

The Archipelago Area Planning Board

AGENDA

Thursday, January 17th, 2019 – 1:00 p.m.
Council Chamber – Township of The Archipelago Office
9 James Street, Parry Sound

1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF THE AGENDA**

PB19-01-01 NOW THEREFORE BE IT RESOLVED that the agenda for the January 17th, 2019 meeting of The Archipelago Area Planning Board be approved.

3. **DISCLOSURE OF CONFLICT OF INTEREST**

4. **ADOPTION OF MINUTES**

PB19-01-02 NOW THEREFORE BE IT RESOLVED that the minutes of The Archipelago Area Planning Board meeting held on November 16th, 2018, be approved as circulated.

Pages: 1 - 4

5. **DELEGATIONS**

Nil

6. CONSENT APPLICATIONS

- i) **McCOY, William, McCOY, Louise, McCOY, Peter - Application No. B01-18
Island 231A (Fairyland Island)
being Parcel 17246 PSNS
in front of the geographic Township of Harrison**

Pages: 5 - 70

THE PURPOSE of Consent Application No. B01-18, is to create one new residential, water access lot on Island 231A, being Parcel 17246 PSNS, in front of the geographic Township of Harrison.

THE EFFECT of the proposed consent would be the creation of one new lot being approximately 1.1 hectares (2.7 acres) in size, having 204 metres (669 feet) of frontage, and a retained lot being approximately 1.1 hectares (2.7 acres) in size, having 247 metres (810 feet) of frontage.

7. PLAN OF SUBDIVISION/CONDOMINIUM APPLICATIONS

Nil

8. ZONING APPLICATIONS

Nil

9. UNFINISHED / NEW BUSINESS

Nil

10. ADMINISTRATION

- i) **APPOINTMENT OF CHAIR AND VICE-CHAIR**

PB19-01- NOW THEREFORE BE IT RESOLVED that pursuant to Section 11(2) of the Planning Act, R.S.O. 1990,c.P. 13, as amended _____ is hereby appointed as Chair of The Archipelago Area Planning Board and _____ is hereby appointed as Vice-Chair, who shall preside in the absence of the Chair for 2019.

11. **CORRESPONDENCE**

Nil

12. **ADJOURNMENT**

PB19-01- NOW THEREFORE BE IT RESOLVED that The Archipelago Area Planning Board meeting of January 17th, 2019 adjourn at _____.

THE ARCHIPELAGO AREA PLANNING BOARD

MINUTES

Thursday, November 16th, 2018 – 1:00 p.m.

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

MEMBERS PRESENT:

P. Frost – Chair
S. Wohleber
G. Andrews
G French
D. Ashley
T. Knight
I. Mead
G. Walker

STAFF PRESENT:

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

APOLOGIES:

Nil

1. **MEETING CALLED TO ORDER**

Meeting called to order at 1:01 p.m.

3. **APPROVAL OF THE AGENDA**

RESOLUTION PB18-11-01

Moved by T. Knight
Seconded by D. Ashley

NOW THEREFORE BE IT RESOLVED that the agenda for the November 16th, 2018, meeting of The Archipelago Area Planning Board be approved.

DISPOSITION CARRIED

4. **ADOPTION OF MINUTES**

RESOLUTION PB18-11-02

Moved by G. French
Seconded by I. Mead

NOW THEREFORE BE IT RESOLVED that the minutes of The Archipelago Area Planning Board meeting held on October 18th, 2018, be approved.

DISPOSITION CARRIED

5. **DISCLOSURE OF CONFLICT OF INTEREST**

Nil

6. **DELEGATIONS**

Nil

7. **CONSENT APPLICATIONS**

- i) **McLENNAN, N.D. (Ned) - Application Nos. B01-16 and B02-16**
Concession 9, Part Lot 21
Parcels 3040 and 5717 PSSS
In the geographic Township of Conger

John Jackson attended in support of the applications.

Cale Henderson, Planner, explained the nature of the applications.

RESOLUTION PB18-11-03

Moved by G. French
Seconded by I. Mead

NOW THEREFORE BE IT RESOLVED that Application No. B01-16, to create one new lot for the marina operation, being approximately 2.4 hectares (5.9 acres) in size, having 125.6 metres (412 feet) of frontage, thereby leaving approximately 18.1 hectares (44.7 acres) and 277.2 metres (909 feet) of frontage for the condominium lands, located in Concession 9, Part Lot 21, being Parcels 3040 and 5717 PSSS, in the geographic Township of Conger, be approved, subject to the conditions as outlined in the decision.

DISPOSITION CARRIED

RESOLUTION PB18-11-04

Moved by G. French
Seconded by I. Mead

NOW THEREFORE BE IT RESOLVED that Application No. B02-16, to grant easements/rights-of-way over two driveways, traversing the severed lot of B01-16, in favour of the owners of the retained lot of B01-16, for pedestrian and vehicular access and utilities, located in Concession 9, Part Lot 21, being Parcels 3040 and 5717 PSSS, in the geographic Township of Conger, be approved, subject to the conditions as outlined in the decision.

DISPOSITION CARRIED

8. PLAN OF SUBDIVISION/ CONDOMINIUM APPLICATIONS

Nil

9. ZONING APPLICATION

Nil

10. CORRESPONDENCE

Nil

11. UNFINISHED / NEW BUSINESS

Nil

12. ADMINISTRATION

Nil

13. **ADJOURNMENT**

RESOLUTION PB18-11-05

Moved by T. Knight
Seconded by G. French

NOW THEREFORE BE IT RESOLVED that The Archipelago Area Planning Board meeting of November 16th, 2018, adjourn at 1:18 p.m.

DISPOSITION CARRIED

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

TO: Chair Frost and members of The Archipelago Area Planning Board

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

DATE: January 17, 2018

RE: Consent Application No. B01-18
Island 231A (Fairyland Island), being Parcel 17246 PSNS in front of the geographic township of Harrison.

Owner: McCOY, William, McCOY, Louise & McCOY, Peter.

Agent: MHBC Planning, Jamie Robinson

PROPOSAL:

The purpose of Consent Application No. B01-18, is to create one new residential, water access lot on Island 231A, being Parcel 17246 PSNS, in front of the geographic Township of Harrison.

The effect of the proposed consent would be the creation of one new lot being approximately 1.1 hectares (2.7 acres) in size, having 204 metres (669 feet) of frontage, and a retained lot being approximately 1.1 hectares (2.7 acres) in size, having 247 metres (810 feet) of frontage.

Lot Dimensions:

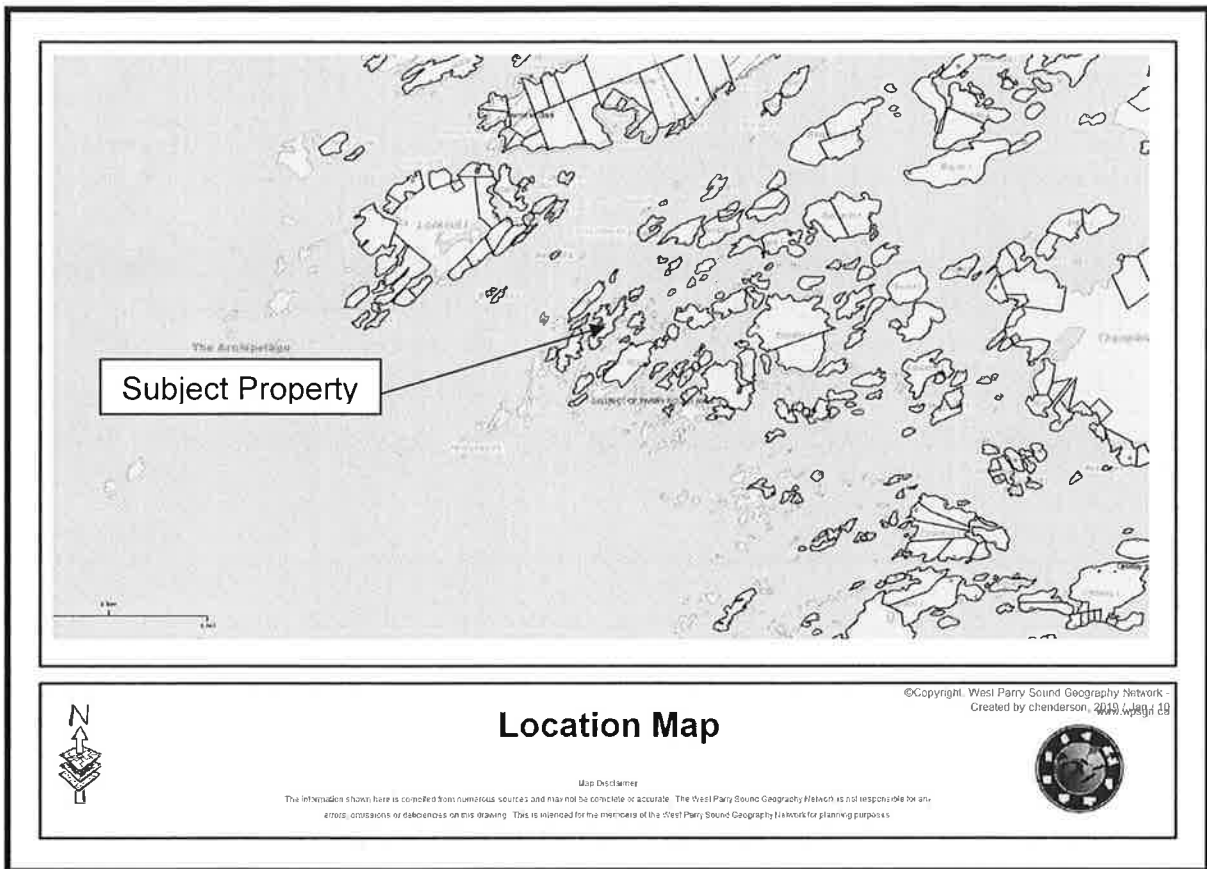
	Proposed Lot Area	Proposed Lot Frontage
Severed Lot	1.1 ha (2.7 ac)	204 m (669 ft)
Retained Lot	1.1 ha (2.7 ac)	247 m (810 ft)

A copy of the application is attached as Appendix A, a copy of the Planning Justification Report is attached as Appendix B and a copy of the Ecological Site and Impact Assessment Report is attached as Appendix C.

BACKGROUND:

The application was received in February of 2018. The subject property is currently zoned Coastal/Island Residential (CR). The retained lands are developed with a main dwelling and some accessory structures. The proposed severed lands are vacant.

LOCATION MAP:



ANALYSIS:

1. Site Characteristics

The subject property is located in Pointe au Baril Islands, approximately 1 km south of the Lighthouse. The property is developed on the northeastern tip and is well treed. As you travel across the island to the southwestern side, there is more barren rock and the amount of vegetation begins to thin out.

2. ONTARIO PLANNING ACT – R.S.O. 1990, c.P. 13, as amended

Section 51(24) establishes criteria which shall be regarded when considering an application to create a new lot, including matters of health, safety, and convenience for present and future inhabitants of the municipality. With respect to this application and regarding appropriate criteria, the following should be noted:

- 1) The lands would appear suitable for the purposes for which it is to be subdivided;
- 2) The dimensions and shape of the proposed lots appear to be adequate for its recreational residential purpose;
- 3) There does not appear to be any significant restrictions that would prevent the proposed development;
- 4) There appears to be adequate locations and access for facilities to service the lot.

5) The proposal does not appear to negatively impact matters of provincial interest.

3. 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.

Rural Lands in Municipalities

The subject property is located within a rural area as per Section 1.1.4 of the Provincial Policy Statement. Section 1.1.5.2 of the Provincial Policy Statement recognizes limited residential development and resource-based recreational activities on the subject property, it states:

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- b) resource-based recreational uses (including recreational dwellings);*
- c) limited residential development;*

Further, Section 1.1.5.4 of the Provincial Policy Statement states:

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

The proposal would allow for the subject property to be used recreationally, including recreational dwellings for residential uses, which, if compatible with the rural landscape, is supported by the above policies.

Natural Heritage

Policy 2.1 of the PPS, addressing Natural Heritage, would be of particular relevance to this application, specifically Policy 2.1.5 d) respecting significant wildlife habitat, Policy 2.1.5 f) respecting coastal wetlands, Policy 2.1.6 respecting fish habitat, and Policy 2.1.7 respecting a habitat for endangered and threatened species.

In accordance with the respective policies, an Ecological Site and Impact Assessment Report was completed by the Georgian Bay Biosphere Reserve. The report concludes that proposed development can occur in a manner that will not harm the significant natural heritage features and functions of the area, provided the appropriate mitigation measures and recommendations are implemented. A development agreement can be entered into between the Township of The Archipelago and the owners to ensure the mitigation measures are implemented.

Conclusion

The proposed development is consistent with Sections 1.1.4 and 1.1.5.2 of the Provincial Policy Statement.

The Ecological Site and Impact Assessment Report, prepared by Georgian Bay Biosphere Reserve, (please see attached Appendix C) was completed in accordance with the

requirements of Section 2.1 'Natural Heritage' of the PPS. In particular, a review of the subject property and surrounding area was completed to ensure that development is suitable in terms of significant natural heritage features. The conclusions of the assessment support the proposed development, provided the mitigation measures are completed. As a condition of approval, a development agreement can be completed between the owners and the Municipality, to ensure the mitigation measures are implemented.

Provided the mitigation measures within the environmental impact study are implemented, the requested consent appears to be consistent with the Natural Heritage policies of the Provincial Policy Statement.

4. Township of The Archipelago Official Plan

Goal and Objectives

The general goal of the Official Plan, as set out in Section 3, states:

"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."

Section 4 of the Official Plan sets out the Objectives necessary to fulfill the above-noted goal and include, among others:

- "1. Respecting, maintaining and improving the natural environment of the region of which the Township is a part;*
- 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;*
- 5. Ensuring the compatibility of land and water usage;"*

This Goal and these Objectives enforce an "environment first" and "status quo" philosophy that has been the foundation of the Township of The Archipelago since its inception.

Environmental Policies

Section 7 of the Official Plan addresses the environmentally sensitive areas of the Township. The following policies are of particular relevance to the subject application:

- "7.1 The natural features and ecological functions of the Township's natural environment, which contribute greatly to the Township's wilderness character, are paramount and will be protected.*
- 7.5 The identification of environmentally sensitive areas on Schedule "F" may be further refined, expanded or modified without formal amendment of the Plan as additional information becomes available, upon site inspection of individual properties or through supporting documentation submitted.*

- 7.6 *Council recognizes the importance and value of the environmentally sensitive areas and cultural heritage areas of the Township and supports the protection of these areas. In addition to these general policies, certain specific policies have been provided to address the specific types of environmentally sensitive areas.*
- 7.18 *Fish habitat will be protected to ensure the long-term health of the Township's fisheries resource.*
- 7.30 *Development will not be permitted within significant portions of the habitat of endangered or threatened species and may only be permitted in the adjacent area where it has been demonstrated through a site evaluation report that there will be no negative impact on that habitat."*

As indicated in Section 3 of this report, an Ecological Site and Impact Assessment Report was conducted by Georgian Bay Biosphere Reserve, in accordance with Section 2 of the Provincial Policy Statement and in accordance with Section 7 of the Township of The Archipelago Official Plan.

The conclusions of the study support the proposed development provided the mitigation measures are implemented, which will require a development agreement to be registered on title.

Development Policies

Section 10 of the Official Plan establishes Neighbourhood Growth Policies, which are effectively land division policies for the various areas in the Township. Schedule "A" to the Official Plan identifies the subject lands as being located within the Pointe au Baril Islands Neighbourhood. The relevant policies applicable to this Neighbourhood include the following:

- "10.8 Privately owned islands in the Pointe au Baril area are largely developed. The area is heavily traversed by major and local channels and little room exists for new development without significant impact on the environment.*

While the majority of land and islands in the Pointe au Baril Islands Neighbourhood is developed, there are a few large parcels of land that are not divided.

- 10.9 *Further land division in the Pointe au Baril Islands area is to be discouraged. Generally, consents involving the creation of one new lot per land holding will be considered by the Plan, subject to Section 14 – Development Procedures and Standards and any other applicable policies.*

This Plan recognizes, however, that there are several large land holdings that may have considerably greater development potential without seriously jeopardizing the intent of the Pointe au Baril Island Neighbourhood policy. It is the policy of this plan, therefore to allow the consideration of land division creating up to two new lots on land holdings greater than ten hectares, three new lots on land holdings greater than fifteen hectares, and four new lots on

land holdings greater than twenty hectares, subject to Section 14 – Development Procedures and Standards and any other applicable policies.

10.10 Development of any kind on the outer islands, where exposure is high and topographic relief is low, will be discouraged.

These policies allow for the consideration of a consent application to create one new lot on the subject lands. The applicant is proposing to create one new residential lot. As such, the consent application can be considered. However, Section 10.10 discourages development of any kind on the outer islands. During the completion of a site visit, staff reviewed the Island in order to determine whether it could be classified as an outer island. It is the opinion of staff that the majority of the island, which is well treed, has some topographic relief, is well treed and, as a result, exposure is not high. However, the far southwestern tip of the island begins to demonstrate some of the characteristics associated with an outer island; as a result, future development should be restricted in this area to avoid conflict with Section 10.10 of the Official Plan.

In reviewing Section 14, the following policies would be applicable to this proposal:

- “14.6 Development must be appropriate for an area in terms of its density or prematurity.*
- 14.14 Development constraints are natural or man-made features that produce impediments to or limitations on development. It will be the policy of this Plan to impose whatever development controls are necessary to reflect any development constraints.*
- 14.15 All development locations must be physically suitable in terms of services, building site, harbor and access. Lands with severe development constraints due to the steepness of their slopes, their susceptibility to flooding or erosion, their environmental sensitivity, or other special physical features, may be zoned in a non-development zone so as to maintain the natural state of these lands.*
- 14.42 An impact assessment may be required in order to determine the impact of development on natural, environmental or cultural values whether development is appropriate and to identify any necessary mitigation measures.*
- 14.46 Wherever land division policies allow for consents for the creation of new lots in the various neighbourhoods (except for the Point au Baril Station Neighbourhood), a minimum lot standards are not identified, the minimum lot size will be 100 metres of water frontage and 1 hectare of lot area. These numerical figures are not absolute and may in appropriate circumstances be varied slightly to accommodate individual applications.”*

Policies 14.6, 14.14, and 14.15 address the appropriateness and suitability of lands for development. After a site inspection, it was determined there does not appear to be any significant physical or environmental constraints restricting the proposed consent and subsequent development of the subject property. The proposed lot sizes appear sufficient in area to allow for the location of a main cottage, accessory structures and required facilities

(dock, septic system) while allowing sufficient area for buffering and separation from adjacent, existing recreational land uses. Although access to the inner harbour is somewhat restricted, it does not appear to prohibit future development.

Parkland

The Official Plan outlines the requirement for parkland dedication as a condition of consent. Section 14.3 states:

'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.'

As it would not be appropriate to require actual parkland, it would be appropriate to accept payment in lieu of the parkland. A fee of \$5000 per lot has been established by the Township of The Archipelago. As a condition of consent a total fee of \$5,000 would be required.

Conclusion

The Goal and Objectives of the Official Plan maintain an "environment first" and "status quo" philosophy toward development in the Township. This philosophy is carried forward in the environmental policies of the Official Plan that are intended to ensure that the environmental features, which contribute strongly to the character of the Township, are protected. The Official Plan recognizes that further development can be provided for in the Township although it is discouraged, rather than encouraged. The subject property qualifies for consideration to create one new lot, however, it is paramount that any proposal for lot creation be directed to areas that are appropriate for development and do not contain significant constraints. Overall, the subject property appears appropriate for the creation of one new residential lot, with appropriate restrictions, and as such; the proposal conforms to the intent of the Official Plan.

5. COMPREHENSIVE ZONING BY-LAW A2000-07, AS AMENDED:

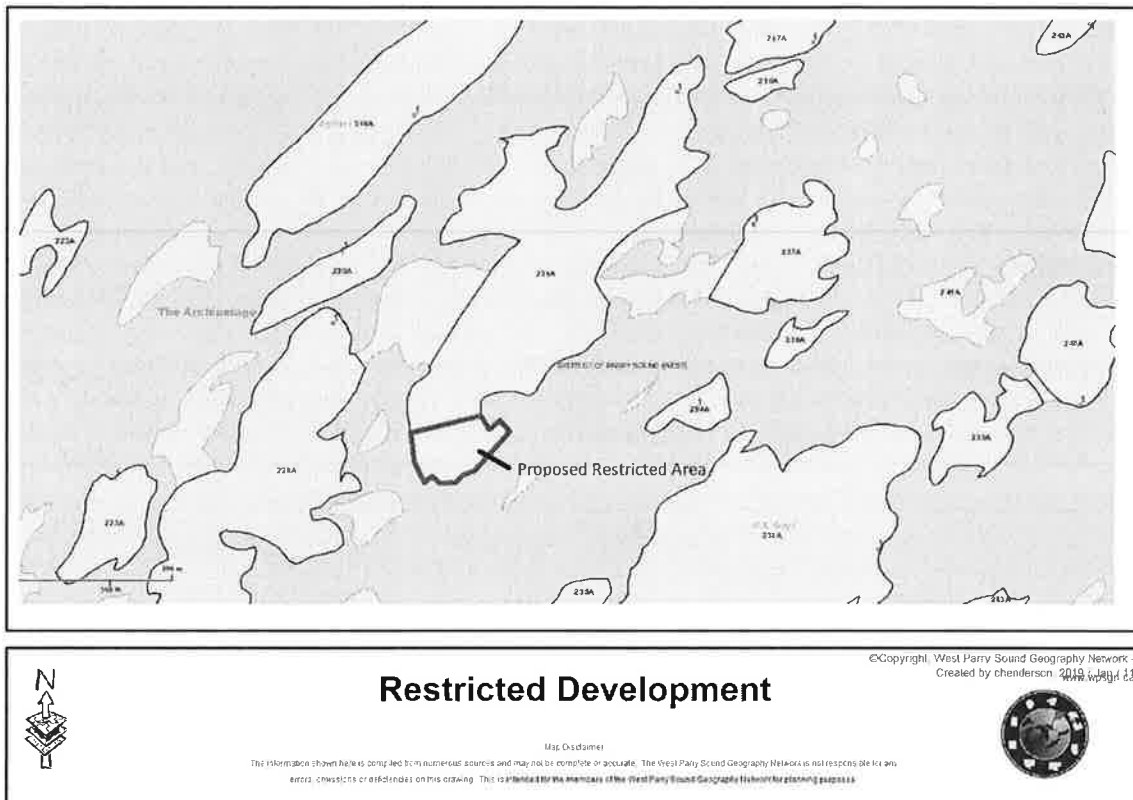
The subject lands are zoned 'Coastal/Island Residential (CR). Within the 'Coastal/Island Residential (CR)' Zone, the main permitted use is residential, with some permitted accessory uses.

As set out in Section 4.9 of the Comprehensive Zoning By-law, a Divided (D) symbol would also be attached to the zoning of the retained and severed lots to identify that these lots were created by severance and are not eligible for further lot creation.

The retained lot is developed, having a main dwelling and accessory structures. The existing development, will continue to comply with the relevant regulations of the Zoning By-law.

As discussed in Section 4 of this report, Section 10.10 of the Official Plan discourages the development of outer islands. As the southwestern tip of the island begins to have

characteristics (i.e low topography, minimal vegetation & barren rock) that would be categorized as “outer island”, it is recommended that future development be restricted by way of a site specific zoning by-law amendment. Below is a map illustrating the approximate area situated on the proposed severed lands that should be restricted and that no future buildings (i.e. main dwelling, sleeping cabins & accessory buildings) are permitted.



Conclusion

With the recommended conditions contained in this report, the proposed consent would appear to comply with Comprehensive Zoning By-law, A2000-07, as amended.

COMMENTS RECEIVED:

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. Attached as Appendix D is a copy of the comments received.

RECOMMENDED CONDITIONS:

Based on the foregoing, the following conditions are recommended for Consent Application No. B01-18:

1. That the approval of Consent Application Nos. B01-18 shall apply to the creation of one new residential lot;

2. That the following documents be provided for the transaction as described in Condition No. 1 above:
 - a) A transfer document bearing original signatures and one photocopy for the Board's records, on which is set out the legal description of the subject parcel(s) and the names of the transferor(s) and transferee(s);
 - b) A reference plan of survey bearing the Land Registry Office registration number and signature as evidence of its deposit therein, and which illustrates the parcels to which the consent approval is related. **Prior to having the survey plan registered, the Board will require a copy of a draft plan from a surveyor to ensure it is in compliance with the approved application;**
3. That the retained lands be rezoned from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided (CR/D)' Zone in accordance with the recommendations within this report.
4. That the severed lands be rezoned from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided Exception ## (CR/D-##)' Zone in order to implement restrictions on future development on the southwestern tip of the island, in accordance with the recommendations within this report.
5. Confirmation from a qualified surveyor that the retained and severed lands maintain a minimum lot area of 1 ha (2.47 ac) and a minimum lot frontage of 100 metres.
6. Confirmation from a qualified septic installer that a suitable location for the construction of a septic system is available on the proposed residential lot;
7. Payment of \$5,000.00 to the 'Township of The Archipelago' in lieu of lands being conveyed to the Township for parkland purposes.

NOTE:

All conditions are subject to the approval of The Archipelago Area Planning Board, but at no cost to the Board.

Respectfully submitted,



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

**CONSENT APPLICATION
APPENDIX 'A'**



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

January 31, 2018

Cale Henderson
Director of Planning and Environmental Services
Township of Archipelago
9 James Street
Parry Sound, ON
P2A 1T4

Dear Mr. Henderson:

RE: Island 231A – McCoy – Zoning Bylaw Amendment and Consent Applications
OUR FILE: 16270A

Please find enclosed an application for our Client's proposed Zoning By-law Amendment Application and a Consent Application for the property located at Island 231A in the Township of Archipelago.

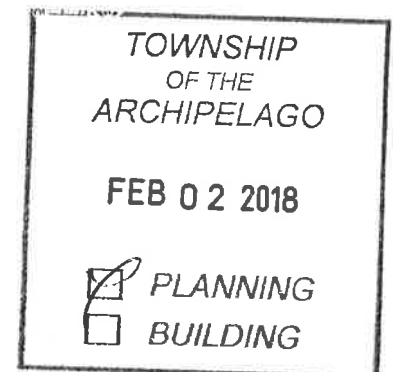
The proposed Consent application is to sever the property to create one new shoreline residential lot. The Zoning By-law Amendment would recognize the proposed minimum lot area and minimum lot frontage for the severed and retained lands.

In support of the application, enclosed you will find the following:

- One (1) copy of the Consent Application Form;
- One (1) copy of the Zoning By-law Amendment Application;
- One (1) cheque in the amount of \$1,100 for the Consent Application Fee;
- One (1) cheque in the amount of \$625 for the Zoning By-law Amendment Application Fee;
- One (1) copy of a Planning Report prepared by MHBC Planning dated December 2017;
- One (1) copy of the Legal Survey; and,
- One (1) drawing of the proposed consent.

Yours truly,
MHBC Planning,

Jamie Robinson, BES, MCIP, RPP



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
Date Accepted _____	Applicable Fee Paid	<input type="checkbox"/> Yes	<input type="checkbox"/> No

101/13/13
OF THE
ARCHIPELAGO
Application No. 301-18
FEB 01 2018
 PLANNING
 BUILDING

1. Applicant / Agent Information

Name of Applicant / Agent

MHBC Planning c/o Jamie Robinson

Address

113 Collier Street

City Barrie

Province / State Ontario

Postal / Zip Code L4M 1H2

Home Phone No. _____

Business Phone No. 705-728-0045

email jrobinson@mhbcplan.com

Ex. 222

2. Owner(s) Information

Name of Owner(s)

William McCoy

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- _____ Lot _____ Concession _____ Island No. 231A

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 Fairyland G.T., Reference Number 51840 C.L.S

Dimensions of Subject Property:

Depth (metres) _____ Frontage (metres) _____ Hectares 2.2

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

16

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

		Lot 1	Lot 2	Lot 3	Retained
Description of Land	Frontage (metres)	204 metres			247 metres
	Depth (metres)				
	Area (hectares)	1.1 ha			1.1 ha
Use of Property	Existing Use(s)	Vacant			
	Proposed Use(s)	Seasonal Residential			Existing Seasonal Residential
Buildings or Structures	Existing	None.			- Cottage - Bunkie - Dock
	Proposed	Future Cottage			Existing Uses

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

6. Land Use

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

Pointe au Baril Islands Neighbourhood

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?

Coastal/Island Residential (CR) and Environmentally Sensitive Lands (ES)

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.

Zoning By-law Amendment Application submitted concurrently with this Application.

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

11. Affidavit or Sworn Declaration

Dated at the CITY OF BARRIE this 31 day of JANUARY, 2018

I, JAMIE ROBINSON of the CITY OF BARRIE in the
 County/District/Regional Municipality of SIMCOE 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 CITY of BARRIE
 in the COUNTY of SIMCOE this 31 day of JANUARY, 2018.

K Clements
 A Commissioner of Oaths

[Signature]
 Signature of Owner or authorized Applicant / Agent

Kimberley Anne Clements, a Commissioner, etc.,
 Province of Ontario, for MacNaughton Hermsen
 Britton Clarkson Planning Limited.
 Expires August 17, 2018.

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, _____, 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 _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

do

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, _____, 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 _____ MHBC Planning c/o Jamie Robinson 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 Sept. 7, 2017 Signature of Owner [Signature] William McLoon

Date 9/7/17 Signature of Owner [Signature] Peter McLoon

Date 12/13/2017 Signature of Owner [Signature] Louise Franke

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, _____, 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 Sept. 7, 2017 Signature of Owner [Signature] William McLoon

Date 9/7/17 Signature of Owner [Signature] Peter McLoon

Date 12/13/2017 Signature of Owner [Signature] Louise Franke

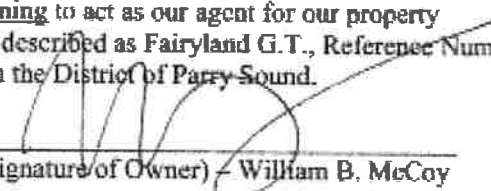
Date _____ Signature of Owner _____



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

OWNERS AUTHORIZATION FOR AGENT

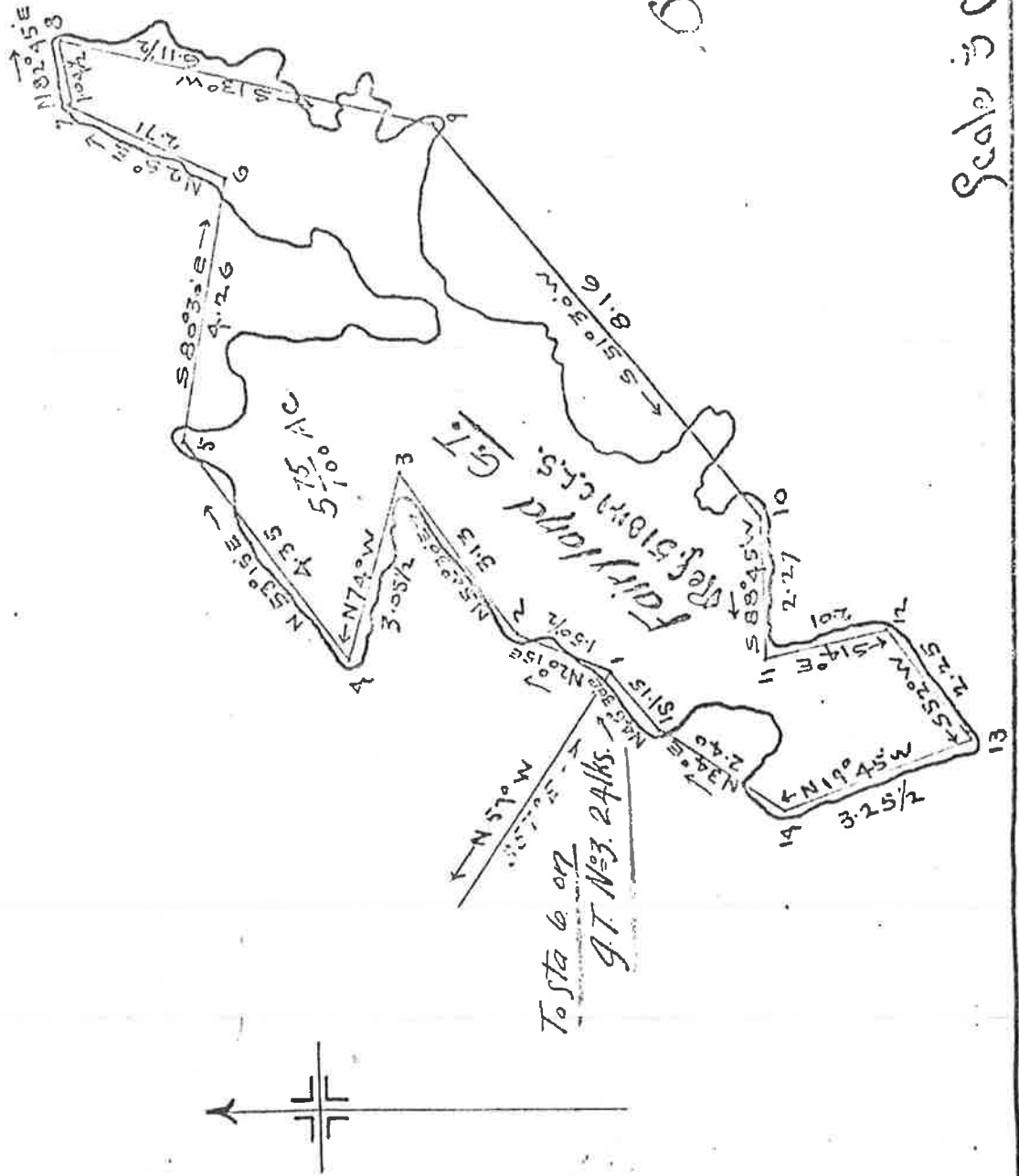
I/we William B. McCoy authorize MHBC Planning to act as our agent for our property Municipally known as Island 231A and legally described as Fairyland G.T., Reference Number 51840 C.L.S in the Township of Archipelago in the District of Parry Sound.



(Signature of Owner) - William B. McCoy

DATED at the City of _____, this
31 day of January, 2018.

— Plan of Island "G.T." —
 — in front of the Township of Larvion Georgian Bay —



PLANNING JUSTIFICATION REPORT

APPENDIX 'B'

PLANNING JUSTIFICATION **REPORT**

ZONING BY-LAW AMENDMENT &
CONSENT APPLICATIONS

Island 231A
Township of Archipelago

Date:

January 29, 2018

Prepared for:

Sandy McCoy

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Inc. (MHBC)

113 Collier Street

Barrie ON L4M 1H2

T: 705 728 0045 Ext. 222

F: 705 728 2010

Our File 16270A

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FIGURES

Figure 1: Survey of Subject Lands

Figure 2: Site Location

Figure 3: Existing Conditions and Structures on Subject Lands

Figure 4: Proposed Severance and Potential Building and Docking Locations

Figure 5: Township of Archipelago Official Plan Designation

Figure 6: Outer Island vs. Inner Island Justification

Figure 7: Excerpt of Township of Archipelago Zoning By-law

1.0 INTRODUCTION AND PROPOSED DEVELOPMENT

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") has been retained by the McCoy Family (the "Owner") to review the planning merits of a proposed Consent application and Zoning By-law Amendment for the subject property described legally as Fairyland G.T., Reference Number 51840 C.L.S in the Township of Archipelago in the District of Parry Sound. The subject lands are municipally known as Island 231A as shown in Figure 1.

The property is located west of Pointe au Baril as depicted in Figure 2. The application seeks to enable the creation of a new lot on the westerly extent of the Island to facilitate the development of a single detached dwelling (cottage) in the future.

The proposed Consent application is to sever the property to create one new shoreline residential lot. The Zoning By-law Amendment would recognize the proposed minimum lot area and minimum lot frontage for the severed and retained lands. Section 6.3.1 in the Zoning By-law requires lots to have a minimum lot area and minimum lot frontage that was in existence prior to the year 2007.

A lot area of 1.1 hectares is proposed for both severed and retained lots and a lot frontage of 204 metres for the severed lot and 247 metres for the retained lot. The subject lands are currently zoned Coastal/Island Residential (CR) and Environmentally Sensitive Lands (ES).

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject lands are an island located on Georgian Bay approximately 10 kilometres from Point au Baril. The Island is 5.75 acres (2.2 hectares) in size and there is currently a detached dwelling (cottage) located on the northern portion of the Island as shown in Figure 3.

The proposed retained lands are currently developed with one single detached dwelling (cottage) that is used as their seasonal residence in the summer months.

The subject lands are surrounded by island properties to the north, east, south and west; all of which are developed with similar single detached dwellings.

Surrounding uses in the general area are described as follows:

NORTH: Zephyr Island, Island 219A, which contains a detached dwelling;

EAST: Island 217A, which contains a detached dwelling;

SOUTH: Island 234A and Island 236A; and,

WEST: Island 228A, Island 223A and Island 224A.

The subject lands contain a significant amount of mature vegetation, particularly when compared to other islands to the west and southwest.

3.0 PLANNING ANALYSIS

The following is a review of the land use policy framework related to the subject lands and the potential implications for the subject site.

3.1 Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (PPS) provides policies that guide land use planning within the Province of Ontario. The PPS promotes development of healthy, livable and safe communities in Section 1.1.1 by:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

The subject lands are within a Rural Area and Section 1.1.4 provides direction for development in Rural Areas. Section 1.1.4.1 of the PPS states, in part, that,

Healthy, integrated and viable rural areas should be supported by:

- a) *building upon rural character, and leveraging rural amenities and assets;*
- d) *accommodating an appropriate range and mix of housing in rural settlement areas;*
- e) *using rural infrastructure and public service facilities efficiently.*

Within Rural Areas resource-based recreational activities (including recreational dwellings) are permitted. Section 1.1.5.2 provides permitted uses on rural lands in municipalities, and states:

On rural lands located in municipalities permitted uses are:

- a) *management or use of resources;*
- b) *resource-based recreational activities (including recreational dwellings);*
- c) *limited residential development;*
- d) *home occupations and home industries;*
- e) *cemeteries and;*
- f) *other rural land uses.*

The proposed severance would result in the creation of a new lot capable of supporting a recreational dwelling, which is a permitted use by Section 1.1.5.2 of the PPS. The proposed development would also be consistent with policies 1.1.1 c) and 1.1.4.1 of the PPS as the development would not cause any public or health and safety concerns and can be supported by rural service levels as there is sufficient lot area to support the development of an individual on-site sewage disposal system.

Section 2.0 of the PPS provides policies pertaining to the wise use and management of resources. Section 2.1 outlines that natural features and areas shall be protected for the long term. Section

2.1.4 and 2.1.5 identify that development and site alteration shall not be permitted in significant wetlands or coastal wetlands, significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features of their ecological functions. Sections 2.1.6 and 2.1.7 identify that development and site alteration shall not be permitted in fish habitat or habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

The Official Plan mapping for the Township does not identify any of the natural heritage features outlined in Section 2.0 of the PPS and, on this basis, the proposed application is consistent with Section 2.0 of the PPS.

Section 3.1 outlines the Natural Hazards policies of the PPS. Section 3.1.1 generally directs development outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

Any future development will be required to be established above the Georgian Bay Flood Level as outlined in the Township Zoning By-law.

Based on a review of the PPS, the proposed Consent application and Zoning By-law Amendment are consistent with the PPS.

3.2 Township of Archipelago Official Plan

Section 3 of the Official Plan establishes the Goal of the Plan which is as follows:

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 attaining this goal.

The proposed applications are representative of limited lot creation and would preserve the unique and high quality of the natural environment by not impacting the character of the area. The subject lands are well vegetated and the development of a cottage on the proposed new lot can be sited in a manner that will not impact the character of the area.

Section 4 of the Official Plan establishes objectives necessary to fulfil the Goal of the Plan. The primary Objective is to:

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

Secondary objectives included:

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;*

3. *Conserving the non-renewable resources such as fossil fuels and minerals where they exist;*
4. *Encouraging the continued supply of renewable resources by preventing their over-use;*
5. *Ensuring the compatibility of land and water usage;*
6. *Providing a limited, but efficient and convenient system of services designed and implemented for the distinctive water-based needs of The Archipelago Community;*
7. *Supporting those economic pursuits that are both complementary and necessary for the proper functioning of the recreational nature of the Municipality;*
8. *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*
9. *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.*

Based on our review, the most applicable objectives in the Official Plan are objectives 1 and 8. The proposed lot provides a lot area that is similar to lots in the area and conforms to the minimum lot area requirement identified in the Official Plan. Future development on the proposed lot will occur in accordance with the Zoning By-law and will not be of an obtrusive building form. The requirements of the Zoning By-law are used to implement the objectives of the Official Plan and will respect the natural environment of the Township.

Section 6.2 of the Official Plan includes General Land Use Policies and states that the permitted uses on lands not identified as Environmental Protection are those related to water-oriented recreation, including single detached cottages and single detached year-round residences. In addition, Section 6.3 states that all development in the Township is required to have frontage on a navigable body of water. The proposed development conforms to these Sections of the Official Plan as the property does not contain any lands that are designated Environmental Protection and has direct frontage onto a navigable body of water as illustrated in Figure 4.

The Township Official Plan establishes a number of different neighbourhoods and the subject lands are located within the Pointe au Baril Islands Neighbourhood in the Official Plan in accordance with Schedule A in the Township's Official Plan, which is shown in Figure 5.

Section 10.8 of the Official Plan states that islands in the Pointe au Baril Community area are largely developed and that,

Privately owned islands in the Pointe au Baril area are largely developed. The area is heavily traversed by major and local channels and little room exists for new development without significant impact on the environment. While the majority of land and islands in the Pointe au Baril Islands Neighbourhood is developed, there are a few large parcels of land that are not divided.

Section 10.9 states,

Further land division in the Pointe au Baril Islands area is to be discouraged. Generally, consents involving the creation of one new lot per land holding will be considered by the Plan, subject to Section 14 – Development Procedures and Standards and any other applicable policies."

While new lot creation is discouraged, Section 10.9 of the Official Plan does permit the creation of one new lot per land holding, subject to Section 14 and other applicable policies. It is noted that

the subject lands exceed the minimum lot area requirements to be eligible for a severance and, for the reasons detailed in this Report, the proposal conforms to the policies of the Official Plan.

Section 10.10 states,

Development of any kind on the outer islands, where exposure is high and topographic relief is low, will be discouraged.

A site visit confirmed that the subject lands would not be considered an outer island. Outer islands are those that are the most outside islands to Georgian Bay and are characterized by wind and wave swept shorelines with limited vegetation. The subject lands are not one of the outer islands and have a significant amount of vegetation and mature vegetation. Based on the presence of the mature vegetation and the protection from other islands to the west, the site would appear to have sufficient elevation and protection to ensure that future development would not be impacted by wave run up.

General Development Policies

Section 14 in the Official Plan includes general development policies for land division. The Township Official Plan notes that land division by consent will continue to be the primary form of development in the Township and shall generally be permitted provided that it conforms to the policies listed in Section 14. The policies and the responses, as they pertain to the subject application, are summarized in Table 1.

Table 1: General Development Policy Summary

Official Plan Section	Official Plan Policy	Policy Response
14.2	Most development is likely to proceed by consent in contrast to plan of subdivision. Most islands, depending on the neighbourhood, are eligible for only one or two new lots to be created by consent.	The application proposes to create one new lot.
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.	It is noted that this may be a condition of provisional consent.
14.4	All development in The Archipelago is to have frontage on a recreational waterbody.	The proposed new lot has frontage onto Georgian Bay which is identified as a recreational waterbody.
14.5	All future development in The Archipelago including undeveloped existing lots of record and new lots created by consent or subdivision shall be considered for the	The lands are accessed via water and there are adequate long-term parking and docking facilities available. Figure 4 illustrates where

Official Plan Section	Official Plan Policy	Policy Response
	<p>purpose of this section to gain access from the lot's water frontage.</p> <p>Where a lot is a water access lot as defined above, the Municipality shall be satisfied that adequate long-term parking, docking and boat launching facilities are made available for any proposed development.</p>	<p>the construction of docking facilities could be located on the subject lands.</p> <p>Mainland docking can be obtained from one of the Marinas located in Pointe au Baril.</p>
14.6	Development must be appropriate for an area in terms of its density or prematurity.	The proposed new lot would be compatible with surrounding existing development and is not premature.
14.7	Development may be staged or phased as directed by Council to allow logical, progressive development which allows careful monitoring of portions of the development before maturity is reached.	N/A
14.8	Development may be considered by consent on small lakes where the waterbody is at least 50 hectares in lake surface area.	N/A
14.9	Only one dwelling is allowed on one parcel of land. However, a second dwelling is permitted on a lot where the lot is eligible for a land division provided that the resulting location of the second cottage would meet the criteria for severance at some future point including suitable location for docking facilities.	N/A
14.10	Sleeping or guest cabins are permitted accessory uses so long as they remain subordinate and incidental to the main dwelling.	N/A
14.11	Sleeping cabins are an integral component of the seasonal residential land use within the Township. Historical development of Georgian Bay has typically seen the construction of a principal cottage with two or three sleeping cabins for the use of the extended family.	N/A
14.12	Single islands in private ownership at the date of Council adoption of this Plan that are	N/A

Official Plan Section	Official Plan Policy	Policy Response
	zoned 'Natural State (NS)' will be eligible to apply for a Zoning By-law Amendment.	
14.13	<p>Where lot creation with private sewage systems is proposed on waterbodies, approval of the development will be subject to a lake development capacity.</p> <p>Development capacity will be assessed based on available water quality data in consultation with the Ministry of the Environment and the Ministry of Natural Resources.</p>	The subject lands are located on Georgian Bay and Georgian Bay is not at capacity for new development.

Based on our review, the proposed Consent application and Zoning By-law Amendment application would satisfy and conform to the General Development Policies outlined in the Official Plan.

Section 14.18 states that development will only be permitted where the water frontage is deemed to be navigable. According to the Official Plan, "navigability" refers to one's ability to gain convenient access to and from a proposed lot, based on a water elevation of 176.44 metres G.S.C. above sea level on Georgian Bay. As illustrated in Figure 4 and based on the site visit and the course that was taken to access the severed lands, a navigable waterway route was identified that would adequately enable access.

As stated in Section 14.46, where land division policies allow for consents and minimum lot standards are not identified, the minimum lot standards will be 100 metres of water frontage and one hectare of lot area; however, may be varied slightly to accommodate individual applications. The proposed Consent application conforms to this policy as the proposed severed and retained lots each have a lot area of 1.1 hectares and each have over 200 metres of lot frontage

It is noted that the subject lands do not contain any identified Environmentally Sensitive Areas in accordance with Schedule F of the Official Plan. However it is noted that there are Environmental Sensitive (ES) areas identified in the Township's Zoning By-law shown in Figure 7.

Appendix C of the Official Plan provides a summary of Neighbourhood growth policies that are found in Section 10 of the Official Plan. The Appendix indicates that in the Pointe au Baril Islands Neighbourhood, one new lot is permitted where the existing lot has a minimum lot size of two hectares, such as in the case of the subject lands.

Table 2: Official Plan – Appendix C Summary

Neighbourhood	Section	Number of New Lots Permitted	Minimum Lot Size Required to be Eligible for a Severance	Special Notes
Pointe au Baril Islands	10.9	1	2 hectares	1. Development on outer Islands discouraged 2. No land division on McCoy Islands
		2	10 hectares	
		3	15 hectares	
		4	20 hectares	

Table 2 indicates that the minimum lot size to be eligible for a severance is 2 hectares. The subject lands are approximately 2.2 hectares in size and therefore would qualify for a severance in accordance with Section 10 of the Official Plan. The proposed size of the severed and retained lots is 1.1 hectares as shown in Figure 4.

Based on our review, the proposed lots would satisfy and conform to the Official Plan.

3.3 Township of Archipelago Zoning By-law

The subject lands are zoned Coastal/Island Residential (CR) and portions of the subject lands are zoned Environmentally Sensitive Lands (ES). An excerpt of Sheet N-2 in the Zoning By-law showing the subject lands is included as Figure 7.

Section 6 in the Zoning By-law outlines the permitted uses of the CR Zone which include the following:

Main Use

- Residential use

Accessory Uses

- Accessory uses
- Bed and Breakfast
- Home occupation

Permitted Buildings and Structures

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

As stated in Section 6.1.3, the minimum lot frontage and the minimum lot area requirements for lots that are zoned Coastal/Island Residential (CR) are equal to the standard that existed at the date of passing of the Zoning By-law. Currently, the Island has a lot frontage of approximately 387 metres.

The intent of the applications would be to create one new lot for the purpose of developing a single detached dwelling (cottage).

The proposed new lot will utilize an existing navigable waterway to gain access to the lot. Docking facilities are proposed to be constructed at the time of the cottage development. The potential building locations and a potential dock location is shown on Figure 4.

As noted above, a Zoning By-law Amendment has been submitted to recognize the minimum lot area and minimum lot frontage requirement of the proposed lots. The Zoning By-law requires the minimum lot area and frontage to be what was existing prior to the passing of the Township's Zoning By-law in 2007.

The retained and severed lots are proposed to have an area of 1.1 hectares. The retained lot is proposed to have a frontage of approximately 247 metres and the severed lot is proposed to have 204 metres of frontage.

Table 3 provides a summary of the characteristics of the proposed lots and Table 4 provides a summary of the Coastal/Island Residential (CR) Zone requirements of the Zoning By-law.

Table : 3 Lot Summary

Lot	Proposed Lot Area
Retained	1.1 ha. (11,000 sq. m)
Severed	1.1 ha. (11,000 sq. m)

Table : 4 RS Zone Standards

Zone Standard	Zoning By-law Standard
Minimum Lot Frontage	As existing at the date of passing of By-law
Minimum Lot Area	As existing at the date of passing of By-law
Maximum Lot Coverage	Lot with an area of 1,800m ² or less – 7.5%
Main Dwelling Maximum Ground Floor Area	300m ²
Minimum Front Yard Setback	7.5m
Minimum Side Yard Setback	6 m

Zone Standard	Zoning By-law Standard
Maximum Rear Yard Setback	6 m
Maximum Height	6 m

There are no buildings or structures proposed at this time. However, based on a site visit and based on Figure 4, there are suitable building locations on the severed lot that would appear to comply with the requirements of the Coastal/Island Residential (CR) Zone.

Based on our review, the proposed Consent and Zoning By-law Amendment applications would enable seasonal residential development within the Pointe au Baril Island Neighbourhood at a location and scale that is consistent with the vision for this community over the long term.

4.0 SUMMARY & FINDINGS

Based on a detailed review of all applicable Provincial and Township policy as well as the information gathered during a site visit, the following conclusions can be made:

1. Lot Creation in the Pointe Au Baril Community is to be limited. Only those Islands with sufficient lot area are eligible to be severed.
2. The proposed lots have a lot area that exceeds the minimum requirement stated in Section 10.9 of the Official Plan and would therefore qualify for a severance.
3. Section 10.10 of the Official Plan restricts lot creation on outer islands. The subject lands are not considered to be an outer island. There are other islands to the west, the island is not subject to the exposure of Georgian Bay and the island has a significant amount of mature vegetation.
4. There are sufficient building envelopes identified on the subject lands.
5. There is appropriate water access and docking locations on the retained lands.

Based on this review, the proposed Consent application conforms to the consent policies of the Official Plan and the proposed Zoning By-law Amendment also conforms to the Official Plan. Based on this review and the site visit that was undertaken, it is our professional opinion that the proposed applications represent good land use planning.

Respectfully submitted,
MHBC



Jonathan Pauk, HBASc., MSc. | Planner



Jamie Robinson, BES, MCIP, RPP | Partner

Figures

Figure 1: Survey of Subject Lands

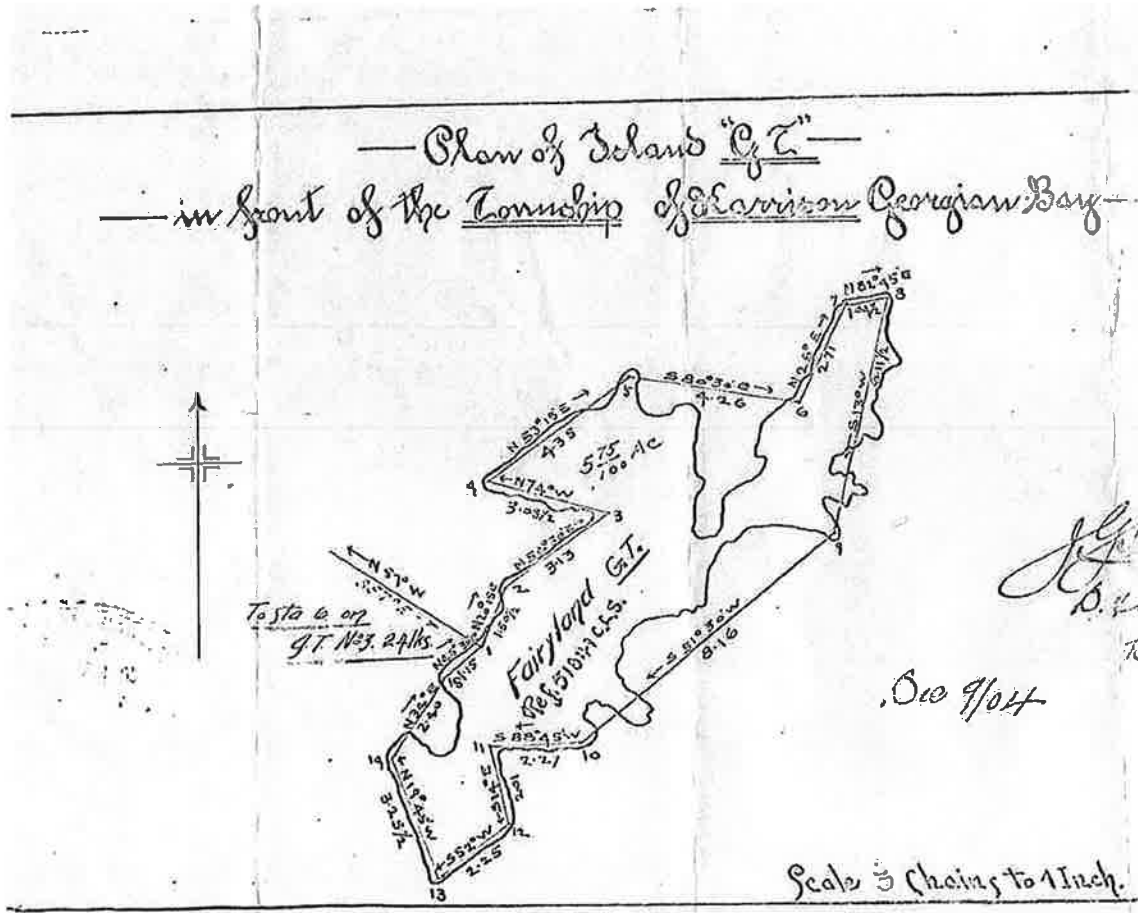


Figure 2: Site Location

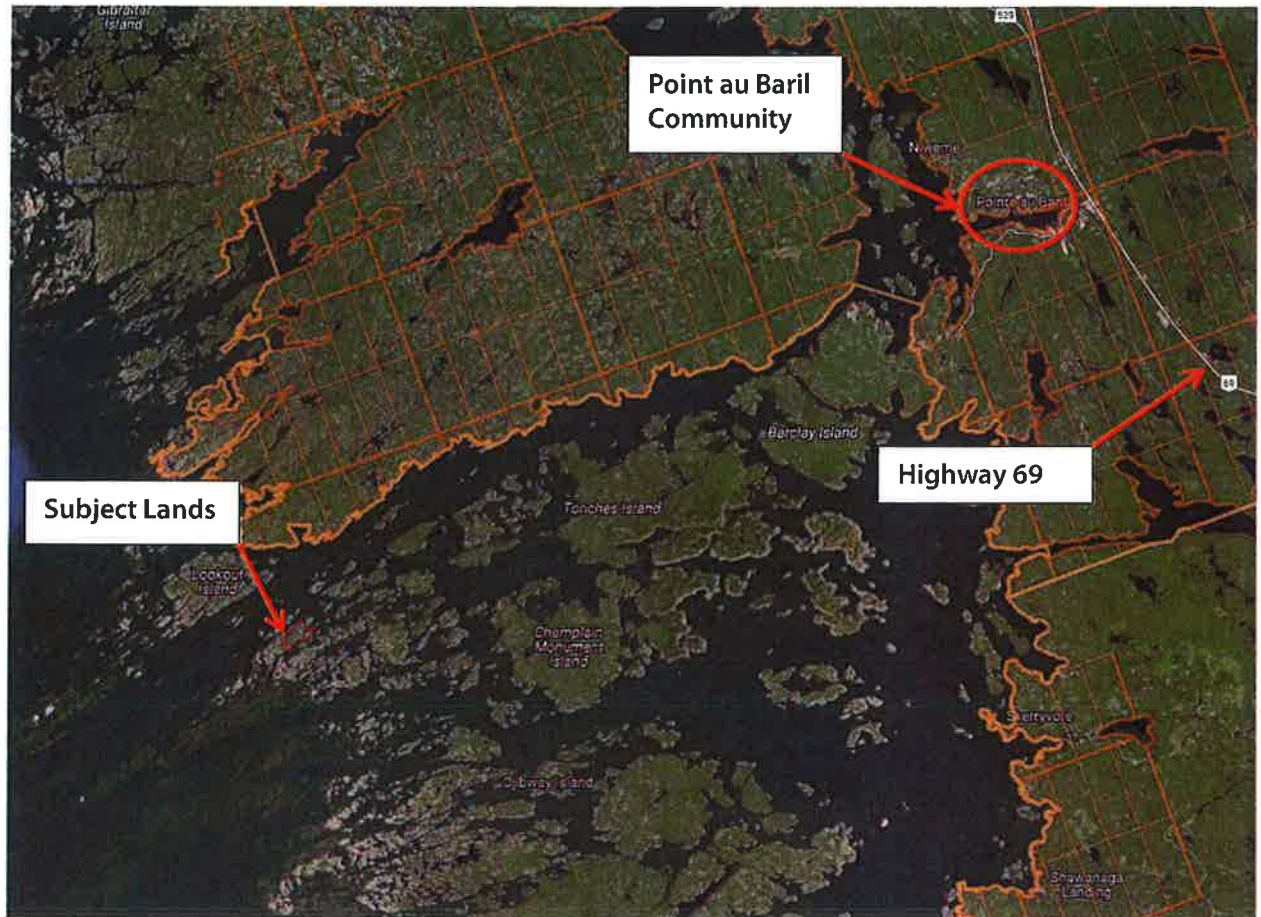


Figure 3: Existing Conditions and Structures on Subject Lands



Figure 5: Township of Archipelago Official Plan Designation

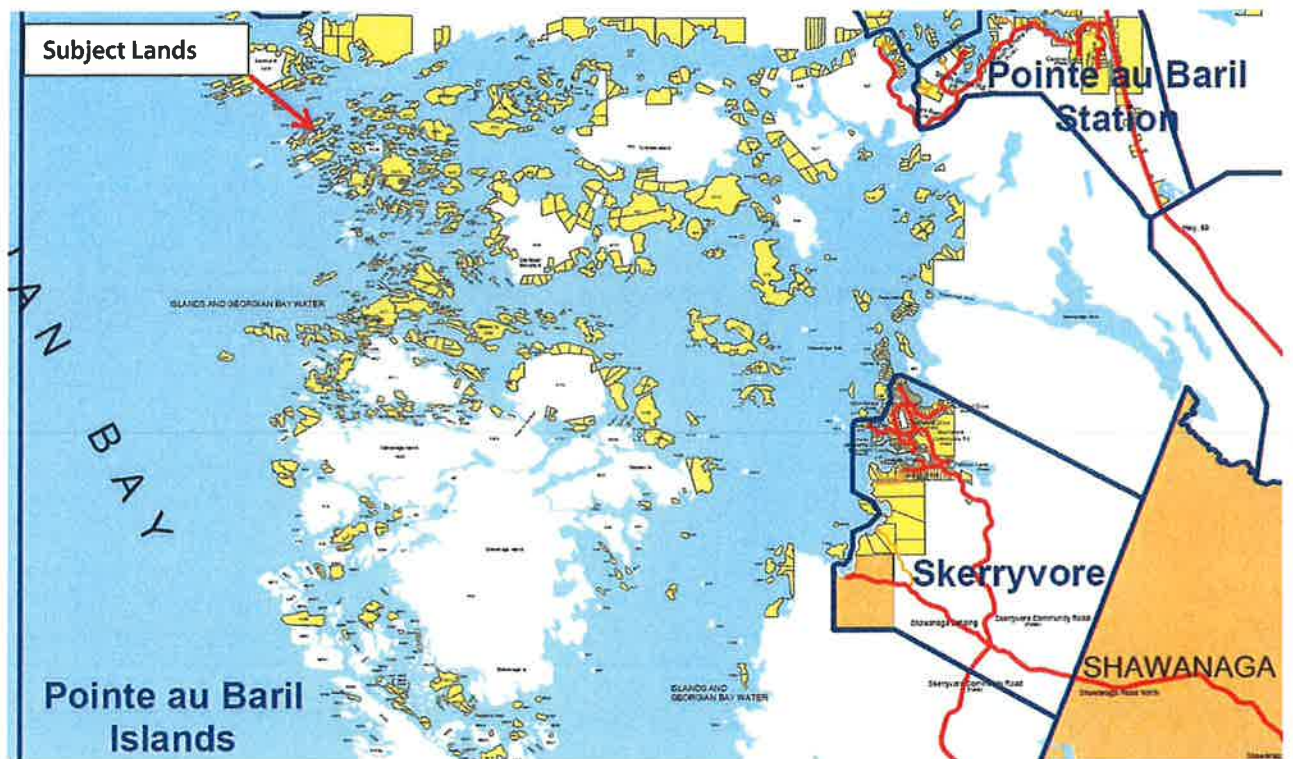
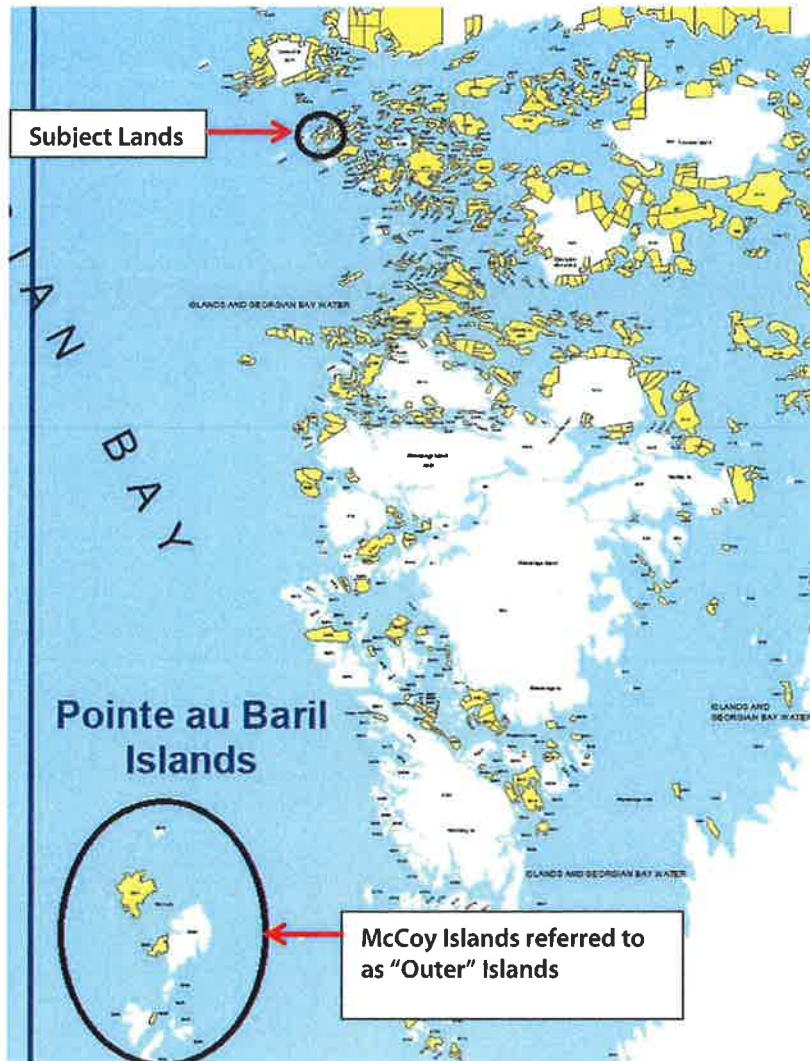


Figure 6: Outer vs. Inner Island Justification



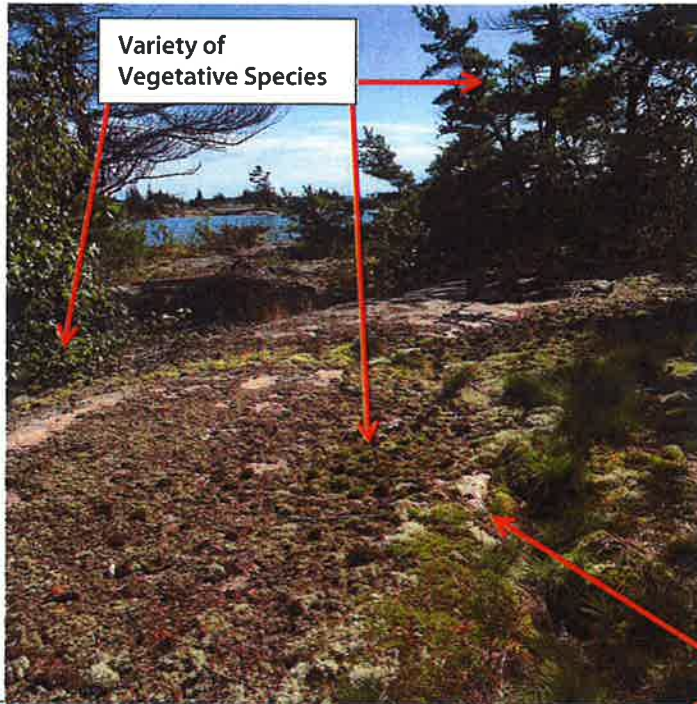
Outer Island



Minimal
Vegetation

Low-Lying
Island Rock

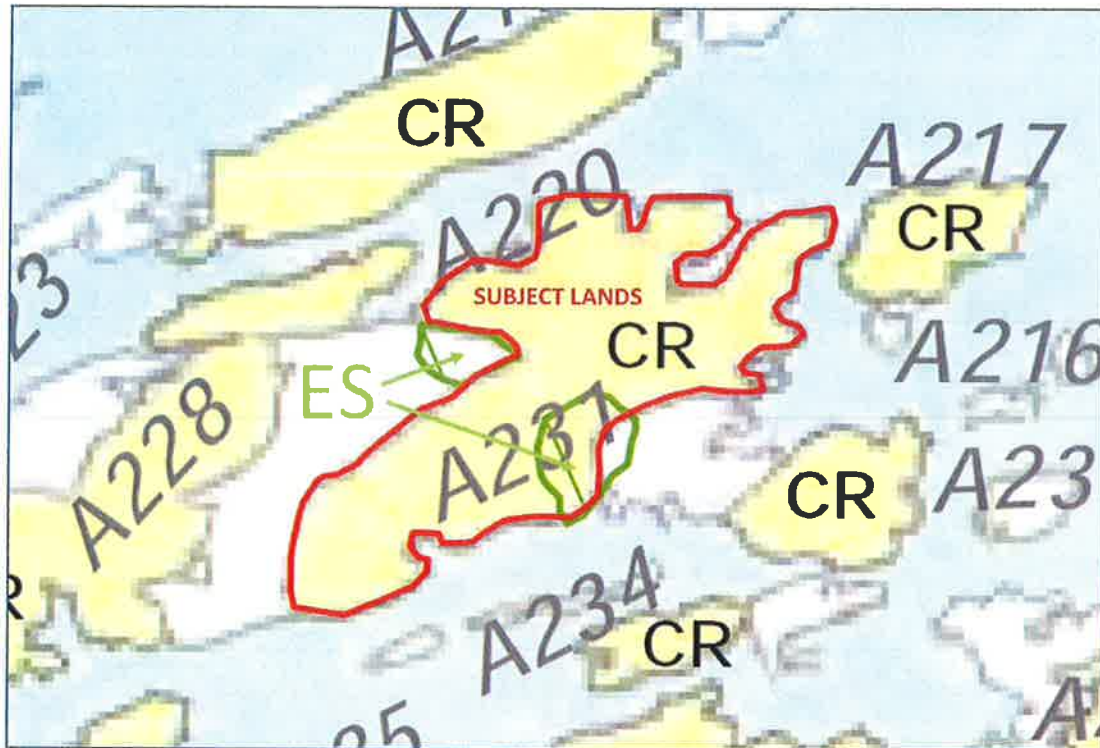
Inner Island



Significantly More Vegetation



Figure 7: Excerpt of Township of Archipelago Zoning By-law



ECOLOGICAL SITE AND IMPACT ASSESSMENT REPORT

APPENDIX 'C'

Ecological Site and Impact Assessment Report

McCoy Lot

Island 231A (Fairyland Island), Parcel 17246 PSNS, the geographic Township of Harrison, Roll
Number: 490514001008500

October 2018

Prepared for the **Township of the Archipelago** by:

ESIA Report

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ESIA Report

1. Purpose and Scope of Report

The purpose of this Ecological Site and Impact Assessment (ESIA) report is to address the Township of the Archipelago Area Planning Board's obligations under the Provincial Policy Statement (2014) in relation to potential impacts of the proposed severance and subsequent development on the natural heritage features of the McCoy property and how any unacceptable impacts can be eliminated or minimized.

More specifically, Georgian Bay Biosphere Reserve Inc. (GBBR) was retained to:

- Determine whether the proposed development, namely within the building envelopes, and general usage of the property, would result in harm to habitats of species at risk, significant wildlife and fish habitats.
- Recommend measures to protect any significant habitat features.

Due to the inherent mobility of the majority of species at risk in the subject property area and the time of year of this review, it is not possible to completely eliminate the risk of harm to species at risk from the proposed development. An area is considered potential habitat if it provides a number of criteria either specific to a species or common to a broader group. Therefore, this document does not absolve the landowner of responsibility to ensure that during the construction phase and future development of their property, they meet the requirements of relevant legislation, including:

- Provincial Endangered Species Act
 - http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_07e06_e.htm
- Federal Fisheries Act
 - <http://laws-lois.justice.gc.ca/eng/acts/F-14/>
- Migratory Birds Convention Act
 - <http://laws.justice.gc.ca/eng/acts/M-7.01/>

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2. Subject Property

Table 1 provides planning and site assessment information about the subject property. The subject property is located in the Pointe au Baril islands area and includes two proposed site plans. The proponent instructed GBBR to prioritize “Conceptual Site Plan Option 1” (Figure 1). This meant that “Conceptual Site Plan Option 2” (Figure 2) was only to be surveyed if it was not possible to site the building and septic envelopes in Option 1. This was not required and therefore “Conceptual Site Plan Option 2” was not surveyed or assessed as part of this report. The potential building and septic envelopes (Figure 1) were located during the field visit.

Table 1: Information on Subject Property and Site Assessment

Landowner(s)	McCoy
Planning Authority	Township of the Archipelago
Roll Number	490514001008500
Proposed Development	Severance to create a lot with a single main dwelling and septic system
Date of Site Visit	Aug. 14, 2018
Site visit – GBBR Staff	David Bywater and Delaina Arnold
Report authors – GBBR Staff	David Bywater

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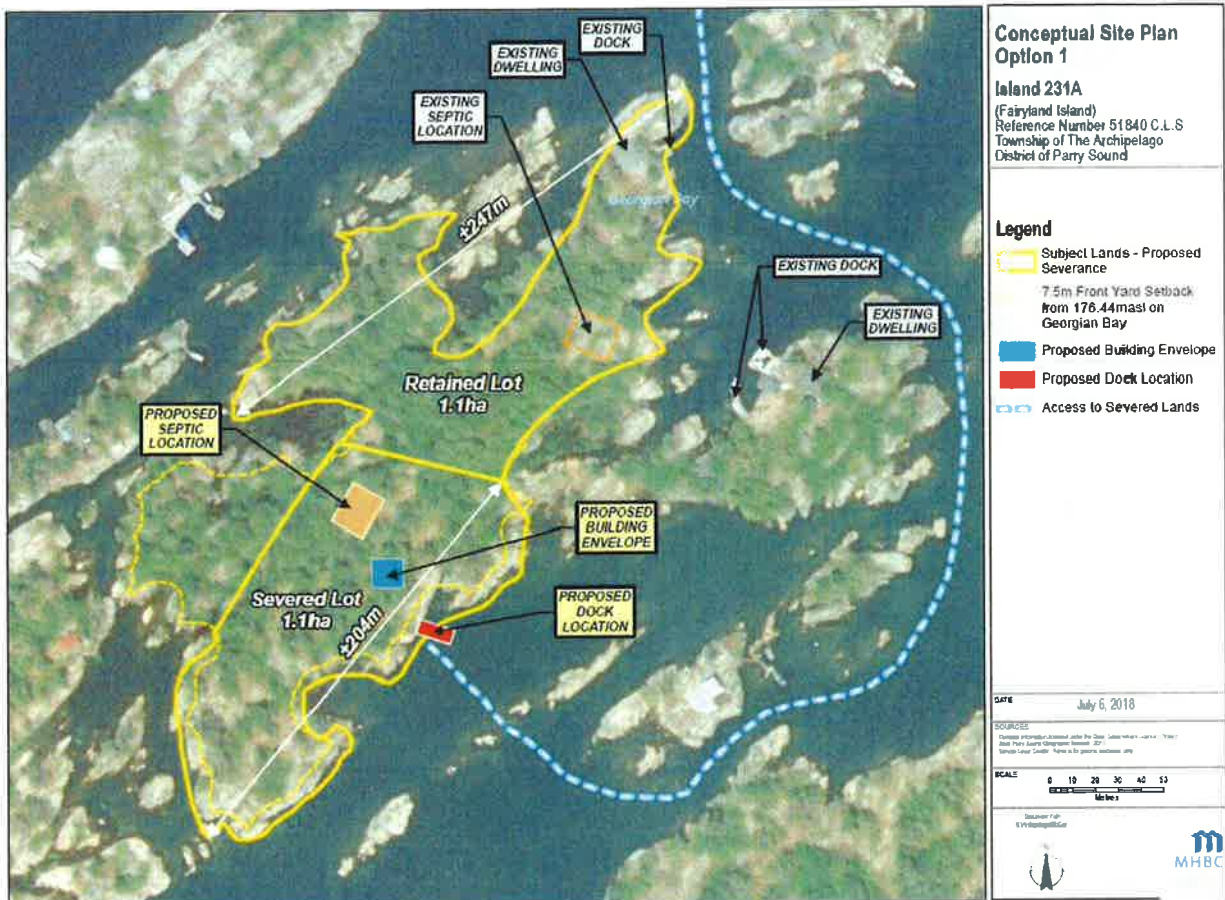


Figure 1 - Conceptual Site Plan Option 1

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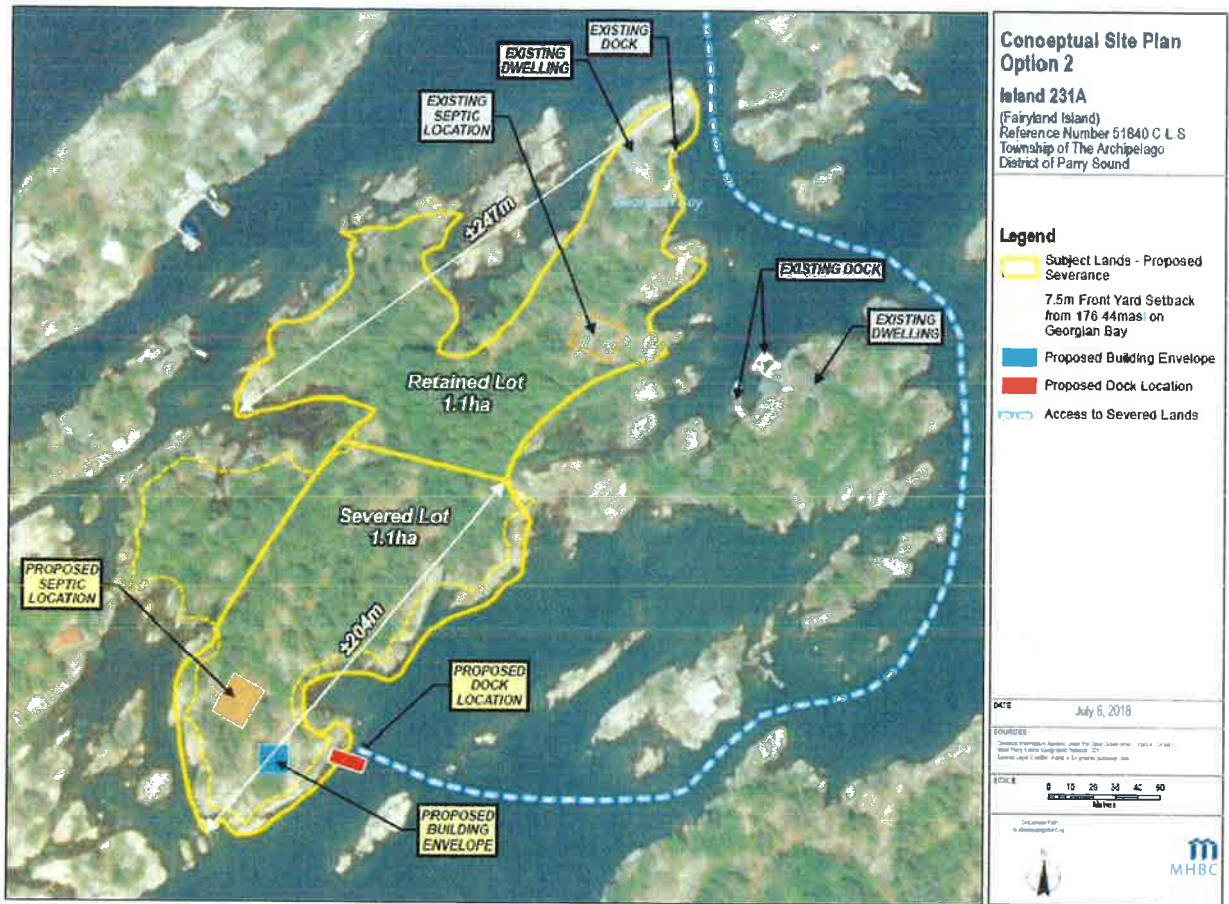


Figure 2 – Conceptual Site Plan Option 2

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3. Approach and Methods

Collection and Review of Background Information

A review of the Ontario Ministry of Natural Resources' (OMNR) document "SAR in Parry Sound District (v.7)" indicates the following species at risk are known to occur in the subject property region (Harrison Township):

Table 2: Species at Risk Known to Occur in the General Subject Property Area

COMMON NAME	LATIN NAME	COSSARO*DESIGNATION
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Special Concern
Bank Swallow	<i>Riparia riparia</i>	Threatened
Barn Swallow	<i>Hirundo rustica</i>	Threatened
Blanding's Turtle	<i>Emydoidea blandingii</i>	Threatened
Canada Warbler	<i>Wilsonia canadensis</i>	Threatened
Chimney Swift	<i>Chaetura pelagica</i>	Threatened
Common Five-lined Skink	<i>Plestiodon fasciatus</i>	Special Concern
Common Night-hawk	<i>Chordeiles minor</i>	Special Concern
Common Snapping Turtle	<i>Chelydra serpentina</i>	Special Concern
Eastern Foxsnake	<i>Pantheropsis gloydi</i>	Threatened
Eastern Hog-nosed Snake	<i>Heterodon platirhinos</i>	Threatened
Eastern Musk Turtle	<i>Sternotherus odoratus</i>	Special Concern
Eastern Ribbonsnake	<i>Thamnophis sauritus</i>	Special Concern
Eastern Small-Footed Myotis	<i>Myotis leibii</i>	Endangered
Eastern Wood-Pewee	<i>Contopus virens</i>	Special Concern
Lake Sturgeon	<i>Acipenser fulvescens</i>	Threatened
Little Brown Myotis	<i>Myotis lucifugus</i>	Endangered
Massasauga Rattlesnake	<i>Sistrurus catenatus</i>	Threatened
Monarch	<i>Danarus plexippus</i>	Special Concern
Northern Map Turtle	<i>Graptemys geographica</i>	Special Concern
Northern Myotis	<i>Myotis septentrionalis</i>	Endangered
Olive-sided Flycatcher	<i>Contopus cooperi</i>	Special Concern
Spotted Turtle	<i>Clemmys guttata</i>	Endangered
Whip-poor-will	<i>Caprimulgus vociferous</i>	Threatened
Wood Thrush	<i>Hylocichla mustelina</i>	Threatened

*COSSARO – Committee on the Status of Species at Risk in Ontario. To learn more about how species at risk are listed in Ontario, visit: www.ontario.ca/page/how-species-risk-are-listed

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Existing information pertaining to the natural heritage features of the subject property and regional lands were obtained from the following sources:

- Colour satellite imagery (leaf on and leaf off) from the West Parry Sound Geography Network (WPSGN), which provided the basis for identifying general ecological features on the subject property.

Resources were reviewed prior to the site visit to provide an overview of potentially significant habitat features for species at risk on the subject property and regional lands.

Site Investigations

The site (i.e. “Conceptual Site Plan Option 1”) was physically surveyed on Aug. 14, 2018 to determine if significant habitat features were present within the building and septic envelopes. The remainder of “Conceptual Site Plan Option 1” and adjacent portions of the subject property were surveyed to identify features of conservation interest.

An area is considered potential habitat if it provides a number of criteria either specific to a species or common to a broader group. No systemic surveys to document presence or absence of species at risk were completed. Descriptions of significant habitat were determined from species status reports or recovery strategies produced by either Committee on the Status of Endangered Wildlife in Canada (COSWEIC) or OMNRF:

- General Habitat Description for Massasauga Rattlesnake ([mssga_en.pdf](#)).
- General Habitat Description for Eastern Whip-poor-will ([whp_pr_wll_en.pdf](#)).
- General Habitat Description for Blanding’s Turtle ([bln_trtl_en.pdf](#)).

4. Existing Physical Conditions

Terrestrial Features

A large portion of the subject property is comprised of secondary growth, mixed forest (Figure 3) including species such as white pine (*Pinus strobus*), red oak (*Quercus rubra*), and white birch (*Betula papyrifera*). Shrub species included common juniper (*Juniperus communis*) and low-bush blueberry (*Vaccinium angustifolium*).



Figure 3 - A large portion of the subject property is comprised of secondary growth, mixed forest

Aquatic Features

Fish habitat in this portion of Georgian Bay was assessed and mapped by the Ministry of Natural Resources as either Type 1 or Type 2 according to their fish habitat definitions as outlined below.

- Type 1 - Significant areas of emergent and/or submergent aquatic vegetation. No alterations should be undertaken in this area such as adding fill, beach creation, dredging, and removal of vegetation from neither shoreline edge, nor buildings and other structures such as docks. The majority of the Type 1 habitat is found immediately north of building site 2.
- Type 2 - Highly variable; ranging from detritus substrate to small aquatic vegetation beds to rocky bedrock. This Type 2 habitat is important to fish production however is not considered by the OMNR as a limiting factor to the productive capacity of a body of water.

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The regional map (Figure 4) does not show any fish habitat in this area, with the closest fish habitat (Type 2) located roughly a kilometre north of the subject property. The shoreline of the proposed dock location (Figure 5) was surveyed during the site visit and does not have the characteristics of Type 1 or Type 2 fish habitat.

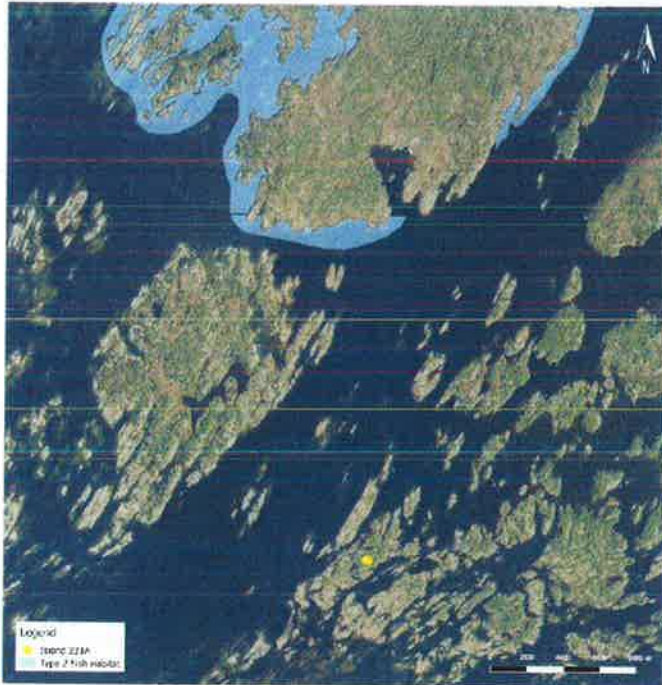


Figure 4 - Regional fish habitat map

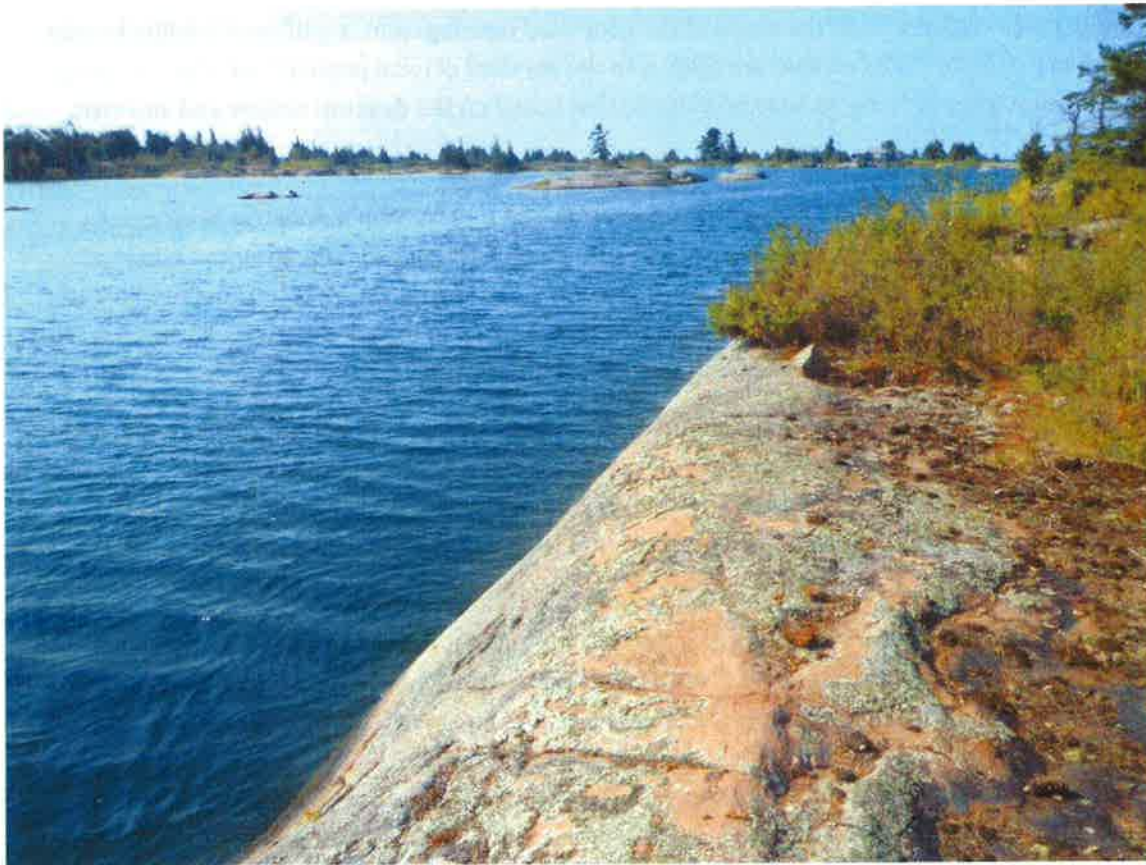


Figure 5 – Shoreline of the proposed dock location

5. Significant Natural Features

Introduction

The objective of this ESIA is to determine whether the proposed development, namely within the building envelopes, and general usage of the property, would result in harm to habitats of species at risk, significant wildlife and fish habitats. An area is considered potential habitat if it provides a number of criteria either specific to a species or common to a broader group. Significant wildlife habitat is defined (MNR, 2005) as:

“ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.”

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Taking into consideration the scope of the proposed development, significant wildlife habitat typically includes habitats that are critical to the survival of local populations. The following significant natural features have been identified based on the desktop review and site visit.

Subject Property

The physical survey identified potential gestation and hibernation habitat for Massasauga rattlesnakes on the subject property and regional lands (Figure 6). The potential hibernation habitat consists of white pine, alder and sphagnum moss lowland. Potential gestation habitat consists of rock outcrop located at the south-west portion of the island. Both habitats are typical of hibernation and gestation sites found along eastern Georgian Bay.

Landscapes critical to Massasauga populations require a mosaic of habitat types that include hibernation sites, gestation sites, foraging/mating areas and movement corridors. As noted in the section below (Regional Considerations), potential Massasauga habitat can also be found regionally, thereby increasing the likelihood that the habitat on the subject property may be actively used.

During conversations with MNR staff it was also noted that the likelihood of Massasaugas hibernating this far offshore is relatively low, as they typically hibernate on the mainland or larger islands in this region. While it is unlikely that these habitats are actively being used, a more detailed ecological survey (outside the scope of this assessment) would be required to 'clear' these habitats. Alternatively, the proponent can approach MNR to obtain an overall benefit permit to build in these habitats. For the purposes of this report, the precautionary principle is applied and these habitats are included in the assessment.



Figure 6 - Potential Massasauga rattlesnake hibernation and gestation habitat

The hibernation and gestation types of habitat are considered "Category 1" and require 100 metre and 30 metre buffers respectively (Figure 7). As outlined in MNR's "General Habitat Description for the Massasauga (*Sistrurus catenatus*)":

"Gestation sites and the area within 30 m, and hibernacula and the area within 100m will be considered to have the lowest level of tolerance to alteration. Alteration within this area is likely to compromise the function of the gestation and overwintering habitat."

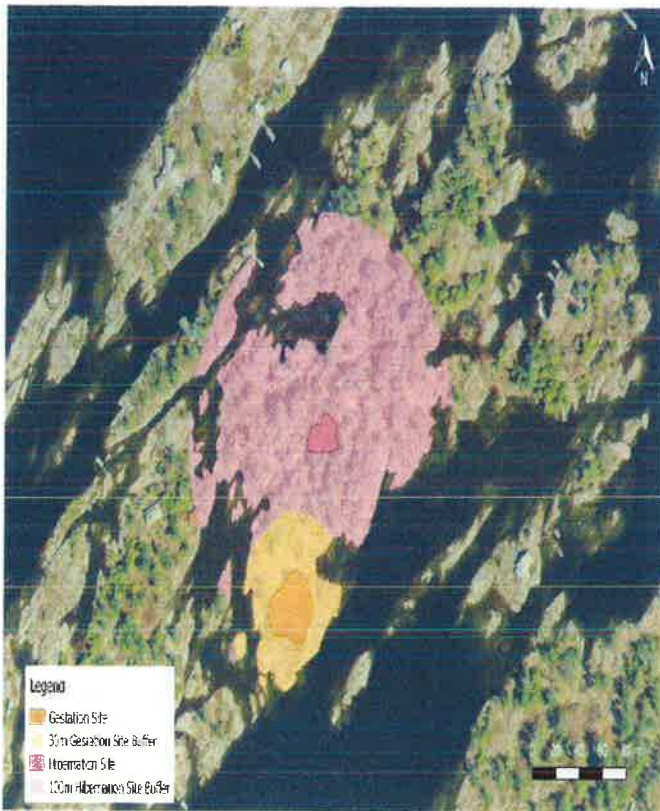


Figure 7 - Potential Massasauga rattlesnake hibernation and gestation habitat with buffers

The original location of the proposed building envelope was sited adjacent to the potential hibernation habitat. Therefore, it is recommended that the building envelope is relocated (to increase the setback from this habitat). In discussions with the landowner and TOA planning staff during the site visit, an alternate site was agreed upon (Figure 8).

While the building and septic envelopes are sited within the hibernation buffer, existing dwellings and buildings in this region demonstrate that people and Massasaugas can co-exist. The intent of the buffer is to minimize disturbance and/or alteration to the hibernation habitat and its function. As outlined in MNR's "General Habitat Description for the Massasauga (*Sistrurus catenatus*)":

"Activities in general habitat can continue as long as the function of these areas for the species is maintained and individuals are not killed, harmed, or harassed."

Compromised function could result from changes to microclimate conditions (e.g. thermal, vegetative and lighting features) and hydrology (e.g. overland runoff, water table, streams). By

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increasing the building envelope setback (from the habitat), the likelihood of impacting the function is reduced. Furthermore, the relocated building envelope is sited on a rock outcrop thereby mitigating the likelihood of impacting the habitat's hydrology. Therefore, taking into consideration the scope of this project it is not anticipated that development will significantly impact the function of the hibernation habitat, so long as the following mitigation measures are in place:

- Flag the hibernation habitat to protect it from disturbance during development of the septic and building envelopes.
- Prohibit site alteration activities in the hibernation habitat and immediate area that could impair its function, such as tree removal, blasting, addition of fill, excavation, etc.

With regards to construction access, the conceptual site plans (Figure 1 and Figure 2) do not indicate a preferred route. It is unclear whether larger boats/barges for construction will be able to access the proposed dock location identified in Figure 1 due to restricted access. Therefore, it is possible that the construction access route will be from the north end of the island. In this scenario, the construction access footprint would be much larger than that of the dock access option. Increasing this footprint thereby increases the likelihood of Massasauga interactions, including the potential that snakes are killed, harmed or harassed. In order to mitigate the potential for these impacts, a timing window would need to be in place prohibiting development from late-April to May (end) and mid-Sept to mid-Oct. The rationale for these windows is: emergence and movement from hibernation is typically mid-April to mid-May; and snakes typically return to hibernation from mid-September to mid-October. Finally, construction access routes shall not cross over identified hibernation habitat.



Figure 8 - Original and revised building envelopes

Regional Considerations

Several features of conservation interest are located in this region, thereby increasing the likelihood that species at risk may be encountered on the subject property (during both the development and general usage of the property). The features of conservation interest in this region include wetlands and rock outcrops.

Regional wetlands are potential habitat for three at risk turtle species: common snapping, Blanding's, and eastern musk. Some turtle species may travel over several kilometres, particularly at nesting time to find preferred habitat. In particular, turtles may be attracted to areas of new fill to lay eggs (typically June). If a nesting Blanding's turtle is encountered, the area must be marked and protected with a 30 metre buffer. The Parry Sound MNR Management Biologist (705-773-4205) can be contacted for further advice.

Regional rock outcrops may provide important habitat for both Massasauga rattlesnakes and whip-poor-wills. If a whip-poor-will's nest is encountered, it must be marked and protected with a 20 metre buffer.

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6. Mitigation Measures and Recommendations

In summary, the following mitigation measures and recommendations are required to protect significant natural features from incompatible development. Specifically, for the subject property, this includes:

1. The original location of the proposed building envelope was sited adjacent to potential hibernation habitat. Therefore, it is recommended that the building envelope is relocated (to increase the setback from this habitat). In discussions with the landowner and TOA planning staff during the site visit, an alternate site was agreed upon (Figure 8).
2. Flag the hibernation habitat to protect it from disturbance during development of the septic and building envelopes.
3. Prohibit site alteration activities in the hibernation habitat and immediate area that could impair its function, such as tree removal, blasting, addition of fill, excavation, etc.
4. In the scenario that construction access is from the north end of the island, there is an increased likelihood of Massasauga interactions, including the potential that snakes are killed, harmed or harassed. In order to mitigate the potential for these impacts, a timing window would need to be in place prohibiting development from mid-April to mid-May and mid-Sept to mid-Oct.
5. Vegetation removal and disturbance outside of the building envelope should be minimized. With regard to the Migratory Birds Convention Act 1994, clearing of vegetation should be completed outside of the nesting period of May 15 to July 31.
6. Nesting sites of any at-risk turtles or birds (Table 2) encountered will be provided with an appropriate buffer. Information about species applicable buffers can be found online (www.ontario.ca/environment-and-energy/species-risk-ontario-list) or by contacting the Parry Sound MNR Management Biologist (705-773-4205).

Contingent upon the implementation of the above recommendations, the proposed application to build within the envelopes can occur in a manner that will not harm the significant natural heritage features and functions.

We strongly recommend that individuals involved in construction should be provided with the list of species at risk that may be found on the property. If species are encountered during the construction phase, they should be protected from harm and the sighting reported to the Georgian Bay Biosphere Reserve (705-774-0978 or info@gbbr.ca).

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7. References

Ontario Ministry of Natural Resources. March 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. Toronto: Queen's Printer for Ontario. 248 pp.

OMNR. 2000. Significant wildlife habitat technical guide. 151p.

Massasauga Recovery Team. 2006. Guidelines for Identifying Significant Habitat for the Massasauga in Eastern Georgian Bay.

SAR in Parry Sound District (v.5) (Ontario Ministry of Natural Resources and Forestry).

Various Recovery Strategies and/or Status Reports (COSEWIC and/or OMNRF): Massasauga, Whip-poor-will, and Blanding's Turtle.

For more information on the species at risk listed in this report, please visit: www.gbbr.ca/our-environment/species-at-risk/

CORRESPONDENCE RECEIVED

APPENDIX 'D'

Subject: Re: McCoy Consent Application No. B01-18

From: Ian Macleod

Date: 12/20/2018, 4:43 PM

To: Jamie Bunston

CC: Cale Henderson <chenderson@thearchipelago.on.ca>, Tom Scoon <

Cam Richardson

doug.mcnair

katiefindlay

Thanks Cale

I should have communicated with the rest of the committee. Sandy McCoy explained to me last spring what he was doing concerning the severance and I understand it does conform with the requirements and I have no problem with it.

Sincerely,

Ian MacLeod