowing the development of back lots, lots that are much more affordable than waterfront.

I respectfully ask you, Reeve Liverance and Council, to please put your support behind the Gates Application for Consent so that our community can continue to thrive for generations to come, so that our Métis youth will be able to stay in the community they love so much, a community they can thrive in.

Regards,

A handwritten signature in dark ink, appearing to read 'Shawn Zurawski', with a long horizontal flourish extending to the right.

Shawn Goulding Zurawski

Goulding BJ Letter of Support

**Subject:** Goulding BJ Letter of Support  
**From:** Bj Goulding  
**Date:** 1/29/2021, 1:00 PM  
**To:** bert@colishcreations.com  
**CC:** chenderson@thearchipelago.on.ca

Please see attached letter of support  
Thanks  
BJ Goulding

---

Sent from my iPhone

—Attachments:

---

Goulding BJ Letter of Support.pdf

167 kB

✓

BJ Goulding

January 29, 2021

Reeve Bert Liverance  
Township of the Archipelago  
9 James Street  
Parry Sound, ON  
P2A 1T4

RE: GATES DEVELOPMENT IN MOON RIVER

Dear Reeve Liverance,

My name is Bradley (BJ) Goulding and I write to you today to express my full support for the Gates Application for Consent and to voice my thoughts as to why the application is so important to my community.

I am very proud to be a citizen of the Métis Nation of Ontario and a part of the Métis Community of Moon River, which is of course a part of the greater Historic Georgian Bay Métis Community. I was born and raised on the islands of Georgian Bay, as were many generations of my family. I descend from a long line of Métis commercial fishermen, with an uncle continuing the tradition even today along with a brother who is in the industry as well. We continue to live the Métis Way of Life as have generations of Métis in the area.

My Métis ancestor, Jean Trudeau, was the first caretaker of Qui Vive and his father, my third great grandfather died on Qui Vive Island, so it is quite fitting that my brother and I grew up on Moon Island – a two minute boat ride across from Qui Vive!

My grandparents, Henry and Edith LePage, were the founders of the famous Henry's Fish Restaurant on Frying Pan Island – where my mother grew up, along with the various fishing camps her father and grandfather used on Georgian Bay.

Since the Sugar Bay school house had been closed by the time I was school age, we were schooled on the mainland in MacTier and Parry Sound, being picked up by school boat or traveling by scoot or snowmobile each morning and evening – quite a daily adventure to say the least. When college came around I boarded on the mainland and went home to Moon Island on weekends.

After completing college courses for Small Engine Mechanics and Marine Mechanics I opened my own business, calling it BJ Marine and serviced the cottagers of Sans Souci, 12 Mile Bay and Moon River. Since I couldn't afford to buy property to operate from, my parents allowed me to service my clients from their commercial property on Moon Island. It wasn't long though that it became apparent that it was not suitable for my brother and I to operate our businesses on our parent's property, as they were growing and needed the space.

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I made the extremely difficult decision to close my business and move to the mainland in search of a new profession and more affordable housing.

I am now left to simply visiting my life-long home and yearning to return full time some day. Now I return with my two young children so that they can experience some of the Métis Way of Life I was so lucky and proud to live as a youth.

It would be extremely shameful and disgraceful if the Township of the Archipelago was to allow what happened to me to happen to the current youth of the Moon River Métis Community, especially since there are options at the township's fingertips that would allow our people to continue to live here, where they belong, where they truly want to be.

Kindest regards,



BJ Goulding





**Subject:** Proposed Official Plan Amendment No. 68 and Zoning By - Law Amendment No. Z02-20  
**From:** "G"

**Date:** 1/28/2021, 3:20 PM

**To:** <chenderson@thearchipelago.on.ca>

**CC:** <bert@colishcreations.com>, <gandrews7062@gmail.com>, <lauriemayemery@gmail.com>, <phfrost44@gmail.com>, <earlmanners@gmail.com>, <sheard@rogers.com>, <alice.barton@gmail.com>, <dsashley@sympatico.ca>, <rick@canadiancontractingservices.com>, <ianm@vianet.ca>, <grant@olresources.ca>

To: The Council of the Township of The Archipelago  
9 James Street  
Parry Sound, Ontario P2A 1T4

January 28, 2021

**RE: Notice of Application (Gates)**

**Proposed Official Plan Amendment No. 68 and Zoning By - Law Amendment No. Z02-20**

Dear Sir,

We have received the mailing from The Township regarding the Application noted above.

We submit this written request to be advised of future discussions and meetings pertaining to this application as well as any notifications of decisions by the Corporation of the Township of The Archipelago.

We have owned road access property served by what is now referred to as Woods Bay Lane since 1985 and have contributed funds annually to support and maintain the road since that time.

We believe that we have always been mindful and respectful of those permanent residents who have a long history in the Moon River and Woods Bay area.

However, notwithstanding the issues identified in the Official Plan that may be relevant to the application, we have some concerns:

- importantly will this project ultimately address a need for affordable housing?
- does The Township have any knowledge or interest in the eventual usage and density of development on this property and the resultant effect on congestion, noise, forest coverage, animal habitat, and the basic nature of the surrounding waterfront properties?
- it is very doubtful that the privately maintained road would be able to withstand a significant increase in traffic, possibly involving heavy vehicles, in addition to an alteration in the water drainage from the land which will be cleared of trees and vegetation.
- in so far as none of the individuals involved in this development have thus far contributed to maintenance of the private road, would the municipality be taking over this responsibility if the development were to proceed?

Does The Township have concerns about the effect of a potentially high density development in close proximity to properties that were purchased with the expectation that the immediate area would remain mostly forested and not heavily populated?

Has there been a substantial change in the aims of The Township for this particular area which does have a substantial number of longstanding seasonal waterfront properties?

Will The Township be assessing whether there are other options that can address whatever the requirements for affordable housing might be, without escalating the density of activity in this area of Woods Bay?

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Respectfully,

Gord & Wendy Goldenson  
Woods Bay Lane



**Subject:** GATES- PROPOSED OFFICIAL PLAN AMENDMENT NO. 68 AND ZONING BY-LAW AMENDMENT NO. Z02-20

**From:** Brian Dyck

**Date:** 1/18/2021, 3:09 PM

**To:** bert@colishcreation.com, chenderson@thearchipelago.on.ca

**CC:** alice.barton@gmail.com, dsashley@sympatico.ca, rick@canadiancontractingservices.com, gandrews7062@gmail.com, lavriemayemery@gmail.com, phfrost44@gmail.com, earlmanners@gmail.com, sheard@rogers.com, ianm@vianet.ca, grant@olresources.ca

**Subject:** GATES-Proposed Official Plan Amendment No. 68 and Zoning By-law Amendment No. Z02-20

To whom it may concern:

We "Kelly Walsh and Brian Dyck, residents and owners of 1 Woods bay lane, in the township of the Archipelago, **OPPOSE** the proposed development plan by Rick Gates and his agent Chris Goulding to create new affordable housing lots on the subject property.

Our concerns are as follows:

**The designation of this 100 acre parcel of land as Affordable housing.**

It is well known that three of the purchasers of these four lots already own numerous waterfront homes and properties, and that they reside there.

Two of the buyers have major commercial construction operations in the Woods bay area. It is our fear that these two lots (20 acre & 10 acre) will be used to house workers, equipment, materials, deliveries and land based construction operations.

The third buyer would like to build a retirement residence that is road accessible. They currently access their waterfront property on the bay via water.

The fourth buyer owned waterfront property on the bay, sold, and now would like to return to the area.

These four buyers are all well to do successful people that in our opinions" **DO NOT MEET THE CRITERIA FOR AFFORDABLE HOUSING"**

As is stated in APPENDIX B of their planning justification report, (page 55 BACKGROUND) "The increased cost of waterfront land has made the availability of lands for most year round residents cost prohibitive" How does this apply when the agent and buyers already own waterfront properties and residences in the area? It is a direct contradiction to the application!!

It is also well known that the agent (Chris Goulding) is receiving half of the 20 acre parcel for free, in exchange for funding the project and services rendered. This 20 acre parcel is directly across from a family owned vacant lot that he uses for his access to woods bay to facilitate his commercial operations. This waterfront lot is directly beside the woods bay transfer station, government boat ramp and dock. It should be noted that expansion of the government launch will also facilitate his access to the bay to conduct commercial operations through his new mainland based property. All of these facts must be taken very seriously. Please refer to the aerial photograph of his waterfront

property from which he resides and conducts his construction business. This is not what the residents of woods bay lane want for our neighborhood. We have spoken with most of the owners and they are in agreement.

Regardless of the facts that we have just stated, the impact on the road of a potential increase of 16 new families using woods bay lane to access the proposed development, will greatly reduce the quality of our road that we have so diligently maintained for many years. It is also to be noted that Rick Gates has **REFUSED** to pay his annual dues for road maintenance, repairs and snow plowing. Every single property owner on Woods Bay Lane has annually paid their dues, but Rick Gates never has. Currently, his property drains across the road which floods our property year round, killing tree growth and has created marshland and has caused us to spend upwards of \$10,000 dollars to raise our driveway. Many of our neighbors are affected by this as well.

This proposed new development will create erosion, increasing drainage onto our lands, damaging the road even further. Who is going to take responsibility for repairs and upgrades to current drainage based on the increased flow? What guarantees will we have going forward considering Rick Gate's refusal to pay all of these years. Will the new owners behave the same when the road costs skyrocket? The environmental report provided notes the current drainage situation, but does not specify the effects of development nor does it address how it will be upgraded.

The negative impact on the road and adjoining properties has not been considered!

These watershed issues need to be addressed whether the development occurs or not.

**If this application to create an affordable housing community is approved, then the township should assume the road so all of these issues and concerns will become its responsibility.**

The creation of an affordable housing community on the subject property will also reduce our property values. Many of us have worked hard to purchase our properties and we feel it unfair that overall values will be diminished. **Will our property taxes be reduced based on that fact?**

The reduction of the original proposal of ten lots to four has avoided the requirement of a HYDROGEOLOGICAL study. It is well known that the intention of Rick Gates and his agents is to continue subdividing more lots in the future if this application is approved. Many of us along Woods bay lane have wells for drinking water. We find it unacceptable that this study will not be conducted!! More homes means more contamination of the ground water and ecosystem that we all cherish! This needs to be addressed.

We do not agree with the environmental report regarding the impact on wildlife that suggests that it will not be negatively affected. Regardless of the assessment that certain areas remain environmentally protected and distances must be maintained during construction, the wildlife and their current habitat and behaviours will forever be altered and displaced. This area will never be the same!

Regarding the endangered Massasauga Rattlesnake and the reports findings, we and many others know this to be incorrect. We personally observed 4 mature rattlesnakes of different sizes crossing woods bay lane from Gate's property in 2020 alone! We have spoken with several neighbors that have had similar experiences.

This area of woods bay is home to a very large herd of deer that winter specifically on the subject property and surrounding area. With increased predation (wolves, coyotes) over the years, we have seen this herd greatly reduced. A new residential development will further compound their stress and reduce the population even further. We currently have deer visiting us daily in the winter, as do most

residents on woods bay lane. Even though distances and setbacks regarding construction in the environmental report were noted, it is a given and unfortunate fact that any type of development will displace wildlife.

Regarding the Metis land development claim, three of the four current purchasers are Metis, but the fourth, and Rick Gates are not! It is of our opinion that this claim should not apply based on the fact that not all purchasers are Metis and many veterans of the war were given land grants that are unable to subdivide.

In closing:

The Township of the Archipelago is revered by many other townships because of its dedication to maintaining nature in its current state and minimizing development in sensitive areas such as this one. We appreciate the township's need to address the affordable housing situation based on their guidelines, but there are other areas in the township that can address this need that will not have such a negative impact. We need to stress the fact that if this door is opened on Wood's bay, it can never be closed, leading to future applications of more subdivisions in the area. There are several large privately owned pieces of land surrounding Woods bay that owners may apply for subdivision based on this **precedent** being set.

Please Seriously consider all of our concerns.

We the community of Woods bay have invested our lives and hard earned living to be in an environment that is considered by many as "**THE LAST FRONTIER. AN AREA WITH PRIVACY, NATURE, FREE OF BACK LOT DEVELOPMENT AND AFFORDABLE HOUSING DEVELOPMENTS.**"

Thank you for listening to our concerns and we look forward to being a part of this process. It is of our deepest concern, as well as MANY others.

Yours sincerely

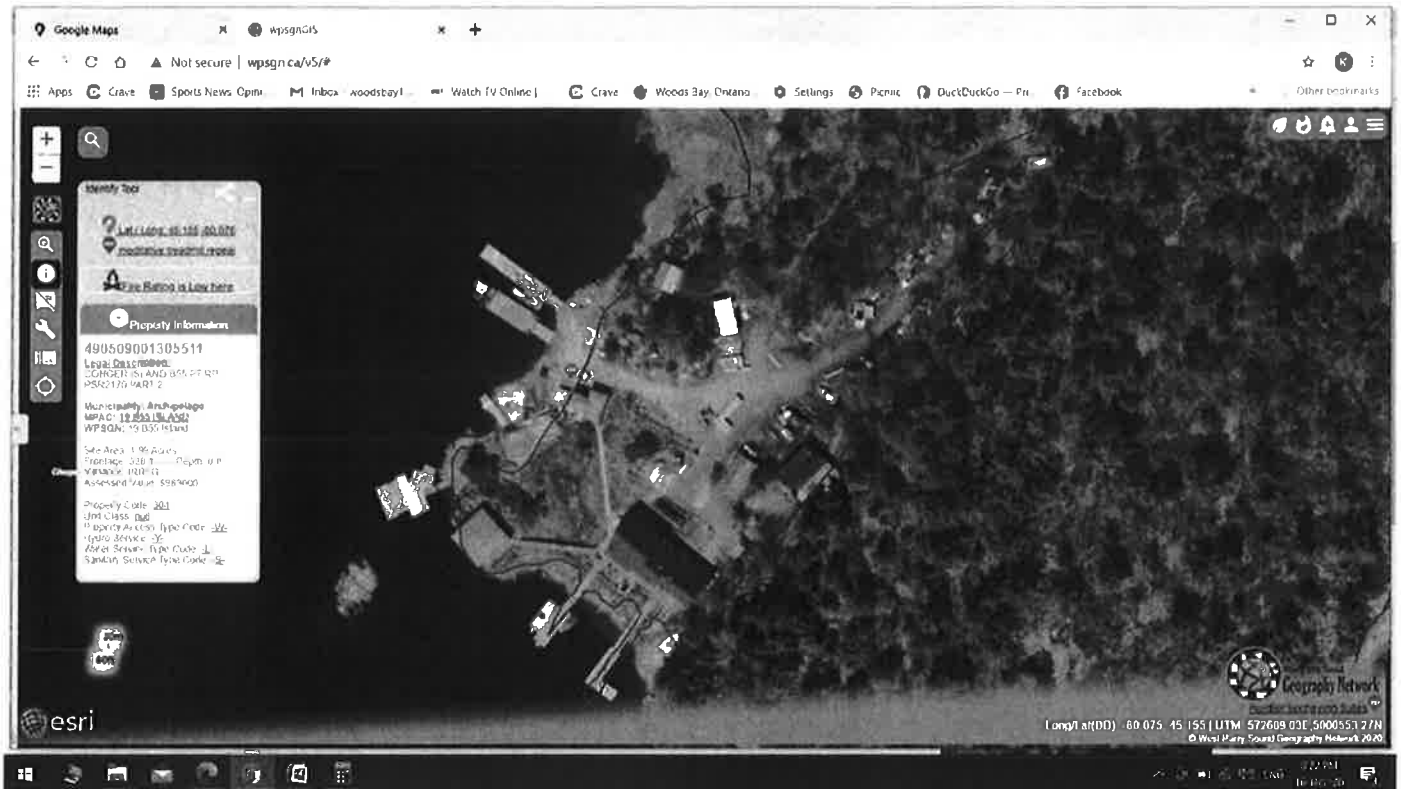
Kelly Walsh and Brian Dyck

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— Attachments:

Chris.docx

1.7 MB



**Subject:** Proposed official plan amendment 68 amendment Z02-20 (Gates)

**From:** Tom Winterbottom

**Date:** 1/15/2021, 7:43 PM

**To:** "chenderson@thearchipelago.on.ca" <chenderson@thearchipelago.on.ca>

Hello Cale

As a resident of Woods Bay Lane ( ) I have a number of concerns regarding the proposed lot severance and development of Rick Gates property. We moved from a subdivision in Barrie to retire to our lakefront home and do not want a subdivision setting up here (proposed each lot, 2 houses and option to rent = 4 families per lot = 16 families for all lots).

- 1) our road is maintained privately by residents (with the exception of Rick Gates who never contributes). Who will assume responsibility?
- 2) what will happen to all the wildlife that currently live on that property? I have encountered deer, moose, partridge, fox and snakes on my many walks on our road
- 3) "AFFORDABLE HOUSING " what a joke. The rumoured potential purchasers are wealthy people who already own property around the bay. Again, rumour has it that Dion Construction want the property by the sand pit so they can move their equipment there which means more wear and tear on the road. Also rumoured is Moon Island Construction (Chris Goulding) wants to move his construction business off the island to the mainland. We have also heard he wishes to take over and expand the public dock by the dump. We do not want construction companies taking over our piece of paradise.
- 4) why are other residents not in consideration to be on the list of purchasers? Why do Métis get preference? This all seems premeditated by the "rich" of Woods Bay.
- 5) if this is passed, what is to stop Alvin Scott and James Grisdale (both Métis) from applying for the same severances. They both own large parcels of land on Grisdale Road. A road I might mention has been torn up by Dion and Baywise Construction.
- 6) we were under the impression that back lots off waterfront CANNOT be divided.
- 7) what's to stop the "affordable housing " residents from trying to access the waterfront by trespassing on our properties (safety and theft concerns)
- 8) what will happen to the market value of our properties?
- 9) how are all these construction companies making all kinds of money including Doug Gates building kitchen cabinets out of his garage on residential zoned lots (not commercial zoned) and not paying taxes
- (10) Chris Goulding doing the leg work for 10 free acres to build another construction site to build docks, homes and use donated property by Marshal Grisdale for the public to load and unload boats ,canoes etc. He should not block and obstruct the dock close to the dump for his huge profits.



This so called (BS)low income housing is only being offered to himself, his family and his friends so he can make more money for himself. They all own property on the bay as it is , I can send pictures of his property on the island. We don't need anymore construction sites looking like scrap yards.

I can give you hundreds of reasons why myself and any neighbours I talk to about this are 100% against this proposed application

Regards  
Tom Winterbottom  
1 Woods Bay Lane

**Subject:** Proposed official plan amendment 68 amendment Z02-20 (Gates)

**From:** debbie glabais

**Date:** 1/13/2021, 12:47 PM

**To:** "chenderson@thearchipelago.on.ca" <chenderson@thearchipelago.on.ca>

Hello Cale

As a resident of Woods Bay Lane (. 3) I have a number of concerns regarding the proposed lot severance and development of Rick Gates property. We moved from a subdivision in Barrie to retire to our lakefront home and do not want a subdivision setting up here (proposed each lot, 2 houses and option to rent = 4 families per lot = 16 families for all lots).

- 1) our road is maintained privately by residents (with the exception of Rick Gates who never contributes). Who will assume responsibility?
- 2) what will happen to all the wildlife that currently live on that property? I have encountered deer, moose, partridge, fox and snakes on my many walks on our road
- 3) "AFFORDABLE HOUSING " what a joke. The rumoured potential purchasers are wealthy people who already own property around the bay. Again, rumour has it that Dion Construction want the property by the sand pit so they can move their equipment there which means more wear and tear on the road. Also rumoured is Moon Island Construction (Chris Goulding) wants to move his construction business off the island to the mainland. We have also heard he wishes to take over and expand the public dock by the dump. We do not want construction companies taking over our piece of paradise.
- 4) why are other residents not in consideration to be on the list of purchasers? Why do Métis get preference? This all seems premeditated by the "rich" of Woods Bay.
- 5) if this is passed, what is to stop Alvin Scott and James Grisdale (both Métis) from applying for the same severances. They both own large parcels of land on Grisdale Road. A road I might mention has been torn up by Dion and Baywise Construction.
- 6) we were under the impression that back lots off waterfront CANNOT be divided.
- 7) what's to stop the "affordable housing " residents from trying to access the waterfront by trespassing on our properties (safety and theft concerns)
- 8) what will happen to the market value of our properties?

I could go on and on but I think you realize I am very against this proposal.

Regards.

Sent from my iPad  
Debbie Glabais  
! Woods Bay Lane

**Subject:** Proposed lot severance and development - Woods Bay Lane  
**From:** "G&C Parsons"  
**Date:** 1/11/2021, 7:26 PM  
**To:** chenderson@thearchipelago.on.ca

Hello Cale,

First off let me introduce ourselves, we are Gary and Christine Parsons from Woods Bay Lane.

We are writing today with regards to the above mentioned lot severance application on Woods Bay Lane from Rick Gates and understand that you are the Township representative for this application.

We echo the concerns of the other residents, which I believe you have already been made aware of so we are not going to repeat them, but would like to focus on the ones in which we are mainly concerned about and have a strong interest in.

a) The term "affordable housing" ;

- What exactly does that mean in the context of this application?
- How does one qualify?
- Would someone qualify if they already owned waterfront property in the Township?
- What type of dwelling is allowed? How many people / families can occupy?
- Would it not make sense for affordable housing to have easier access to transportation, groceries etc.

b) The road maintenance, more use = more maintenance

- Is the Township going to assume Woods Bay Lane and maintain same?
- If the Township doesn't assume Woods Bay Lane Who is going to pay for the maintenance of the road? As you know Gates is a year-round resident who does not contribute to the road maintenance currently as the rest of us do.
- if this is "affordable" housing, how do we know the new occupants will contribute if the township doesn't take it over?
- Will the lot entry be off of Woods Bay Lane?

c) The impact to the natural beauty of this area,

- The main reason we purchased and built in this area 4 years ago was because of the protection of the lands with no back lot severances.
- The destruction of trees and natural habitat for the many birds and animal species which live on those lands.

d) What about the application for Moon River Marina to purchase the 24 acres off Woods Bay Lane across from the marina which abuts the Gates property? If this is approved then we have even more density being added to the area.

e) Setting "precedent"

- What about other large parcels of land that are owned in this small community? If this one gets approved it sets a precedent for others to do the same thing.

We would like to be included in any information and/or meetings which occur relating to these applications.

Thank-you,  
Gary & Christine

**Subject:** Gates Application

**From:** S&G Denton <

im>

**Date:** 1/11/2021, 4:15 PM

**To:** chenderson@thearchipelago.on.ca

As a property owner on Woods Bay Lane, we are expressing our deep concern over the Gates application to sever four new, non-waterfront affordable housing lots fronting onto our privately-maintained road.

It seems clear to us that the application only has legs under the guise of providing "affordable housing".

However, affordable housing has yet to be defined for the township. Further 5 to 10 acre lots seem inconsistent with the notion of affordable housing. And there would appear to be no mechanism to ensure any properties built are maintained as affordable. So is this affordable housing or simply a way to get township permission to sell off four lots for profit?

Over and above these observations, we have concerns over the impact of construction and infrastructure vehicles and traffic on our road. Gates never pays his portion of the annual maintenance costs and we judge any proposed development by him to be prima facia self serving.

Sincerely,

Susan and Graham Denton

Sent from my iPhone

RE: Bernard Trudeau

**Subject:** RE: Bernard Trudeau

**From:** <bert@colishcreations.com>

**Date:** 1/7/2021, 2:25 PM

**To:** "'Cale Henderson'" <chenderson@thearchipelago.on.ca>

**CC:** "'Jean Trudeau'" com>, <bert@colishcreations.com>

Hi Cale,

Please see this email in support of the Gates property.

Thanks,

Bert

Bert Liverance

[bert@colishcreations.com](mailto:bert@colishcreations.com)

[www.bertliverance.com](http://www.bertliverance.com)

905 424 8551

**From:** Jean Trudeau

m>

**Sent:** January 7, 2021 11:38 AM

**To:** bert@colishcreations.com

**Subject:** Bernard Trudeau

Bernard Trudeau

Moonisland B

Archipelago Township

January 7, 2021

Reeve Bert Liverance and Council,  
9 James Street, Parry Sound, ON. P2A 1T4

I am third generation, permanent resident, at this location, which is zoned commercial property. I know that the only lake front properties available now, are private ones. This puts them out of reach for the average person to purchase.

If it is possible to make some affordable housing available, due to the Gate's property transaction, I have no problem with that.

Contractors on the " Bay " have been dealing with the boarding of their workers forever. Allowing them to live in your residence, does not work. Everyone needs their own space. My father was a contractor and boarded workers at home.

I know the outcome. If the employees had affordable land to purchase it may become a win - win situation for all.

Employees wouldn't be wasting money, travelling back and forth, and may decide to settle here in the area, permanently.

Sincerely,

Bernard Trudeau

**Subject:** Fw: Woods Bay Development

**From:** dean smith <ers.com>

**Date:** 12/29/2020, 8:38 AM

**To:** "chenderson@thearchipelago.on.ca" <chenderson@thearchipelago.on.ca>

Sent from Rogers Yahoo Mail on Android

----- Forwarded Message -----

**From:** "dean smith" <ers.com>

**To:** "chenderson@therarchipelago.on.ca" <chenderson@therarchipelago.on.ca>, "bert@colishcreations.com" <bert@colishcreations.com>, "gandrews7062@gmail.com" <gandrews7062@gmail.com>, "lauriemayemery@gmail.com" <lauriemayemery@gmail.com>, "phfrost44@gmail.com" <phfrost44@gmail.com>, "earlmanners@gmail.com" <earlmanners@gmail.com>, "sheard@rogers.com" <sheard@rogers.com>, "alice.barton@gmail.com" <alice.barton@gmail.com>, "dashley@sympatico.ca" <dashley@sympatico.ca>, "rick@canadiancontractorservices.com" <rick@canadiancontractorservices.com>, "ianm@vianet.ca" <ianm@vianet.ca>, "grant@olresources.ca" <grant@olresources.ca>

**Sent:** Mon, Dec 28, 2020 at 8:54 PM

**Subject:** Woods Bay Development  
December 28, 2020

To: Mr. Cale Henderson  
Manager of Development and Environmental Services  
Township of the Archipelago

Re:  
Official Plan Amendment Application OP01-20  
Zoning By-law Amendment Application No. Z02-20  
Woods Bay Lane  
Lot 40, Concession 3, Conger

We are writing to you with concerns over the Gates application for development on Woods Bay Lane. Our understanding is that the application is seeking an amendment to the Township's Official Plan on the basis that the proposed development addresses affordable housing needs.

The current plan is for four subdivided lots varying in size between 5 and 20 acres, and by their calculations at a projected cost of \$282,000 for the fully developed property. Even if this very low estimate is correct we are unaware of legitimate affordable housing projects where residents pay \$300,000 for 20 acres of land in an isolated area without fire or EMS services, local shopping for basic necessities, or transit. In addition to this, the site in question is at the edge of a provincial



park. Houses are for sale in nearby MacTier for less, with all of the above amenities available.

You may have noticed that in the application there is mention of expanding the local modest public boat launch to allow for "drop-off" of construction goods and appliances for barging to offshore properties. The concern is that among the list of pre-subscribed owners of the new lots are construction business owners that service offshore properties, looking for additional land to facilitate their operations. The Township may want to look into this. Even if this prediction is incorrect there are concerns about these properties being "flipped," the monitoring and prevention of which are a challenge for any jurisdiction.

Our understanding is that the Township has yet to establish its affordable housing strategy and that there are further studies specifically regarding Woods Bay. In the absence of this we strongly urge counsel not grant this "one-off" amendment to the Official Plan.

Sincerely,

Dean A. Smith  
Rosanne R. Nishimura

Woods Bay Lane

Application to sever lots at Woods Bay Lane.



**Subject:** Application to sever lots at Woods Bay Lane.  
**From:** Malcolm Hayes <[redacted]@[redacted].com>  
**Date:** 12/19/2020, 4:04 PM  
**To:** chenderson@thearchipelago.on.ca

Just wanting to voice my opposition to this change in the zoning. In my opinion the application under the guise of affordable housing is a smoke screen.

I am against developing this property.

Hope to attend a public meeting of some kind in the near future.

Sincerely, Malcolm Hayes.

Resident, [redacted] Woods Bay Lane.

**Subject:** Proposed development on Woods Bay Lane  
**From:** robert bell <com>  
**Date:** 12/19/2020, 11:07 AM  
**To:** chenderson@thearchipelago.on.ca

Hello Cale Henderson,

By way of introduction I am a cottager on Woods Bay Lane- our place is Woods Bay Lane.

This unusual spring has made us even more appreciative of the wonders of this amazing place. My wife and I have lived most of the spring and summer at our cottage and plan on spending quite a bit of time here this winter. My wife is a retired paediatrician and normally volunteers as a literacy teacher in downtown Toronto schools. She has actually been accepted to do literacy work at Mactier School but of course that opportunity has been interrupted by COVID.

Cale I am writing to express concern about the proposed development on Woods Bay Lane. Development of back lots along this lane would interrupt the watershed drainage that is so evident along this beautiful strip of laneway. The road is extremely vulnerable to washouts and erosion. I am very concerned about the vulnerability that both construction and increased traffic would entail.

We would like to be kept informed about the progress of this development application. We have joined the Woods Bay Community Association. We would plan to express concern to Council by correspondence and possibly video appearance at the hearing to discuss this application.

Thanks for your representation on this issue.

Bob & Diann Bell

RSBell, MDCM, MSc, FRCSC, FACS, FRCSE (Hon).  
Professor of Surgery, University of Toronto.

✓  
Jan 6, 2021

Township of The Archipeligo  
Att'n: Bert Liverence

Dear Sir,

I am writing this letter to voice my support for the Application for Consent regarding the Gates property in Woods Bay.

I currently reside at the Tadenac Club in Georgian Bay Township. We are located just southeast of the township border with the Archipeligo.

I have spent the majority of my life living and working on Georgian Bay. I am a Metis Citizen and member of the Moon River Metis Council. I was born and raised at our family home at Moose Deer Lodge which is in the Archipeligo township. My family has resided on Georgian Bay for many generations within the township, from Spider Bay to Moon Island, to Port Rawson, to Moon River, to Moose Deer Point. The main reason I initially left the Bay was one of necessity as a result of my parents selling the family lodge as a means to fund their retirement. As a young man just entering into my working life, and with the cost of properties on the Bay skyrocketing as a result of wealthy cottagers driving up real estate prices, it was simply not possible for me to purchase my own property on the Bay. I was forced to move to town to find an affordable place to live and secure a sustainable profession. I married, had a family and created a home for myself in the Penetang / Midland area.

Georgian Bay always remained home in my mind and soul and became a retreat of solace on weekends and holidays. Still, property ownership remained beyond reach due to ever increasing prices and demand from cottage seekers from the city.

Twelve years ago, I was fortunate enough to secure the job of Caretaker for the Tadenac Club, which allowed me to resume a life on Georgian Bay. I live and work on the Club property. Our home is owned by the Club and provided as part of the employment package.

This application represents the first real opportunity for me, (and others like me....average people who make an average living), to afford to own something on the Bay. Even though it is not waterfront or island property, it is close enough to allow access to the bay for work, recreation, harvesting, and continuance of our traditional way of life. Without this kind of opportunity, attaining a property in this area is simply a luxury that's reserved for the wealthy.

I know much deliberation has revolved around the premise that this Application seeks to establish an area of "Affordable Housing". To many, this raises images of a subsidized housing development.

This is not what is being proposed here....this application is about creating opportunity for average working people and families. It's for permanent residents seeking to live and work in the Bay area and continue our traditional way of life. We are the same people who have, and continue to provided the services and support for all of the cottagers.....the very cottagers who are inadvertently responsible for pushing us out of our ancestral homes.

The demand for these services have only increased over the years and those of us who provide them, are dwindling.

I urge you to support this application and give those of us who want to carry on with our traditional way of life in our traditional home, the opportunity to do so.

Respectfully,

Mark Trudeau

✓

From;  
Brenda Forristal

To;  
Reeve Liverance and Council  
9 James St  
Parry Sound, Ontario

Re; Woods Bay Development Application for Consent

To whom it may concern,

My name is Brenda Forristal (nee Roberts) and my family and I have been part of the Woods Bay community since the early 1970s. I own not only Island B56 but also a piece of mainland waterfront property across the road from the development in question.

I am writing this letter to provide my full support to the development of this land. I want it recognized that as a seasonal property owner, I have relied heavily on the people who live and work locally and without them, maintaining our cottage would be impossible. I have seen first hand how difficult it is for these families to continue to live in the area and how many of them have had to move farther and farther afield because waterfront property is unobtainable.

This small development would have an enormously positive impact on the seasonal cottagers who rely on these families and businesses to keep their properties going and without whom, property ownership in the Archipelago would be nearly impossible.

The future generations of the families that live and work on Woods Bay are being forced to move out of the area to secure housing. These families are the lifeblood of the community and as their numbers dwindle, so to does the economic viability of the seasonal properties.

When my father purchased land here decades ago, the Grisdale family looked after the property for us, first Marshall and then George. As they aged and found themselves unable to provide those services, the fact that most of their children had moved away became very evident. I found myself trying to find other people to fill those positions. Unfortunately, due to staffing shortages, there simply is not enough manpower

available. While I would like nothing more than to support the local economy, I am at the point of needing to look outside the Township to find people to care for our property. This is a sentiment that I have heard echoed by many of my Woods Bay neighbours.

The province has made the necessary changes to allow this development and it is time the Township followed suit. This area is the only access point to Georgian Bay in the South Archipelago and it is crucial that we maintain the vitality of this neighbourhood.

Please allow the severance of lot 40 to ensure that Woods Bay can continue to be a community where local families reside and support the seasonal cottagers as they have for generations.

I trust that the Council of the Archipelago will recognize that what makes our township so extraordinary is not just the land on which it sits, but also the people who inhabit it.

Sincerely,

Brenda Forristal

✓

From;  
Robin Forristal  
St  
)

To;  
Reeve Liverance and Council  
9 James St  
Parry Sound, Ontario

Re; Woods Bay Development Application for Consent

To whom it may concern,

I am writing this letter to offer my full support to the development of Lot 40 in the Moon River community. This area has been a part of my life since I was born. Our family cottage is big and old and we love it that way. The cottage has so much history and shares much of that history with the people who have lived there for generations.

Our cottage was built in 1910 and, from that time until very recently, generations of the Grisdale family maintained the cottage for generations of my family. It is history like this that makes the Archipelago such a wonderful place. My generation has seen an end to this relationship as a lack of affordable housing has meant that these families are no longer able to live on Woods Bay.

I have watched my mother struggle to fill the holes that these families have left, with little success. There is a glaringly obvious lack of manpower in the area. The families that have managed to remain on the bay cannot recruit and retain enough workers to service the needs of the cottagers.

Allowing the severance of these lots will have such a positive impact on the area and will allow the vitality of the area to continue.

The value of the properties in the Township and the tax base they generate is directly linked to the ability of the owners to maintain and improve on their investments. I would hate to see a slow degeneration of the cottage community because of a lack of resources available.

The significance of the role that local inhabitants play cannot be understated. I trust Council will make the wise decision to allow the subdivision of Lot 40 and in doing so, will ensure that the area remains a thriving community.

All the best,  
Robin Forristal



✓

**Hendrycks, Jeff**

► **Reeve Liverance & Council**

9 James Street, Parry Sound, ON P2A 1T4  
Phone: 705-746-4243

**Re: Development of lands: Conger Con 3 Lot 40 PCL**

My name is Jeff Hendrycks. I was born and raised on Woods Bay Lane and now own a residence on Francis Island, immediately outside of Woods Bay in the North Channel. After watching the council meeting on November 19<sup>th</sup>, 2020, I was taken with the first item in the Official Planning Zoning Amendments review involving a proposal to consider the creation of four affordable housing lots in the Woods Bay neighbourhood.

Woods Bay is a unique area within the township in more ways than one. It is the only land access point within ward four serving over one thousand water access properties. It is also home to over a third of the ward's year-round, permanent residents. Many of these families have called it home for not just the entirety of their lives, but for many generations. These families have deep roots to the area and have established businesses to provide for themselves, their employees and serve their community. Personally, I have known many of these long-term residents throughout my life and have witnessed firsthand the struggle faced with running a business in this community while maintaining an adequate life for employees. Recognition of this is stated in Section 10.36 of the township's Official Plan, emphasizing the need for housing for those persons employed in Woods Bay and the ability for existing businesses to attract and retain employees.

I am one of the lucky ones. In my early-thirties I was able to purchase an island property of my own. I was able to do this strictly because I gained employment outside of our township which provided enough capital to afford a waterfront property in this very expensive region I once called home. Many of my friends who still live and work in the area similar in age to myself are not as lucky. Waterfront property is simply unattainable. They survive by living with parents, friends or extended family on legacy properties, going to work each day servicing cottagers at their Summer homes, while being unable to purchase property for themselves. With virtually no land available outside of waterfront, their ability to establish themselves in this community long term is hard to fathom, and they will as so many have before them, leave the community to gain employment elsewhere. This may not seem like a problem to some, however our community, our ward especially, rely on these businesses and these employees I speak of. Life here will become increasingly difficult if nobody is left with the knowhow to drive barges, deliver fuel, or manage construction projects.

I think of the Gregoire's, the Grisdales', the Dion's, the Arnold's and the Trudeau's, to name a few - these are the families I refer to above, the families who have lived and worked in Moon River for generations, the families that are written into our region's history books. These are the people who have enabled and continue to enable this

community to thrive.

It is for these reasons that I propose the township go ahead with the severance of Lot 40 in order to keep these properties affordable for the people who maintain and have maintained this region. While many people may see this development as a change to the community, to me, it is the only option the township has to ensure it remains the same.



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**Hendrycks, Jeff**

**Subject:** Proposed Severance of 11 Woods Bay Lane

**From:** Paul Sulkers <[REDACTED]> om>

**Date:** 2/10/2021, 1:05 PM

**To:** chenderson@thearchipelago.on.ca

**CC:** Heather Sulkers <[REDACTED]>

Hi Cale, we are the owners of #8 Woods Bay Lane. As requested, please find below our concerns and questions regarding the proposed lot severance and development on Woods Bay Lane. We have one major concern and several questions that we hope the Township will consider.

In terms of our concern, we wanted to stress that the cottage owners on Woods Bay Lane (**not assumed by the Township**) invest annually to maintain this as a private road - both summer grooming and repair as well as winter snow clearing. Our concern is, after years of investment, the road will be severely degraded by construction vehicles as well as an increase in ongoing traffic volume.

This new volume could represent a 20-30% increase depending on the occupancy density and use of the severed lots for commercial traffic (heavy equipment). This increase would also be year-round versus the seasonal use by the cottagers, creating a disproportionate use & damage by a few new owners & new contributors to the total road fees. In other words, this severance adds 10% to the total property owners on Woods Bay Lane (assumed 10% increase in fees) but could represent 50% of the volume and damage to Woods Bay Lane.

Therefore, we strongly believe that **the Township must assume ownership and maintenance of Woods Bay Lane** if this proposal is granted. Any approval by the Township **MUST NOT** be based on a transfer of financial burden and ongoing responsibility to the current residents.

Beyond this base concern, we also have several questions that we hope the Township will consider and take appropriate actions when considering the severance, specifically

1. We do not fully understand the affordable housing provision, and fail to see that 4 lots is an answer to any backlog of affordable housing applicants. How many lots in total are in the Townships forecast for affordable housing? **Do the current list of purchasers for these lots qualify for affordable housing or other criteria such as Metis heritage?** If these criteria are being waived, we would like to add our name to the list of potential purchasers.
2. What are the Township plans to prevent further back lot severance in other large properties on Woods Bay Lane and Grisdales Road? Is it possible to understand the full forecast and project the total impact on the Woods Bay environment and protection by the Township? Is the Town concerned that **this approval will be a "slippery slope"**?
3. Since **affordable housing is typically close to commercial services**, is the Town considering affordable housing closer to Mactier (near Healey Lake Rd and CR 612), or is the Town requesting that Georgian Bay Township consider placement of affordable housing in

**Mactier in walking distance of appropriate commercial services?**

4. As we read the proposal, there is a desire to provide affordable housing or Metis heritage property 'close' to Woods Bay. We do agree that Toronto is 'not close' to Woods Bay. However, if the application is meant to provide affordable housing 'close to Woods Bay', surely the Township would consider that **a 20 minute drive from Mactier does qualify as 'close'?** Why does 'close' have to mean 3 minutes up Woods Bay Lane to the boat ramp?
5. Further to the above question, is the Town considering **additional re-zoning for commercial services in the lower Healey Lake Road area** (near the Marina) that would support residents of affordable housing? Does this proposed severance actually **create a ripple effect to other re-zoning?**
6. One attachment in the proposal refers to additional commercial businesses and expansion of the Town Dock to support staging and building material loading; is the Town approving this expansion and allowance for other Commercial properties on these severed lots?  
**How will the Town prevent commercial use of these affordable lots?**
7. Regarding the prior question, how will the Town manage initial purchasers who then on-sell the property to others who do not qualify for affordable housing? If this severance is being based on heritage rights or affordability, then **how will the Township ensure this is in perpetuity?**

**We would appreciate answers to our questions if possible, and at a minimum consideration of the answers during your decision process.**

Thanks

**Heather & Paul Sulkers**  
**Woods Bay Lane**  
**The Archipelago**

Sent from iCloud

**Chris and Deanna Dion**

ad, Township of the Archipelago, Georgian Bay

!

December 28 2020

**Reeve Liverance & Council**

**Township of the Archipelago**

**9 James St, Parry Sound, On, P2A 1T4**

Re: Development of lands: Conger Con 3 Lot 40 PCL

This letter is in support of the development of the property located at Lot 40, Concession 3, Parcel 21266 PSSS, Conger. Chris and I have been long term residence in the Woods Bay, Grupps Marsh area. Chris is a 4th generation Dion, living and working in the area. I, Deanna Dion (Dragomotz/Kennedy) am a second generation. Chris and I's deep love and desire for the area has given us the dream of being able to continue to live and work in the area. The only way Chris and I were able to acquire land in the Woods Bay, Georgian Bay area was through an inheritance from my grandparents to my sister and I, we then proceeded to buy out my sister. Had this not occurred we would have continued to live outside the community to gain employment.

Chris and I fully support the back lot development for the future of our family in hopes that they will continue to live and work in the area. Chris is also part owner of Dion Construction Ltd. over the past few years finding and retaining employees has become increasingly difficult. With the development of the back lots we feel it could provide an opportunity for employee housing. In order to continue to

serve our community with the services that Dion Construction Ltd. provides to cottagers and local residents. For these reasons Chris and I propose that the township goes ahead with the severance of Lot 40.

Sincerely,

Chris Dion  
Chris Dion

Deanna Dion  
Deanna Dion



rec'd ✓  
December 18, 2000

St

Dec 12/00

Cale Henderson:

We wish to be notified of the decision  
on OPA # 68 and zoning bylaw  
amendment # Z02-00.

Please advise when written submissions  
are due as well as the date of  
the public meeting.

Thank you.

Susan and Peter McPhedran  
Woods Bay Lane

Aimé Dion

May 13 2021

Township of The Archipelago

Reeve Liverance & Council  
9 James Street  
Parry Sound, On P2A 1T4  
705-746-4243

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Re: Development of Land: Conger Con 3 Lot 40

I've received notification of the virtual information session concerning severance of 4 lots on Gates property, conger 3, Lot 40, Woods Bay Area.

I wish to offer my support for this severance for the reasons stated by those proposing it, namely the need for more affordable housing in this immediate area, for expanding local, long-time permanent residents and the much needed accommodations for additional workers.

As is well known, many of the properties held by permanent residents have been taken over for seasonal recreational use. The resulting upward movement in property values has put the price of housing out of reach of many. A further consequence is the loss of a local labour supply. This is not a healthy development for either permanent or seasonal residents. I know this is not a new development, but I believe action needs to be taken now.

Sincerely,



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Aime Dion



**Subject:** Affordable housing in Woods Bay

**From:** John Honderich

**Date:** 5/12/2021, 12:45 PM

**To:** bert@colishcreations.com, chenderson@thearchipelago.on.ca

**CC:** Chris Goulding

Reeve Bert Liverance,  
9 James Street,  
Parry Sound Ontario.  
P2A 1T4

Dear Bert,

I am writing in full and unqualified support for the motion to allow for the development of some affordable housing in what is known as the Gates property.

As a Georgian Bay cottager for the past 33 years on Mitford Island (E ), I have come to appreciate what extraordinary value we cottagers derive from having a small cadre of devoted and hard-working service/construction/support workers who make it possible for cottagers to enjoy this magnificent part of the world. It sounds somewhat trite to say we could not survive without them - but it is the truth! And I know from speaking with others, this feeling is shared throughout the Sans Souci area. Indeed, many conversations have been had discussing how to maintain this shrinking number of dedicated small businesses that are essential to the survival of this community. I might add that a prosperous thriving Sans Souci area necessarily brings about positive economic implications for the small Woods Bay community.

One of the necessary pre-conditions for supporting such workers and families is the availability of affordable housing. This is not an issue unique to Woods Bay but is a subject of debate throughout Ontario. And throughout the province, jurisdictions are struggling to overcome antiquated roadblocks and bylaws that stand in the way of a more modern approach.

I have been following the debate on the Gates property and am aware of the restrictive bylaw/Official Plan which stands in the way of the development of this property. While there may have been a legitimate rationale for limiting development to waterfront properties at one time, I am very hard pressed to come up with one now. To somehow suggest development of this property into four lots is going to adversely affect the Woods Bay community is a long stretch, at the very least. Such intransigence also stands foursquare in the way of any reconciliation process with the Metis people of this region. I would have thought such a consideration would have been a priority for Council.

I also note the time this issue has been before Council and the actions of the Ontario government in finally pushing this matter for final consideration.

I do not think it necessary to characterize the attitude of Council, but I do feel the time has come for Council to make the hard decision. As I said before, councils throughout Ontario are facing

similar debates on affordable housing, and attitudes everywhere are evolving to adapt to a more up-to-date approach.

Bert, the time has come to do the same.

Sincerely,

John Honderich.

----- Forwarded Message -----

**Subject:**Re: Notice of Public Information Session - OPA No. 68, ZBLA No. Z02-20, Consent Application Nos. B16-20, B17-20, B18-20, B19-20 (Gates)

**Date:**Wed, 12 May 2021 07:58:39 -0400

**From:**Isabelle Wagner . ≥

**To:**Jane Nawroth <[JNawroth@thearchipelago.on.ca](mailto:JNawroth@thearchipelago.on.ca)>

Good morning,

My husband and I own the property on Woodsbay Lane.

We already submitted comments on this application on January 27, 2021

I am submitting them again as several sections of our comments are directly relevant to this proposal of subdivision

Thank-you!

We, Isabelle Wagner and Gary Taylor, owners and seasonal residents of 2 Woods Bay Lane (including CONGER Con 3 PT Broken Lot 41 PCL 11033), in the township of the Archipelago, **OPPOSE** the Proposed official Plan amendment no. 68 and zoning by-law amendment no 202-20 (Gates).

Our concerns are as follows:

**The designation of this 100 acres parcel of land as Affordable housing.**

Although we believe that affordable housing is important, we do not think this location is appropriate at all.

It is 25 km from the closest grocery store and public school, over 55 km from an hospital and other amenities, with no public transportation and in an area with no municipal fire service.

And more important, it is on a privately maintained road.

We know that the present owner of this land, Rick Gates, has refused to pay his share of maintenance over the years. How can we expect that people who would need "affordable" housing could afford to pay for their share and if they could afford it, would be willing to pay?

**The subdivision of this parcel**

The creation of several lots with possibly two dwellings on each (main and secondary) will increase the use of this road, especially during construction.

It will also have several implications on the environment which we do not believe have been seriously taken into consideration.

If this application is approved, the township should assume the road and all the associated responsibilities and costs without adding a levy on the current properties.

If the Township decides to assume the road, one expects that the owners of parcels on Sunset Point and Grisdale Roads could ask these 2 roads to be maintained by the Township as well.

**A precedent**

We own a parcel of about 25 acres across from the south-west part of Mr. Gates parcel.

If his proposal is accepted, we presume the Township would not have any grounds to reject a proposal of subdivision of our own parcel that we may contemplate in the future.

### **The protection of the environment**

The proponent consultant's report recommends several mitigation measures. How and by whom would these measures be enforced? And who would pay for it?

### **The public dock**

From our understanding, the public dock and access road is a public right of way to the water. Its main purpose is to give people who have water access cottages the ability to bring their garbage to the transfer station and for the owners of land-access parcels along Woods Bay to put their boats in and out of the water at the beginning and the end of the season. It is not to be used for commercial traffic. Use of the dock for commercial traffic seems to be one of the objectives behind this proposal – the dock would then be used for a long period at a time, therefore blocking out other users. It would also increase the cost of maintenance by the Township.

Also, has any consideration been given to how it would affect current businesses in the area, and more specifically the marina – Moon River Marina. This area of water is narrow and increasing traffic and size in that corner would cause accessibility issues for all.

**Subject:** Gates,Richard plan amendment no.68 zoning no.z02-20

**From:** Brian Dyck <[redacted]@archipelago.on.ca>

**Date:** 5/11/2021, 4:16 PM

**To:** chenderson@thearchipelago.on.ca

Hello Cale. I would like to add these photos to further support one of my arguments specifically regarding the flooding along woods bay lane. Our property is directly across the road from the proposed development. No hydrological or hydro geological study has been conducted. The flooding from Gate's property affects many of us and development will dramatically increase this problem ! Please add these photos to my letter.

Also, I would like to be a part of the zoom meeting on the 27th of May.

Kind regards

Brian Dyck & Kelly Walsh

-----20210311\_153615.jpg-----



20210311\_153639.jpg





—20210311\_153553.jpg





Attachments:

20210311_153615.jpg	4.1 MB
20210311_153639.jpg	4.1 MB
20210311_153553.jpg	4.1 MB

**Subject:** R. Gates Application

**From:** Schmalz Werner <[redacted].com>

**Date:** 5/10/2021, 12:40 PM

**To:** chenderson@thearchipelago.on.ca

Good afternoon, Mr. Henderson,

Kindly see the attached letter and accept my confirmation that we'll be partaking in the Zoom Meeting on May-27.

Thank you and regards,

**Werner Schmalz**

[Redacted signature]

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— Attachments:

210510 Objection 2 Township.doc

27.0 kB

**WERNER H. SCHMALZ**

IC  
Tel:

Township of The Archipelago  
9 James Street  
Parry Sound, ON P2A 1T4

Woods Bay Lane

**Ref: Proposed Official Plan Amendment No. 68 and Zoning By-Law Amendment No. Z02-20**

**May 10, 2021**

Please accept my wife's (Inge) and my own objection to the proposed amendments. The planned project would become the beginning of the end of cottage country the way we've come to appreciate and enjoy it ever since the Province made available Crown Land for the purpose of recreational cottages.

The application by Mr. R. Gates is for the purpose of selling this land at developers pricing instead of true market value. The fact that the Township even considers allowing the amendments can only be seen as an enticement for higher tax collection.

We fear that once one such development project is underway, more will follow. We also are afraid that the area will no longer be as private, SAFE (!) and peaceful once the "backcountry" is opened up for profit-seeking developments.

Kindly note that we will be participating in the May-27, 9:00 am Zoom Meeting. Please send us the login key in advance.

Thank you and regards,

Sincerely,

**Werner & Inge Schmalz**

Anthony Dion

Township

Reeve Liverance & Council  
9 James Street  
Parry Sound, On, P2A 1T4  
705-746-4243

Re: Development of Land: Conger Con 3 Lot 40

This letter is in support of the development of the Gates property into an affordable building lot for permanent residence.

There is a growing need for single family dwellings as primary residents in the south Archipelago township.

The demand for recreational property is continually growing and is putting tremendous pressure on the permanent residents to retain the lands that have been home to the families that service this community.

We have lost over half of our commercial lots to the development of private recreational property.

The majority of the original family that have settled in this area have been displaced and moved away due to the lack of affordable housing.

Also the future for any of us that are still here in the service industry is bleak. In that there are no affordable properties for us or our children to be able to acquire in order to stay and continue on the family businesses.

I believe that if something does not change we may be the last generation to be living and working in this area.

There is a fine balance between recreational and permanent residences in order to sustain a healthy and stable community and if we lose all of our ancestral homes there will be a serious lack of services to the area.

With this letter I am asking that the council designate sufficient property for the development of affordable building lots.



Anthony Dion

March 30, 2021

Lot 40 Severance  
Gates Property  
Woods Bay

My name is Jim Jones and I want to express my thoughts and opinions on Lot 40 Gates Property Severance.

I was fortunate to be an electrical contractor for over 35 years and in a position to purchase a winterized home on Moon Island. Now that prices have soared to today's rates and there are not very many available water front properties in the area, it has become a large undertaking for residents to own their own homes. This is causing the young people who want to stay, to move out.

Our family have been year round cottagers in the area for over 70 years. We know the importance of calling on residents for our needs. Since the 1940's we've relied on residents such as Welsh Bros., Nap Trudeau, Grisdale, Gregoire, Moon Island Construction, Dion Construction, Le Blanc, and Moon River Marine.

It is now quickly becoming a dwindling work force as owners retire due to difficulty keeping workers. Therefore contractors and workers from the Parry Sound area will have to drive and boat to service our needs. This would add time and fuel to the cost of what is already available. We now get services at a reasonable rate and time.

If you have ever had a project large enough to house employees then one knows how difficult it can be. Some employers have living quarters and others have live in employees. Not a comfortable situation at times for either. Non-resident workers tend to leave prematurely.

So Lot 40 – Woods Bay with a private road allowance around it and no water frontage would be the ideal piece to sever. Thus allowing for some affordable land to build a residence.

I for one have no problem to sever Lot 40, it can and should be an asset to our area. Let's try to hang onto a local work force.

Jim Jones

d

**Subject:** Gates, Richard Consent Application

**From:** Bryan Peters <b.peters@thearchipelago.on.ca>

**Date:** 1/5/2021, 11:10 AM

**To:** Cale Henderson <chenderson@thearchipelago.on.ca>

**CC:** Susan Peters <lawroth@thearchipelago.on.ca>

Good Morning Cale / Jane  
Happy New Year !

Consent application B16,B17,B18, B19 -20

Lot 40 Concession 3  
Twp. Conger ( Moon River)

Please notify us regarding information / meetings pertaining to the proposed development of the Gates lands. With this development located across from our property we have obvious concerns with any future development.

Furthermore, the proposed changes to the Woods Bay Transfer Station and public boat launch to handle large commercial boat traffic is alarming as this will increase boat traffic on the Bay as well as increase commercial vehicular traffic in the area causing stress on the current infrastructure.

Since there is a Marina with commercial launching facilities neighbouring the public launch this request to add another launching facility appears totally self serving to the applicants and no one else.

Thanks,  
Bryan and Susan Peters  
Woods Bay Lane

✓  
December 24, 2020

MICHAEL AND EVELYN PRENTICE

MR. CALE HENDERSON

THE COUNCIL OF THE CORP. OF THE TWP OF THE ARCHIPELAGO

#9 JAMES SREET

PARRY SOUND ON P2A 1T4

RE: Official Plan Amendment # 68, and passing of Zoning By-law Amendment #Z02-20

Dear Mr. Henderson:


As property owners on Grisdale's Road, we received your office letter regarding the above matter.  
Thank you for keeping us informed.

We have several concerns with the development and would like to be informed of any ongoing progress.

We wish to be advised when the next public hearing date, time and location, has been decided.

Thanking you in advance.

Regards,

A handwritten signature in cursive script, appearing to read "Michael & Evelyn Prentice", written in black ink.

Michael & Evelyn Prentice

**Subject:** Gates Zoning Application, Woods Bay

**From:** Karen and Walter Brinston

**Date:** 12/21/2020, 5:39 PM

**To:** "gandrews7062\_gmail.com" <gandrews7062@gmail.com>, "lauriemayermery\_gmail.com" <lauriemayermery@gmail.com>, Peter Frost <phfrost44@gmail.com>, Earl Manners <earlmanners@gmail.com>, "T. Scott Sheard" <sheard@rogers.com>, Alice Barton <alice.barton@gmail.com>, Rick Zanussi <rick@canadiancontractingservices.com>, David Ashley <dsashley@sympatico.ca>, "ianm\_vianet.ca" <ianm@vianet.ca>, Grant Walker <grant@olresources.ca>

**CC:** Cale Henderson <chenderson@thearchipelago.on.ca>

Please see attached document

Thank you,

Walter & Karen Brinston

-- Attachments: 

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Gates Zoning Request Notes.docx

845 kB



Gates Zoning By-Law Amendment Request  
For "Affordable Housing"

We are submitting the following points to all Councilors in the Archipelago; also included are additional concerns that were previously expressed and sent to our Ward 4 Councilors.

The applicant's submission includes the following statements:

**1.0 BACKGROUND**

The south part of the Township of The Archipelago has been the centre of discussion over the past 25 years regarding the need to establish policies that respond to local residential issues and allowing for additional commercial opportunities that ultimately meet the servicing needs of ratepayers in The Archipelago.

- The application documents consistently inter-mix's the request for "commercial" uses and "affordable housing". What is truly being applied for?

**5. (d.1) Affordable Housing**

This is the core rationale for the application.

**4.0 AFFORDABLE HOUSING CHALLENGES**

There will be a number of "affordable" housing challenges as part of this development application. These include:

- Ensuring that the lots are available for the residents that are in need for the housing (how to ensure that the lands do not get "flipped" to serve parties not targeted as interest groups)

[Note: there is a list of potential Moon River purchasers of lots.]

- If the "core" rationale is for affordable housing and ensuring those "in need" are the ones to receive the housing, the applicant has not provided any vetting or criteria to determine the qualifications of those that receive the lots.
- The only statement made is that the lots are spoken for with no mention of how these people were vetted.
- The lot sizes do not support affordable housing for now and into the future

For the above reasons, the application for zoning change should be denied.

In addition, it should be noted that the community is already dense with residential and commercial properties. Further density would have a negative impact on the Woods Bay Community. This is shown on the map below.

We also have the following existing commercially zoned properties:

- 3 are drive to marinas
- 1 zoned commercial property (currently used for personal use)
- 1 water access resort
- 43 trailer sites are also allowed within the above properties

There is also an additional property zoned for the following:

- 10 room motel & restaurant



- Affordable Housing is noted as the “core” of the application
  - Page 56 states
    - “ensuring the lots are available to those in need”
    - There is a “list” of potential purchasers of the lots
  - Page 59, 5.3.2(b)
    - Lots are spoken for
  - What is the criteria to purchase the lots?
    - How do the current people on the “list” qualify?
    - Income?
    - Restricted to residences of Woods Bay area etc??
    - If this is truly “affordable housing” there should be an open application process for anyone who qualifies to apply, not restricted to those that are aware of this through their relationship with the developer
    - Is each individual responsible for building their own houses?
    - Who is currently on the list?
- Consultant Report
  - Wet Lands – Page 56 – states “not extensive wet lands”
    - What % is considered extensive?
  - Deer Yard – Page 57
    - If passed, what would be put in place to protect this noted deer yard?
    - What would stop new owners from cutting down an excessive amount of trees
  - Page 67 – The quality of the picture makes the legend impossible to match to the map
- Meet with Community Representatives
  - Page 61 – 5.6 states representatives of the community met with Ward 4 Councilors
    - Who are the community members that met with the Councilors?
    - It needs to be noted that there are **many** residences that are not members of the Woods Bay Community Association, and therefore if the WBCA is notified, do not assume we are all notified or in agreement.
    - The planner report states it is suggested that they reach out to area residences and associations. The report states “THIS HAS BEEN DONE”
      - **With Whom??**
- Page 35 & page 107 12(c) Mentions Métis Land Grants for Military Service
  - Although we do not believe this has any merit on this application, it should be noted that Military Land Grants were given to many military members after the war.
  - The neighbourhood we grew up in Weston (now part of Toronto) was land grants.
- Page 104 – Community Dock
  - Wants to convert to accommodate building materials
  - When this property was donated to the community by Marshal Grisdale, it was to be used by the public to access Georgian Bay
  - We currently have 4 commercial access points in this area.
  - This is a small, narrow lot that could not tolerate materials being left and still be used by the community to access the bay or the garbage.
  - Who is going to maintain and manage the site?
- Official Plan –
  - Page 31, 6.7
    - Can you clarify, does this mean that if this area is designated as “affordable housing” that would lead to further development of the area?

- Page 36 – 8.1.1
  - Zoning of GR allows for B & B?
  - Does this mean we could have 8 B & B's too?

These are only initial comments/questions on this issue after reviewing this document with some of our neighbours. We agree that we would send this collectively instead of many different emails.

We would appreciate if you could provide your position on this issue and keep us updated on any meetings or changes as they develop.

Walter & Karen Brinston  
1 Woods Bay Lane

**Subject:** Gates Application Info

**From:** Cale Henderson <chenderson@thearchipelago.on.ca>

**Date:** 12/14/2020, 11:47 AM

**To:** Karen and Walter Brinston

**CC:** jane Nawroth <jnawroth@thearchipelago.on.ca>

Thanks for the discussion on Friday.

Please find attached a copy of the submitted environmental report. Unfortunately, I only had a hard copy of the report, so I had to scan it. Everything appears to be legible in the report, but let me know if you have any issues.

I will add your email to the mailing list and we will circulate any future notices to you.

Thanks,  
Cale

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---  
**Cale Henderson, MCIP, RPP**  
Manager of Development and Environmental Services  
Township of The Archipelago  
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