

# The Archipelago Area Planning Board

## AGENDA

Thursday, October 24<sup>th</sup>, 2019 – 1:00 p.m.  
Council Chamber – Township of The Archipelago Office  
9 James Street, Parry Sound

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1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF THE AGENDA**

**PB19-10-01 NOW THEREFORE BE IT RESOLVED** that the agenda for the October 24<sup>th</sup>, 2019 meeting of The Archipelago Area Planning Board be approved.

3. **DISCLOSURE OF CONFLICT OF INTEREST**

4. **ADOPTION OF MINUTES**

**PB19-10-02 NOW THEREFORE BE IT RESOLVED** that the minutes of The Archipelago Area Planning Board meeting held on August 15<sup>th</sup>, 2019, be approved as circulated.

Pages: 1 - 5

5. **DELEGATIONS**

**Nil**

**6. CONSENT APPLICATIONS**

- i) **MOUNT, Frank MacFarlane – Application No. B23-19**  
Concession 5, Part Lot 26, being Parcel 7340 PSSS  
In the geographic Township of Conger

**121 Fox Back Road**

Pages: 6 - 19

**THE PURPOSE** of Consent Application No. B23-19 is to grant a right-of-way across an existing private road traversing 121 Fox Back Road, being Parcel 7340 PSSS, to the owners of 123 Fox Back Road, being Parcel 6497 PSSS, located in Concession 5, Part Lot 26, in the geographic Township of Conger.

**THE EFFECT** of the proposed consent would be to provide legal access, over an existing, private road, in favour of the property as described above, in accordance with the submitted application.

**7. PLAN OF SUBDIVISION/CONDOMINIUM APPLICATIONS**

Nil

**8. ZONING APPLICATIONS**

Nil

**9. UNFINISHED / NEW BUSINESS**

Nil

**10. ADMINISTRATION**

- i) **HOSKINS, David and Mary – Development Agreement**  
Part of Lot 12, Concession 19, being the remainder of Part 1  
On Plan 42R-2630, Mowat

Pages: 20 - 26

**PB19-10- WHEREAS** the owners received approval in principle with respect to Consent Application Nos. B02-18 and B03-18, and a condition of that approval is that a development agreement must be registered on title;

**NOW THEREFORE BE IT RESOLVED** that the Chair and Secretary-Treasurer of The Archipelago Area Planning Board are hereby authorized to execute all documents as may be required to enter into an agreement with David and Mary Hoskins.

**11. CORRESPONDENCE**

Nil

**12. ADJOURNMENT**

**PB19-10- NOW THEREFORE BE IT RESOLVED** that The Archipelago Area Planning Board meeting of October 24<sup>th</sup>, 2019 adjourn at \_\_\_\_\_.

THE ARCHIPELAGO AREA PLANNING BOARD

MINUTES

Thursday, August 15<sup>th</sup>, 2019 – 1:00 p.m.

Council Chamber – Township of The Archipelago Office  
9 James Street, Parry Sound, Ontario

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**MEMBERS PRESENT:**

P. Frost – Chair  
S. Wohleber  
L. Emery  
E. Manners  
D. Ashley  
I. Mead  
G. Walker  
T. Knight

**STAFF PRESENT:**

C. Henderson, Planner  
J. Nawroth, Secretary-Treasurer  
M. Weaver, Clerk  
N. Bellchamber

**APOLOGIES:**

Nil

1. **MEETING CALLED TO ORDER**

Meeting called to order at 1:02 p.m.

3. **APPROVAL OF THE AGENDA**

**RESOLUTION PB19-08-01**

Moved by T. Knight  
Seconded by I. Mead

**NOW THEREFORE BE IT RESOLVED** that the agenda for the August 15<sup>th</sup>, 2019, meeting of The Archipelago Area Planning Board be approved.

**DISPOSITION CARRIED**

4. **ADOPTION OF MINUTES**

**RESOLUTION PB19-08-02**

Moved by D. Ashley  
Seconded by E. Manners

**NOW THEREFORE BE IT RESOLVED** that the minutes of The Archipelago Area Planning Board meeting held on July 18<sup>th</sup>, 2019, be approved.

**DISPOSITION CARRIED**

5. **DISCLOSURE OF CONFLICT OF INTEREST**

Nil

6. **DELEGATIONS**

Nil

7. **CONSENT APPLICATIONS**

- i) **N.D. McLennan - Application No. B21-19**  
510 Blackstone Crane Lake Road  
Parts 1 and 2 on Plan 42R-6571 (Crane-Walker Road)  
in the geographic Township of Conger

**Crane Lake Neighbourhood**

Cale Henderson, Planner, explained the nature of the application. There were no attendees in support of, or in opposition to the application.

**RESOLUTION PB19-08-03**

Moved by I. Mead  
Seconded by T. Knight

**NOW THEREFORE BE IT RESOLVED** that Application No. B21-19, to grant a right-of-way across 510 Blackstone-Crane Lake Road, specifically Parts 1 and 2 on Plan 42R-6571 (Crane-Walker Road), to the owners of 49 Crane-Country Lane, being Lot 10 on Plan M-301, including Part 9 on Plan 42R-9669, designated as Parcel 20120 PSSS, located in Part Lot 22, Concession 9, in the geographic Township of Conger, be approved, subject to the attached conditions, be **approved**, subject to the conditions contained in the decision.

**DISPOSITION CARRIED**

- ii) **N.D. McLennan - Application No. B01-16**  
Part Lot 21, Concession 9, Parcel Nos. 3040 and 5717 PSSS  
including Part 2 on Plan 42R-9780, Conger

**Crane Lake Neighbourhood**

Cale Henderson, Planner, explained the nature of the application. John Jackson, agent, attended in support of the application.

**RESOLUTION PB19-08-04**

Moved by I. Mead  
Seconded by S. Wohleber

**NOW THEREFORE BE IT RESOLVED** that Application No. B01-16, to create one new lot with existing development, as illustrated on the sketch that was submitted, be **approved**, subject to the conditions contained in the amended decision.

**DISPOSITION CARRIED**

- iii) **N.D. McLennan - Application No. B02-16**  
Part Lot 21, Concession 9, Parcel Nos. 3040 and 5717 PSSS  
including Part 2 on Plan 42R-9780, Conger

**Crane Lake Neighbourhood**

Cale Henderson, Planner, explained the nature of the application. John Jackson, agent, attended in support of the application.

**RESOLUTION PB19-08-05**

Moved by I. Mead  
Seconded by S. Wohleber

**NOW THEREFORE BE IT RESOLVED** that Application No. B02-16, to a grant legal right-of-way/easement in favour of the retained lands of B01-16, over the severed lands of B01-16, be approved, as illustrated on the sketch that was submitted, be **approved**, subject to the conditions contained in the amended decision.

**DISPOSITION CARRIED**

**8. PLAN OF SUBDIVISION / CONDOMINIUM APPLICATIONS**

- i) **N.D. McLennan - Condominium Application No. SB01-16**  
Part Lot 21, Concession 9, Parcel Nos. 3040 and 5717 PSSS  
including Part 2 on Plan 42R-9780, Conger

**Crane Lake Neighbourhood**

Cale Henderson, Planner, explained the nature of the application. John Jackson, agent, attended in support of the application.

**RESOLUTION PB19-08-06**

Moved by I. Mead  
Seconded by S. Wohleber

**NOW THEREFORE BE IT RESOLVED** that Condominium Application No. SB01-16, applies to the Condominium Description, File No. SB01-16 prepared by R.C. Hawkins, OLS, dated August 14, 2019, comprised of one (1) sheet, which shows the Draft Plan of Condominium consisting of 18 residential units within 16 buildings, exclusive use areas and common elements which are located on Part of Lot 21, Concession 9 and the original shore road allowance in front thereof, Geographic Township of Conger, Township of The Archipelago be approved, subject to the amended Certificate of Conditional Approval.

**DISPOSITION CARRIED**

**9. ZONING APPLICATION**

Nil

**10. CORRESPONDENCE**

Nil

**11. UNFINISHED / NEW BUSINESS**

Nil

12. **ADMINISTRATION**

i) **TRANSFER PAYMENT AGREEMENT – Ministry of Municipal Affairs**

**RESOLUTION PB19-08-08**

Moved by T. Knight  
Seconded by S. Wohleber

**WHEREAS** the Ministry of Municipal Affairs has provided the Planning Board with an Ontario Transfer Payment Agreement to be completed in order to receive funds through the Planning Board Funding Allocation Program (PBFAP);

**AND WHEREAS** the allocation of \$17,355, for the delivery of planning services between April 1, 2019 and March 31, 2020, will not be forwarded to the Board until the agreement has been signed, sealed and returned to the Ministry;

**NOW THEREFORE BE IT RESOLVED** that the Board hereby authorizes the Chair and Secretary-Treasurer of The Archipelago Area Planning Board to execute all documents as may be required, to enter into an agreement with the Ministry, in order that the Board receives the allocated funds.

**DISPOSITION CARRIED**

13. **ADJOURNMENT**

The Archipelago Area Planning Board meeting of August 15<sup>th</sup>, 2019, adjourned at 1:30 p.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SECRETARY-TREASURER

\_\_\_\_\_  
DATE

# THE ARCHIPELAGO AREA PLANNING BOARD

9 James Street, Parry Sound, Ontario P2A 1T4  
Telephone: (705) 746-4243 Fax: (705) 746-7301

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**TO:** Chair Frost and Members  
The Archipelago Area Planning Board

**FROM:** Cale Henderson, MCIP RPP  
Manager of Development & Environmental Services

**DATE:** October 24, 2019

**RE:** **Consent Application No. B23-19** (Mount, Frank MacFarlane)  
121 Fox Back Road  
Concession 5, Part Lot 25, being Parcel 7340 PSSS  
in the geographic Township of Conger

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## **PROPOSAL**

The purpose of Consent Application No. B23-19 is to grant a right-of-way across an existing private road traversing 121 Fox Back Road, being Parcel 7340 PSSS, to the owners of 123 Fox Back Road, being Parcel 6497 PSSS, located in Concession 5, Part Lot 26, in the geographic Township of Conger.

The effect of the proposed consent would be to provide legal access, over an existing, private road, in favour of the property as described above, in accordance with the submitted application.

The application is attached as Appendix 'A', and a key map showing the location of the subject lands and a sketch of the proposal are attached as Appendix 'B'.

## **BACKGROUND**

The proposed benefitting property (123 Fox Back Road) is currently accessed via Fox Back Road, a municipally maintained road to Fox Back Landing. However, to access the benefitting lands, the road traverses through the subject property, being 121 Fox Back Road. The portion of the road west of Fox Back Landing and through the subject property is not municipally maintained. The proposed right-of-way will ensure access over the subject property is formally registered.

## **PLANNING INFORMATION**

Official Plan Neighbourhood:	Healey Lake
By-law No. A2000-07:	Inland Lakes Residential (IR)
Existing Use:	Residential

## **ANALYSIS**

### **1. Provincial Policy Statement**

The Provincial Policy Statement, 2014 (PPS), issued under the authority of Section 3 of the Planning Act provides policy direction on matters of provincial interest relating to land use planning.

The proposed right-of-way is on an existing private road and will not result in any new development or extend municipal services, as the road is not maintained by the Township.

### **Conclusion**

The subject application appears to be consistent with the Provincial Policy Statement.

### **2. Official Plan**

The subject lands are located within the Healey Lake Neighbourhood of the Official Plan. Section 13.14 outlines that:

*“Consideration may be given to the development of private roads, or access roads over Crown land, or extensions to existing roads, in the following Neighbourhoods:*

*iv) Healey Lake”*

As per the above policy, the subject application can be considered. However, consideration of the application is subject to the following policies:

***13.15 b) All road applications must be accompanied by an environmental review to determine any impacts on the natural environment. The environmental review should include but not necessarily be limited to determining:***

- i. impacts on any wildlife habitat;***
- ii. impacts on fisheries;***
- iii. impacts on wetlands;***
- iv. impacts on drainage patterns;***
- v. impacts on groundwater and/or surface waters;***
- vi. appropriate mitigation measures, both during and after construction to ensure protection of the environment.***

As the road currently exists, there will be no additional impacts on the natural heritage features, drainage patterns or groundwater and/or surface water. An environmental review was not required.

***13.15 c) Road applications shall be required to address issues, problems and concerns related to need, impact on marina facilities and any other relevant planning matters including the nature and scope of any public consultation, circulation to the public and relevant agencies.***

The benefitting lot has historically accessed their property from Fox Back Road. Therefore, the subject application does not pose any additional concerns or issues related to the impact on marina facilities. The subject application does help address current land use conflicts, as it will resolve the question of whether the benefitting property has formal road access.

***d) Road proponents are required to confirm that at least two thirds of the users of the proposed road support the road.***

The road currently exists; no new road development is being proposed.

***e) Road proponents will be required to obtain approvals from relevant agencies from all levels of government, including, the public works superintendent, the MTO, the MNR and the Department of Fisheries and Oceans.***

No additional approvals are required.

***f) All owners of the properties that will be accessed by a private road, or an access road over Crown land, or extensions to existing roads, enter into an agreement with the Township, to be registered on title of all of these affected properties, to indemnify the Township and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the road.***

Although the application is for a right-of-way on an existing private road, such private road was created prior to the requirement for the agreement. An indemnification agreement is required as a condition of approval.

#### Conclusion

The subject application appears to conform to the relevant policies of the Township's Official Plan.

### **3. Comprehensive Zoning By-law, A2000-07, as amended**

The subject property and benefitting property is zoned 'Inland Lakes Residential. The subject application is not proposing any new uses.

#### Conclusion

The proposed right-of-way appears to comply with requirements of the Comprehensive Zoning By-law No. A2000-07, as amended.

### **CIRCULATION COMMENTS**

The proposed consent application was circulated to the required agencies and property owners as per the requirements of the Planning Act, R.S.O. 1990, c.P.13 and associated regulations. Any comments received on or before October 24<sup>th</sup>, 2019, will be made available to the Planning Board at the public meeting.

**RECOMMENDATION**

Based on the foregoing, staff would recommend the granting of Application No. B23-19 subject to the following conditions:

1. That the approval of Consent Application No. B23-19 shall apply to the transfer of a right-of-way in favour of the owners of 123 Fox Back Road, located on 121 Fox Back Road, being Concession 5, Part Lot 25, Parcel 7340 PSSS in the geographic Township of Conger.
2. That the following documents be provided for the transaction(s) as described in Condition No. 1, above:
  - a) A transfer document which depicts the legal description of the subject parcel(s) and the names of the transferor(s) and transferee(s);
  - b) A schedule to the Transfer document on which is set out the legal description of the subject parcels. Each schedule must also bear the same names of the transferor(s) and transferee(s) as indicated on page 1 of the Transfer document;
3. That an Agreement be registered on title of the benefitting property of the right-of-way, pursuant to Section 51(26) of the Planning Act, R.S.O, as amended, indemnifying the Township of The Archipelago and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services or any other public service.

Respectfully submitted,

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

**APPENDIX "A"**

**Application**

# 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 _____	Complete Application	<input type="checkbox"/> Yes <input type="checkbox"/> No	Application No. _____
Date Accepted _____	Applicable Fee Paid	<input type="checkbox"/> Yes <input type="checkbox"/> No	(523) 19 JUL 11 2019

TOWNSHIP  
OF THE  
ARCHIPELAGO

PLANNING  
 BUILDING

### 1. Applicant / Agent Information

Name of Applicant / Agent  
TULLOCH Geomatics Inc. - Nancy Harris-Herr, OLS

Address  
5 Seguin Street

City Parry Sound Province / State Ontario Postal / Zip Code P2A 1A9

Home Phone No. \_\_\_\_\_ Business Phone No. 7057468404 email nancy.harris-herr@tulloch.ca

### 2. Owner(s) Information

Name of Owner(s)  
Frank MacFarlane Mount

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 4905-09000500902 Lot 26 Concession 5 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. \_\_\_\_\_ Other Description PIN 52189-0036

#### Dimensions of Subject Property:

Depth (metres) 63± Frontage (metres) 69± Hectares 0.4±

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  
Adrian Martin Needham Wilson & Heather Marie Wilson

If a lot addition, identify the lands to which the parcel will be added.  
PIN 52189-0011, Part of Lot 26, Concession 5 (Benefitting Lands)

11

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

		Right of Way <u>Lot 1</u>	<u>Lot 2</u>	<u>Lot 3</u>	<u>Retained</u>
<b>Description of Land</b>	Frontage (metres)	69m long			69m ±
	Depth (metres)	5m wide			63m ±
	Area (hectares)	0.03 ha±			0.4ha ±
<b>Use of Property</b>	Existing Use(s)	Road			Seasonal Residential
	Proposed Use(s)	Road			Seasonal Residential
<b>Buildings or Structures</b>	Existing	none			Cottage, shed, frame building, wood shed, latrine
	Proposed	none			none

		Right of Way <u>Lot 1</u>	<u>Lot 2</u>	<u>Lot 3</u>	<u>Retained</u>
<b>Access</b>	Provincial Highway				
	Municipal road, maintained all year	✓			✓
	Municipal road, maintained seasonally				
	Other public road	✓			✓
	Right-of-way				
	Water Access (see Section 9)				
<b>Water Supply</b>	Privately owned and operated individual well	N/A			✓
	Privately owned and operated communal well				
	Lake or other water body				
	Other means				
<b>Sewage Disposal</b>	Privately owned and operated individual septic system	N/A			✓
	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	N/A			✓
	School Bussing	N/A			
	Garbage Collection	N/A			

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. Other public road over Crown Land & Municipal Road Allowance, privately

**6. Land Use**

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

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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?

IR - Inland Lakes Residential

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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.

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

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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.

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**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.

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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**

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**11. Affidavit or Sworn Declaration**

Dated at the Town of Parry Sound this 11 day of July, 2019

I, Nancy Harris-Herr, OLS 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 Province of Ontario this 11 day of July, 2019.

Janet Bomeman  
A Commissioner of Oaths

[Signature]  
Signature of Owner or authorized Applicant / Agent

Janet Lorraine Bomeman, a Commissioner, etc.,  
District of Parry Sound, for Oldham Law Firm,  
a Professional Corporation.  
Expires May 6, 2021.

**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, Frank Mount, am/are the owner(s) of the land that is the subject of this application and I/we authorize \_\_\_\_\_ to make this application on my/our behalf.

Date \_\_\_\_\_ Signature of Owner Frank Mount ✓

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, Frank Mount, 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 TULLOCH Geomatics Inc. - Nancy Harris-Herras 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 Frank Mount ✓

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, Frank Mount, 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 Frank Mount ✓

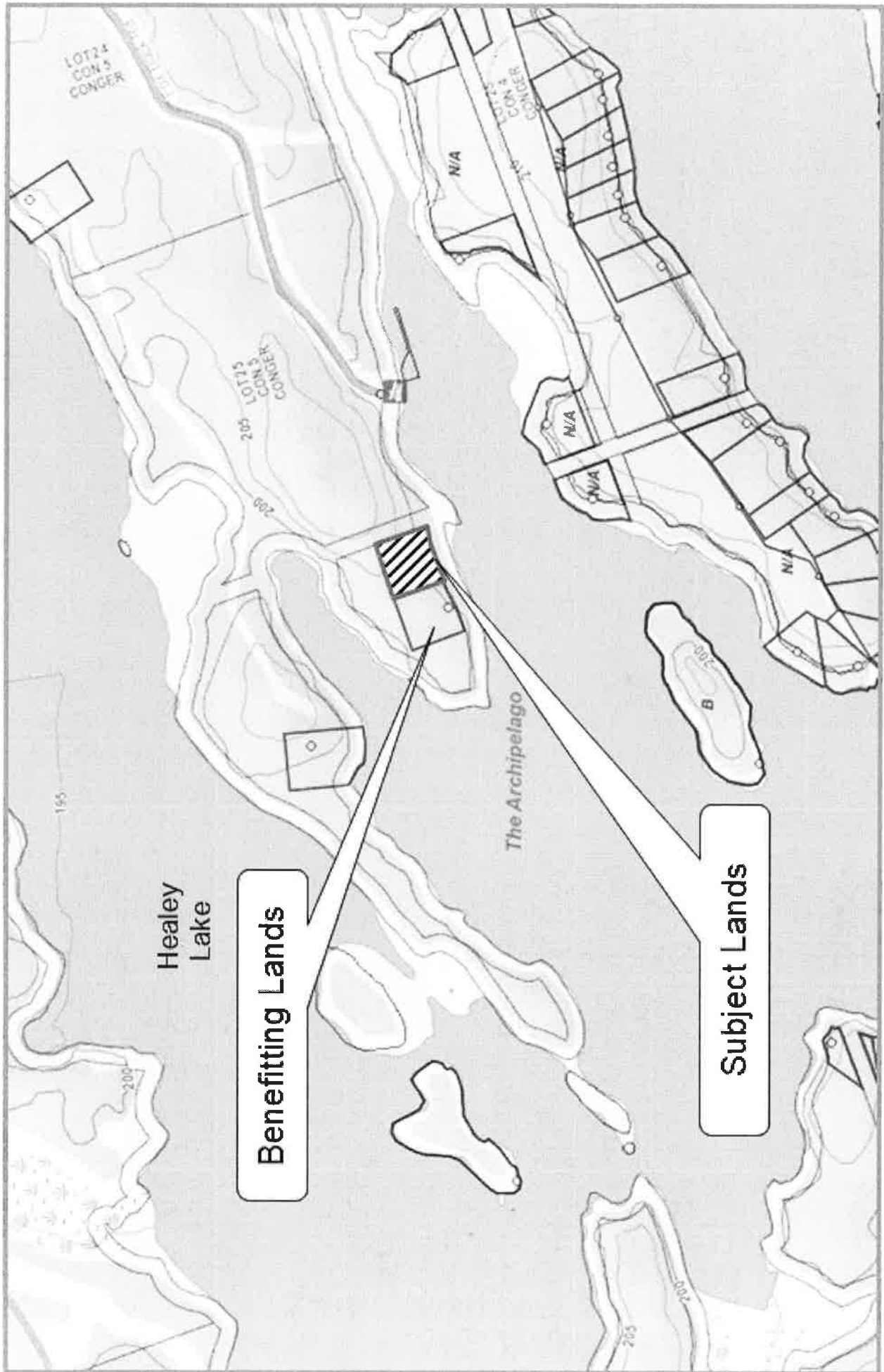
Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

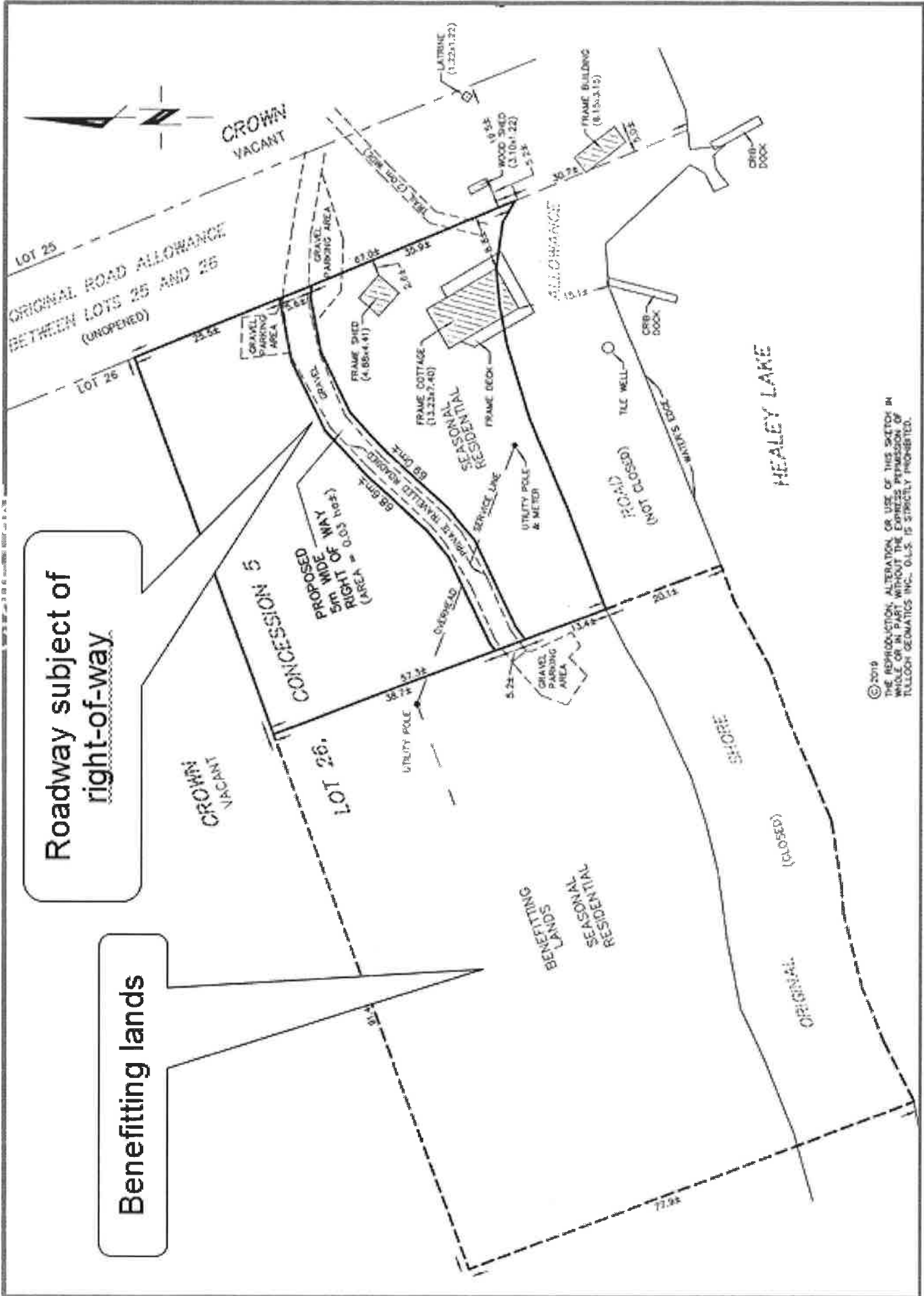
Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

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

**APPENDIX "B"**

**Location Map and Site Plan**





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# THE ARCHIPELAGO AREA PLANNING BOARD

9 James Street, Parry Sound, Ontario P2A 1T4  
Telephone: (705) 746-4243 Fax: (705) 746-7301

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**TO:** Chair Frost and Members  
The Archipelago Area Planning Board

**FROM:** Jane Nawroth  
Secretary-Treasurer

**DATE:** October 24, 2019

**RE:** **Consent Application Nos. B02-18 B03-18** (Hoskins, David and Mary)

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## **SUMMARY**

David and Mary Hoskins received approval in principle for an amended decision with respect to Consent Application Nos. B02-18 and B03-18. One of the conditions of approval, for each consent, was that a development agreement be entered into and registered on title to the lands.

## **RECOMMENDATION**

That the Board authorizes the Chair and Secretary-Treasurer to execute the documents as required, to enter into an agreement with David and Mary Hoskins.

Respectfully submitted,



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Jane Nawroth  
Secretary-Treasurer

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**  
**DEVELOPMENT AGREEMENT**

THIS AGREEMENT made in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

**B E T W E E N:**

***HOSKINS, David & Mary***

(hereinafter called the "OWNERS")

- and -

**THE ARCHIPELAGO AREA PLANNING BOARD**

(hereinafter called the "PLANNING BOARD")

**WHEREAS** the OWNERS are the owners of the subject lands in the Unincorporated Township of Mowat, in the District of Parry Sound, more particularly described in Schedule "A" attached hereto;

**AND WHEREAS** the PLANNING BOARD granted consents for the creation of two new waterfront lots by virtue of Application Nos. B02-18 and B03-18.

**AND WHEREAS** as a condition of the said severances, the PLANNING BOARD required the OWNERS to enter into this agreement pursuant to Section 51(26) of the Planning Act, R.S.O. 1990, c. P. 13, as amended;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that, in consideration of the sum of Two Dollars (\$2.00) now paid by each of the parties to the other (the receipt whereof is hereby acknowledged), and other good and valuable consideration, the parties agree as follows:

**SECTION 1: LANDS SUBJECT TO THE AGREEMENT**

1.1 The lands to be bound by this Agreement (hereinafter referred to as "the subject lands"), are described in Schedule "A" hereto.

**SECTION 2: COMPONENTS OF THE AGREEMENT**

2.1 The text, consisting of Sections 1 through 7, and the following Schedules, which are annexed hereto, constitute the components of this Agreement:

Schedule "A"-	Legal Description of the Lands
Schedule "B"-	Site Plan
Schedule "C"-	Environmental Site Assessment Report

**SECTION 3: REGISTRATION OF THE AGREEMENT**

3.1 The OWNERS agree that all documents required herein shall be submitted in a form suitable to the PLANNING BOARD and suitable for registration.

3.2 The Agreement shall be registered on title to the subject lands as provided for by Section 51(26) of the Planning Act, by the PLANNING BOARD, at the expense of the OWNERS.

#### **SECTION 4: REQUIREMENTS**

- 4.1 The OWNERS agree to use the severed and retained lands for seasonal residential purposes only or those accessory and ancillary to a seasonal residential use.
- 4.2 The OWNERS agree that commercial operations on the property shall cease.
- 4.3 The OWNERS agree to develop the subject lands in accordance with the Site Plan being Schedule "B" attached hereto, and agrees that no work will be performed on the subject lands except in conformity with all provisions of this Agreement.

#### **SECTION 5: ENVIRONMENT**

- 5.1 The OWNERS agree that all mitigation measures, in accordance with Section 10 of the scoped Ecological Site and Impact Assessment, completed in March, 2013 by Beacon Environmental, be complied with.

#### **SECTION 6: BINDING PARTIES, ALTERATION, AMENDMENT, EFFECT, PENALTY**

- 6.1 This Agreement may only be amended or varied by a written document executed by the parties hereto and registered against the title to the subject lands.
- 6.2 This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of each of the parties hereto.
- 6.3 The OWNERS acknowledge that the Agreement is entered into under the provisions of Section 51(26) of the Planning Act, and that the expenses of the PLANNING BOARD arising out of the enforcement of this Agreement may, in addition to any other remedy the Planning Board may have at law, be recovered as taxes under the Municipal Act, 2001, S.O. 2001, c.25 as amended.
- 6.4 The Agreement shall come into effect on the date of execution by the PLANNING BOARD.

**SECTION 7: NOTICE**

7.1 Any notice, required to be given pursuant to the terms hereto, shall be in writing and mailed or delivered to the other at the following addresses:

OWNERS' NAMES AND ADDRESS: Hoskins, David and Mary

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PLANNING BOARD:

Secretary-Treasurer  
The Archipelago Area Planning Board  
9 James Street  
Parry Sound, ON P2A 1T4

IN WITNESS WHEREOF the OWNERS and the PLANNING BOARD have caused their corporate seals to be affixed over the signatures of their respective signing officers.

SIGNED, SEALED AND DELIVERED

In the presence of:

  
Witness

  
Witness

  
Signature of OWNER

  
Signature of OWNER

THE ARCHIPELAGO AREA PLANNING BOARD

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary-Treasurer

**SCHEDULE "A"**

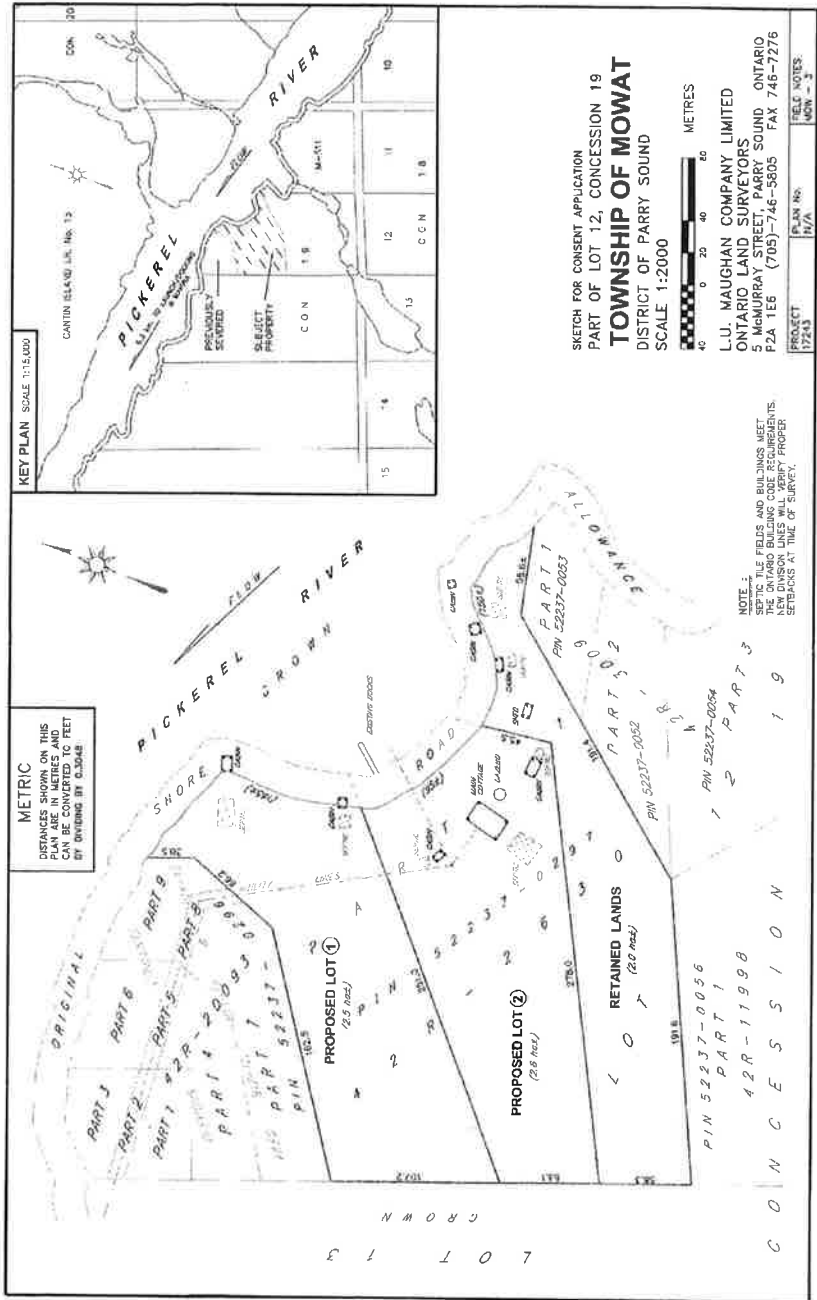
**LEGAL DESCRIPTION OF THE LANDS**

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Part of Lot 12, Concession 19, being the remainder of Part 1 on Plan 42R-2630, in the Unincorporated Township of Mowat, in the District of Parry Sound.

SCHEDULE "B"

SITE PLAN



**SCHEDULE "C"**

**ENVIRONMENTAL SITE ASSESSMENT REPORT**

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**(Copy Available at The Archipelago Area Planning Board Office)**