

# REVISED AGENDA

## REGULAR MEETING OF COUNCIL



Friday, July 16<sup>th</sup>, 2021

9:15 a.m.

Via Zoom Meeting

9 James Street, Parry Sound, Ontario

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

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➤ **(Add-on)**

**1. CALL TO ORDER**

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

❖ **The Committee of Adjustment will meet at 11:00 a.m. to consider one application.**

❖ **There will be a Public Meeting at 10:00 a.m. to consider the following:**

- i) **Proposed Zoning By-law Amendment No. Z06-21**  
**Carrick Point LLC/Shaw**  
**Part of Island 97A (Mackenzie Island)**

Pages: 1-9

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. MINUTES OF THE PREVIOUS MEETING**

- i) **Regular Meeting Of Council – June 18, 2021**

Pages: 10-16

- 21- **NOW THEREFORE BE IT RESOLVED** that the Minutes of the Regular Meeting of Council held on June 18, 2021, be approved.

4. **DEPUTATIONS**

9:20 a.m. Lynne Gregory, Belvedere Board Representative. Belvedere Heights 101 Bed Long-Term Care Home moving to Campus of Care

Pages: 17-22



11:30 a.m. Rian Allen, Planning Consultant. Zoning By-law Review – Draft modifications for discussion purposes

Pages: 106-118

5. **CLOSED MEETING**

- 21- **NOW THEREFORE BE IT RESOLVED** that Council move into a CLOSED MEETING at \_\_\_\_\_ a.m./p.m., pursuant to Section 239(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to deal with advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**OPEN MEETING**

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

6. **UNFINISHED PLANNING BUSINESS**

7. **OFFICIAL PLAN/ZONING AMENDMENTS**

8. **CONSENT APPLICATIONS**

9. **SITE PLAN CONTROL**

10. **SHORE/CONCESSION ROAD ALLOWANCES**

11. **CAO REPORT ON COUNCIL DIRECTIONS**

Pages: 23

- 21- **NOW THEREFORE BE IT RESOLVED** that Council receives the July 2021 CAO Report on Council Directions, as distributed.

12. REPORT OF TASK FORCES/COMMITTEES

• FINANCE AND ADMINISTRATION



**i) Truth and Reconciliation in Canada – The Township of The Archipelago’s Roles and Responsibilities**

21- **NOW THEREFORE BE IT RESOLVED** that Staff work with Council to advance the Township’s role in the hard work towards Truth and Reconciliation with Canada’s First Nations, Inuit and Metis peoples, including but not limited to meeting the applicable Calls to Action put forward in 2015 by the Truth and Reconciliation Commission of Canada and to move forward in developing meaningful partnerships and relationships with our indigenous Residents and Communities.



**ii) Donation Policy**

Pages: 119-120

13. CORRESPONDENCE

**i) Council Correspondence**

Pages: 24-27



**Pages: 121-124**

21- **NOW THEREFORE BE IT RESOLVED** that Council receives the July 2021 Council Correspondence listing.

14. OTHER BUSINESS

**i) Request For Letter Of Concurrence – Vianet Inc.**

Proposed Tower North Shore Road, Pointe au Baril

21- **WHEREAS** the Council for the Township of The Archipelago recognizes the existing need for improved telecommunication service levels for residents in The Archipelago;

**AND WHEREAS** Vianet Inc., by way of resolution #20-133, received Council support for jointly pursuing a new 260’ telecommunication tower to be erected on township lands, 126B North Shore Road, Pointe au Baril;

**AND WHEREAS** Vianet Inc., has now undertaken and completed public notification as set out in the ISED’s default protocol (CPC-2-0-03), which require proponents to provide a notification package to the local public, land-use authorities, businesses and property owners etc. located within a radius of three times the tower height.

**AND WHEREAS** Vianet has requested a Letter of Concurrence with respect to the proposed communications tower;

**NOW THEREFORE BE IT RESOLVED** that Council hereby authorize staff to provide a Letter of Concurrence to Vianet Inc. for the placement of a 260 foot tower at 126B North Shore Road, Pointe au Baril

ii) **2021 Community Grants**

21- **NOW THEREFORE BE IT RESOLVED** that Council authorizes the following community grants for the remainder of 2021:

TOTAL NORTH	\$31,252.37
TOTAL SOUTH	\$10,536.91

iii) **2021 Property Tax Adjustments**

21- **NOW THEREFORE BE IT RESOLVED** that Council authorizes the following tax credit adjustments for municipally-owned properties for the remainder of 2021:

TOTAL NORTH	\$1,054.49
TOTAL SOUTH	\$1,148.46



iv) **Strategic Plan – Update 2021**

Pages: 125-126

15. **BY-LAWS**

i) **Carrick Point LLC/Shaw – Zoning By-law Amendment No. Z06-21**

Pages: 28-30

**A2099-21-** To amend By-law No. A2000-07 (the Comprehensive Zoning By-law) for part of Island 97A, being Parcel 6685 PSNS, in front of the geographic Township of Harrison.

ii) **Carrick Point LLC/Shaw**  
**Authorize the execution of a development agreement**  
part of Island 97A, being Parcel 6685 PSNS, in front of  
the geographic Township of Harrison.

E. Manners  
S. Sheard

Pages: 31-72

21- Being a By-law to authorize the execution of a site plan development agreement between Carrick Point LLC/Patrick Shaw and the Corporation of the Township of The Archipelago.

- iii) **O'Neill, Brendan** E. Manners  
**Authorize the execution of a development agreement** S. Sheard  
Part of Island 417A, being Part 4 on Plan 42R-20556,  
located in front of the geographic Township of Shawanaga

Pages: 73-102

- 21- Being a By-law to authorize the execution of a site plan development agreement between Brendan O'Neill and Janet Green and the Corporation of the Township of The Archipelago.

- iv) **O'Neill, Brendan-Zoning By-law Amendment No. Z03-20** E. Manners  
**Remove the Holding 'H' provision** S. Sheard

Pages: 103-104

- A2100-21-** To amend By-law No. A2000-07 (the Comprehensive Zoning By-law) for Part of Island 417A, being Part 4 on Plan 42R-20556, located in front of the geographic Township of Shawanaga



**v) Amendment to Noise By-law**

Pages: 127

- 21- Being a By-law to amend By-law 07-19, being a By-law to control noise within the Township of The Archipelago.

16. **QUESTION TIME**

17. **NOTICES OF MOTION**

- i) **Request for reconsider decision of Council. Resolution 19-53, Councillor Andrews Indemnification – Hachigian v Andrews**

Pages: 105

- 21- **NOW THEREFORE BE IT RESOLVED** that Council hereby agree to reconsider Resolution 19-53, Councillor Andrews Indemnification – Hachigian v Andrews.

18. **CONFIRMING BY-LAW**

- 21- Being a By-law to Confirm the Proceedings of the Regular Meeting of Council held on July 16<sup>th</sup>, 2021.

19. **ADJOURNMENT**



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**TO:** Reeve Liverance and Council Members  
The Township of The Archipelago

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

**DATE:** July 16, 2021

**RE:** Zoning By-law Amendment Z06-21  
Part of Island 97A (Mackenzie Island)  
being Parcel 5, Parcel 8623 PSNS and part Parcel 4, Parcel 6685  
PSNS, located in front of the geographic Township of Harrison.

**Neighbourhood:** Pointe au Baril Island Neighbourhood

**Owner:** CARRICK POINT LLC/SHAW

**Agent:** John Jackson Planner Inc., John Jackson

**Associated Files:** B06-20 (Consent Application – 1 New Lot)

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**PROPOSAL:**

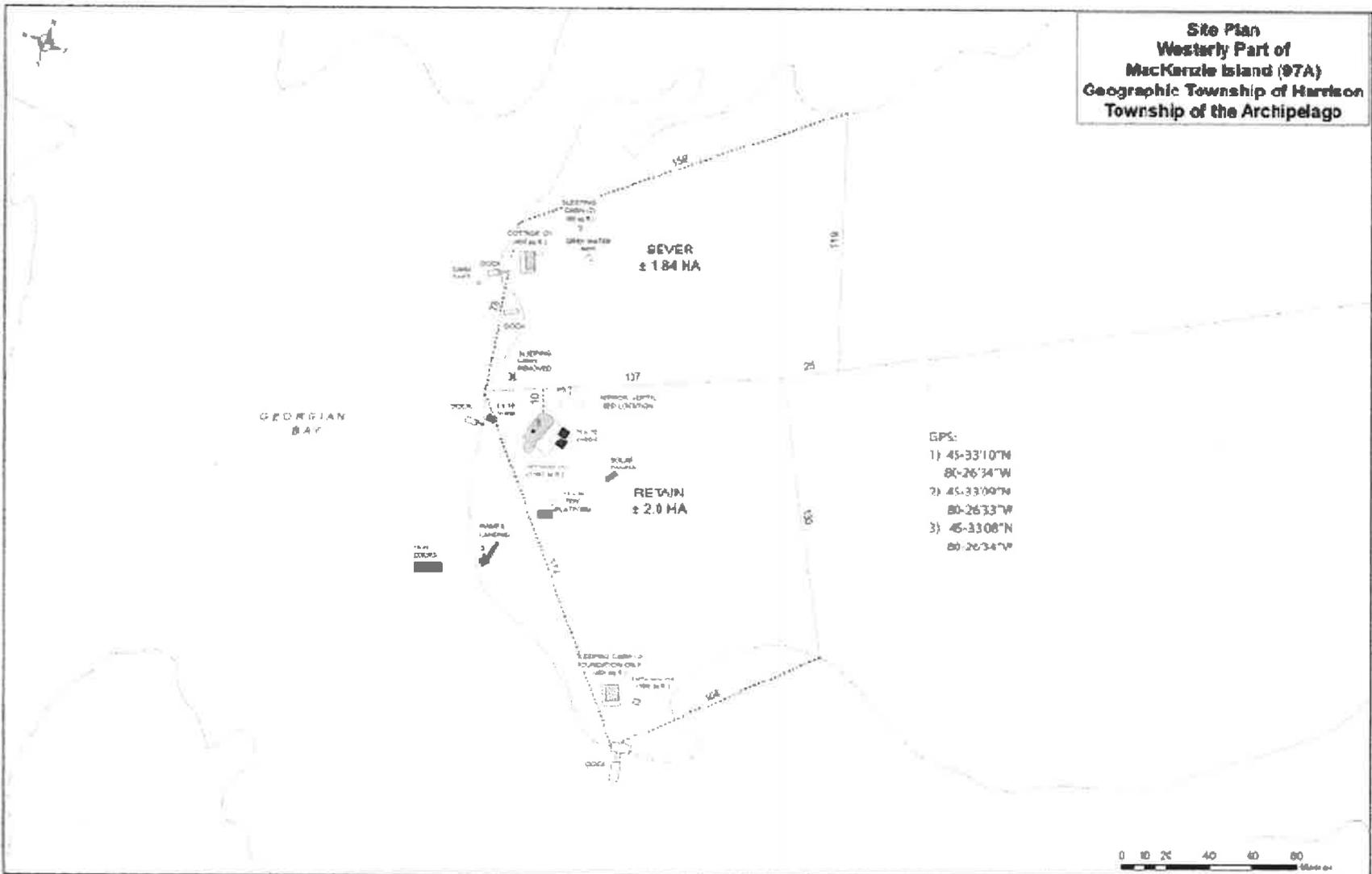
The purpose of proposed Zoning By-law Amendment No. Z06-21, is to rezone part of Island 97A, being Parcel 6685 PSNS, in front of the geographic Township of Harrison, from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided Exception-93(CR/D-93)' Zone.

The effect of the proposed Zoning By-law Amendment is to recognize the severance, implement the recommended 15 metre (49 feet) setback and to prohibit any further lot creation.

A draft By-law amendment is attached to this report as Appendix A.

**BACKGROUND:**

The application was submitted to fulfil a condition of Consent Application No. B06-20. In February 2021, The Archipelago Area Planning Board conditionally approved the creation of one new residential lot as depicted on the following page.



## **ANALYSIS:**

### **1. PROVINCIAL POLICY STATEMENT:**

The Provincial Policy Statement, 2020 (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 subject property is located within a rural area as per Section 1.1.4 of the Provincial Policy Statement. Policy 1.1.5.2 recognizes limited residential development and resource-based recreational activities on the subject property.

Policy 2.1 of the PPS which addresses Natural Heritage, would be of particular relevance to this application and specifically; Policy 2.1.7 respecting habitat of endangered and threatened species, Policy 2.1.6 respecting fish habitat and Policy 2.1.5 respecting significant wildlife habitat and coastal wetlands.

An initial environmental review and subsequent memos, were all prepared by FRICORP Ecological Services. The environmental review concluded that the proposed development is suitable for the subject property, provided the mitigation measures are implemented, included implemented a minimum front yards setback of 15 metres.

### **Conclusion**

Provided the appropriate agreements are entered into and the fronta yard setback is implemented, the proposal is consistent with Section 2.1 of the Provincial Policy Statement.

### **2. OFFICIAL PLAN:**

#### **Development Policies**

The subject property is located within the Pointe au Baril Islands Neighbourhood. According to Subsection 10.9, respecting Neighbourhood Growth Policies for the Pointe au Baril Islands Neighbourhood, the subject property is eligible for the creation of one new lot. Consent Application No. B06-20 was deemed to conform to the neighbourhood growth policies regarding size and configuration by The Archipelago Area Planning Board.

In reviewing Section 14 of the Official Plan, 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.*

*14.15 All development locations must be physically suitable in terms of services, building site, harbor and access. Lands with severed 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.*

The requested zoning by-law amendment appears to allow for lot configuration and subsequent development that is consistent with the neighboring land use, lot dimensions and densities existing in the Pointe au Baril Islands Neighbourhood.

The proposed lot size on both the retained lot and severed lot appear sufficient for existing and future development (main cottage, accessory buildings and required facilities), while allowing for buffering and separation from adjacent, existing recreational land uses.

#### Environmental Policies

As discussed in Section 1 of this report, the Environmental Review concluded that the proposal was environmentally appropriate.

With respect to Fish Habitat, Section 7.23 states:

*7.23 To assist in the protection of fish habitat, new development shall generally satisfy the following setback requirements:*

*i) a minimum of 15 metres from Georgian Bay and warm water and cool water lakes and streams;*

In accordance with the above policies, the assessment has identified appropriate docking envelopes and recommended a minimum setback of 15 m (50 ft).

#### Conclusion

The Archipelago Area Planning Board conditionally approved the creation of one new residential lot. As a condition of the consent, the subject property must be rezoned. The zoning by-law amendment application will ensure future development is environmentally appropriate and prohibit any further division of the lands. Overall, the application appears to conform to relevant Official Plan policies.

### **3. COMPREHENSIVE ZONING BY-LAW No. A2000-07:**

Within the 'Coastal/Island Residential (CR)' Zone, the main permitted use is residential, with some permitted accessory uses. In addition, 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 severed and retained lots to identify that these lots were created by severance.

As discussed in this report, a minimum front yard setback of 15 metres (49 ft) is required. A draft by-law has been prepared with a site specific zoning by-law amendment and is attached as appendix A.

### Conclusion

The requested zoning by-law amendment would appear to adequately implement the conditions of consent and allow for appropriate development.

### CONCLUSIONS:

The requested zoning by-law amendment would appear to:

1. be consistent with relevant policies of the Provincial Policy Statement;
2. conform to relevant policies of the Township's Official Plan;
3. comply with Comprehensive Zoning By-law, No. A2000-07, as amended, and;
4. allow for an appropriate land use.

### RECOMMENDATION:

Staff recommends that the proposed Zoning By-law Amendment to rezone the Subject property from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided Exception-90 (CR/D-93) Zone.

### COMMENTS RECEIVED:

The proposed zoning by-law amendment 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, for a public meeting being held on July 16, 2021. Any comments received will be made available to Council at the meeting.

Respectfully submitted,



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

**APPENDIX 'A'**

**Draft By-law Amendment**

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO  
BY-LAW NO. A2099-21**

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**To amend By-law No. A2000-07  
(the Comprehensive Zoning By-law)  
Island No. 97A, being Parcel 6685 PSNS  
in front of the geographic Township of Harrison  
(Carrick Point LLC/Shaw)**

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**WHEREAS** Section 34(1) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, authorizes municipalities to enact zoning by-laws;

**AND WHEREAS** The Archipelago Area Planning Board has approved an application for consent under File No. B06-20, to create one, new residential, water-access lot;

**AND WHEREAS** the consent is conditional upon the rezoning of the subject lands to recognize the proposed lot size, to prohibit any further division of the lands and to ensure there is a 15 metre (49 feet) setback from the water's edge in accordance with the Species At Risk Habitat Assessment;

**NOW THEREFORE BE IT ENACTED** as a By-law of the Council of the Corporation of The Township of The Archipelago as follows:

1. Schedule 'A' of By-law No. A2000-07, as amended, is hereby further amended by rezoning part of Island 97A, designated as Parcel 6685 PSNS, in front of the geographic Township of Harrison, from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided Exception 93 (CR/D-93)' Zone, as shown on Schedule '1' to this By-law.
2. Section 6.2 – Special Exception Regulations – Coastal/Island Residential (CR) of By-law No. A2000-07, as amended, is hereby further amended by adding:

**"6.2.93 Coastal/Island Residential/Divided-Exception 93 (CR/D-93)**

Part of Island 97A, designated as Parcel 6685 PSNS, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**6.2.93.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

**6.2.93.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-93 Zone, with the exception of the following site specific regulation:

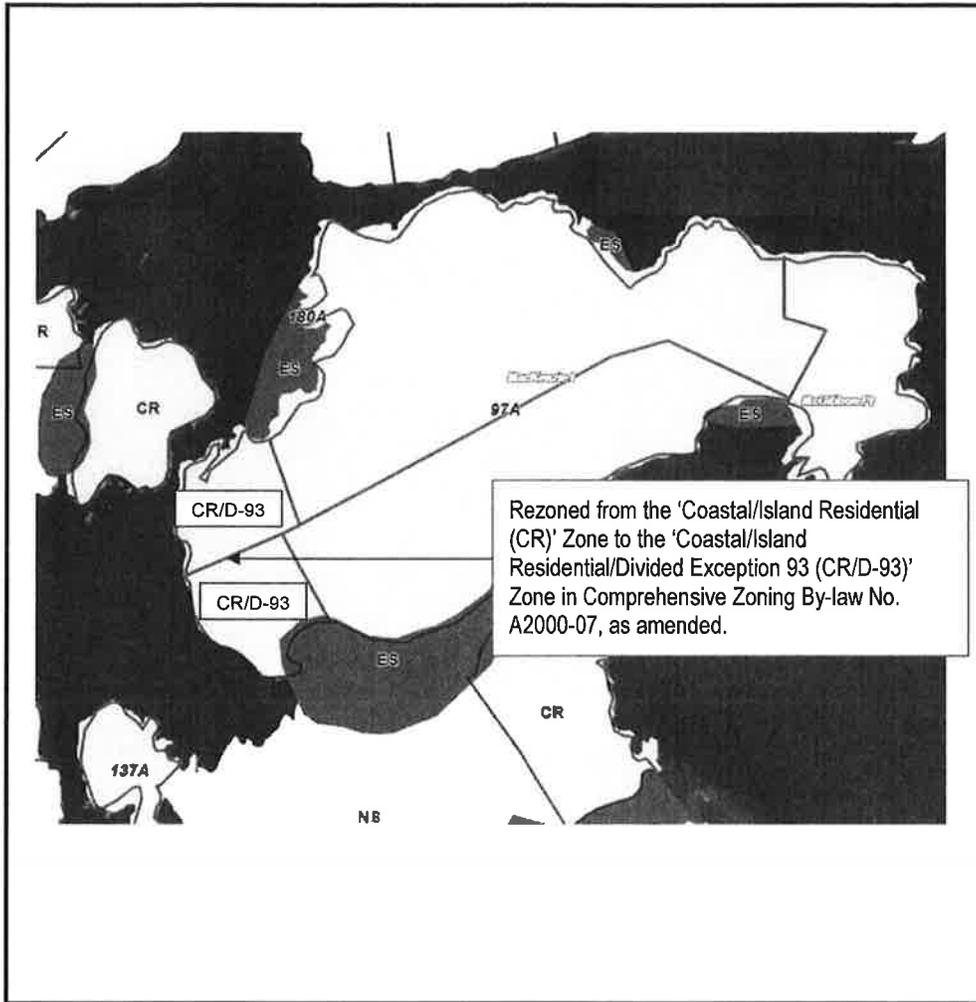
- i) A minimum front yard setback of 15 metres.

3. This By-law shall take effect and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

**READ and FINALLY PASSED in OPEN COUNCIL** this 16<sup>th</sup> day of July, 2021.

\_\_\_\_\_  
**REEVE**

\_\_\_\_\_  
**CLERK**



**THIS IS SCHEDULE '1' TO BY-LAW NO. A2099-21**

**TOWNSHIP OF THE ARCHIPELAGO**

**PASSED THIS 16<sup>th</sup> DAY OF JULY, 2021**

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CLERK

Corporation of the Township of The Archipelago



**MINUTES  
MEETING OF COUNCIL**

**June 18, 2021  
9 James Street, Parry Sound, Ontario  
Via Zoom Meeting**

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Council Members Present: Reeve: Bert Liverance  
Councillors: Laurie Emery Ward 1  
Peter Frost Ward 2  
Earl Manners Ward 3  
Scott Sheard Ward 3 (left mtg. at 10:26 a.m.)  
David Ashley Ward 4  
Alice Barton Ward 4  
Rick Zanussi Ward 4  
Ian Mead Ward 5  
Grant Walker Ward 6

Council Members Absent: Councillors: Greg Andrews Ward 1

Staff Present: John Fior, Chief Administrative Officer  
Maryann Weaver, Clerk  
Joe Villeneuve, Manager of Corporate Services  
Cale Henderson, Manager of Development & Environmental Services  
Greg Mariotti, Manager of Operational Services  
Erin Robinson, CFO/Treasurer

**1. MOMENT OF SILENCE**

Council and staff observed a moment of silence to honour the 215 Indigenous children whose remains were discovered at a former residential school site in Kamloops B.C.

**2. CALL TO ORDER**

The meeting was called to order at 9:20 a.m., and commenced with the singing of the National Anthem, Roll Call, and a Traditional Land Acknowledgement Statement.

**3. APPROVAL OF AGENDA**

21-100

Moved by Councillor Sheard  
Seconded by Councillor Ashley

**NOW THEREFORE BE IT RESOLVED** that the June 18, 2021 Revised Council Meeting Agenda, be approved, as amended.

Carried.

**3. MINUTES OF THE PREVIOUS MEETING**

Regular Meeting Of Council- May 21, 2021

21-101

Moved by Councillor Emery  
Seconded by Councillor Frost

**NOW THEREFORE BE IT RESOLVED** that the Minutes of the Regular Meeting of Council held on May 21, 2021, be approved.

Carried.

**Committee of the Whole Meeting – April 8, 2021**

21-102

**Moved by Councillor Mead  
Seconded by Councillor Zanussi**

**NOW THEREFORE BE IT RESOLVED** that the Minutes of the Committee of the Whole Meeting held on April 8, 2021, be approved.

Carried.

**4. CLOSED MEETING**

21-103

**Moved by Councillor Manners  
Seconded by Councillor Barton**

**NOW THEREFORE BE IT RESOLVED** that Council move into a CLOSED MEETING at 9:23 a.m., pursuant to Section 239(2)(f) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to deal with advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Canadian Pacific Railway North Shore Crossing**

Carried.

**OPEN MEETING**

21-104

**Moved by Councillor Walker  
Seconded by Councillor Emery**

**NOW THEREFORE BE IT RESOLVED** that Council move out of a CLOSED MEETING at 9:40 a.m.

Carried.

**5. CAO REPORT ON COUNCIL DIRECTIONS**

21-105

**Moved by Councillor Frost  
Seconded by Councillor Mead**

**NOW THEREFORE BE IT RESOLVED** that Council receives the June 2021 CAO Report on Council Directions, as distributed.

Carried.

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

- **FINANCE AND ADMINISTRATION**

**Burial of Children at the Kamloops Indian Residential School**

21-106

**Moved by Councillor Barton  
Seconded by Councillor Sheard**

**WHEREAS** the horrific discovery of 215 children buried at the Kamloops Indian Residential School in Tk'emlúps te Secwépemc First Nation territory is a stark reminder of the profound and lasting impacts of Canada's residential and day school systems on Indigenous peoples, as well as the need for meaningful action as we work towards truth, justice and reconciliation; and

**WHEREAS** the Council for the Township of The Archipelago (TOA) are profoundly saddened and angered by this tragic news, and understand that the death and disappearances of children from residential schools were well known and yet rarely acknowledged or accepted by Canadians; and

**WHEREAS** The Township of The Archipelago is situated within Anishinaabek Territory, and both the Robinson-Huron Treaty of 1850 and Williams Treaty of 1923; and

**WHEREAS** the Truth and Reconciliation Commission of Canada (TRC) revealed the heartbreaking details of the role that residential schools played in the history of Canada and the tragic legacy that continues today.

**AND WHEREAS** the Kamloops Indian Residential School is but one of many unmarked burial sites associated with residential schools across Canada;

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago stands with all survivors of residential schools, with the Tk'emlúps te Secwépemc people, and with all First Nations communities whose children attended the school and suffered such unimaginable loss;

**FURTHER BE IT RESOLVED** that Council for the Township of The Archipelago requests the federal and provincial governments take action now on all 94 of the Calls to Action of the TRC, with particular attention to Calls 71 to 76, including funding and co-ordinating support for First Nations, Inuit, and Métis communities to locate, commemorate, and honour their Missing Children;

**FURTHER BE IT RESOLVED** that Council for the Township of The Archipelago calls on the federal government to adhere to the unanimous motion passed in the House of Commons calling on the federal government to drop the Federal Court appeals related to compensation for First Nations children separated from their families.

**FURTHER BE IT RESOLVED** that Council for the Township of the Archipelago directs staff to send a copy of this resolution to Doug Ford, Premier of Ontario; Norm Miller, MPP Parry Sound-Muskoka; Scott Aitchison, MP Parry Sound-Muskoka; Henvey Inlet First Nation, Shawanaga First Nation, Wasauksing First Nation; Moose Deer Point First Nation, Magnetawan First Nation; West Parry Sound Area Municipalities; MP Carolyn Bennett, Minister of Crown-Indigenous Relations; and to the Prime Minister of Canada Justin Trudeau.

Carried.

**Sans Souci Community Centre Committee – Council Appointment**

21-107

**Moved by Councillor Ashley  
Seconded by Councillor Walker**

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago hereby appoints Councillor David Ashley to the Sans Souci Community Centre Committee for the remainder of the 2018 – 2022 Term of Council.

Carried.

**Love My Neighbour Charity**

21-108

**Moved by Councillor Zanussi  
Seconded by Councillor Manners**

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago hereby supports the Love My Neighbour Charity by becoming a Love My Neighbour Community, and by spreading the word to our residents through our Township website, social media sites and E-news mailing list.

Carried.

**OPP Detachment Boards**

21-109

**Moved by Councillor Emery  
Seconded by Councillor Walker**

**WHEREAS** the Community Safety and Policing Act, (CSPA), 2019 calls for the end of Community Police Advisory Committees (CPACs) and the creation of Ontario Provincial (OPP) Police Detachment Boards; and

**WHEREAS** the Ministry of the Solicitor General has developed an OPP detachment board framework that will allow affected municipalities and First Nations the flexibility to create a board that reflects community and local needs; and

**WHEREAS** the Ministry of the Solicitor General has asked municipalities and First Nations within a detachment area to work together to determine the composition of their board and the manner in which they will submit their proposal to the Ministry; and

**WHEREAS** the current Community Police Advisory Committee, already established for West Parry Sound area, functions well and efficiently addresses community needs and issues; and

**WHEREAS** we see no need for changing from the Community Police Advisory Committee to the Police Service Detachment Board for this area.

**NOW THEREFORE BE IT RESOLVED** that Council of the Township of the Archipelago hereby supports the submission by the CPAC representative from the Municipality of McDougall to the Province of Ontario, the Ontario Provincial Police Detachment Board Proposal substantially in the form attached, representing the 7 West Parry Sound Area municipalities and Henvey Inlet First Nation with the following additional considerations/proposals:

1. That the following be included as administrative resources/infrastructure required to support the establishment of the detachment board:
  - administrative support for taking minutes of meetings, prepare, distribute and publish agendas and meeting notices, prepare draft policy documents, administer expenses, prepare annual reports and cost estimates, and maintain board records;
  - secure place for records, meeting location, electronic requirements;
  - establish funding requirements;
  - personal accident insurance;
  - legal advice;
  - honorariums;
  - ongoing training;
  - travel and meals;
  - advertising; and
  - any other administrative resources/infrastructure common to a Board;
2. That it be clarified with the Province, that funding for these resources/infrastructure be through the Province as the establishment of detachment boards is an initiative of the Province;
3. That in an effort to reduce duplication of effort and training, that the Board be established upon the 2022 Municipal Election;
4. That the contracts formalize and clearly articulate the service level for each municipality and specifically for the Township of The Archipelago, an emphasis be placed on water based services at efficient costs.

**AND FURTHER BE IT RESOLVED** that this resolution be forwarded to the municipalities within the West Parry Sound District and Henvey Inlet First Nation.

Carried.

7. CORRESPONDENCE

Council Correspondence

21-110

Moved by Councillor Manners  
Seconded by Councillor Emery

**NOW THEREFORE BE IT RESOLVED** that Council receives the June 2021 Council Correspondence listing.

Carried.

8. OTHER BUSINESS

Scott Aitchison, MP Parry Sound Muskoka-Support for 9-8-8 Crisis Line

21-111

Moved by Councillor Mead  
Seconded by Councillor Zanussi

**WHEREAS** the Federal Government has passed a motion to adopt 9-8-8, a National 3-digit suicide and crisis hotline; and

**WHEREAS** the ongoing COVID-19 pandemic has increased the demand for suicide prevention services by 200%; and

**WHEREAS** existing suicide prevention hotlines require the user to remember a 10-digit number and go through directories or be placed on hold; and

**WHEREAS** in 2022 the United States will have in place a national 9-8-8 crisis hotline; and

**WHEREAS** the Township of The Archipelago recognizes that it is a significant and important initiative to ensure critical barriers are removed to those in crisis and seeking help;

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago hereby endorses this 9-8-8 crisis line initiative; and

**FURTHER BE IT RESOLVED** that staff be directed to send a letter indicating support to Scott Aitchison, MP Parry Sound Muskoka, Norm Miller, MPP Parry Sound Muskoka, Hon. Patty Hajdu, Federal Minister of Health, the Canadian Radio-television and Telecommunications Commission (CRTC), and all Ontario municipalities and local First Nations.

Carried.

Canadian Radio-television and telecommunications Commission (CRTC) – Telecom Decision CRTC 2021-181

This matter was deferred to a future Council Meeting.

9. BY-LAWS

Nursing Station Agreement – West Parry Sound Health Centre

2021-31

Moved by Councillor Ashley  
Seconded by Councillor Zanussi

**That By-Law Number 2021-31**, being a By-law to authorize the execution of a Lease Agreement between the Corporation of the Township of The Archipelago and the West Parry Sound Health Centre, be read and finally passed in Open Council this 18<sup>th</sup> day of June, 2021.

Carried.

**Agreement of Purchase and Sale of Land – Town of Parry Sound**

2021-32

**Moved by Councillor Sheard  
Seconded by Councillor Barton**

**That By-Law Number 2021-32**, being a By-law to authorize an Agreement of Purchase and Sale of Land from the Town of Parry Sound, be read and finally passed in Open Council this 18<sup>th</sup> day of June, 2021.

Carried.

**Partnership and Data Sharing Agreement – Georgian Bay Land Trust**

2021-33

**Moved by Councillor Emery  
Seconded by Councillor Barton**

**That By-Law Number 2021-33**, being a By-law to authorize a Partnership and Data Sharing Agreement with Georgian Bay Land Trust, be read and finally passed in Open Council this 18<sup>th</sup> day of June, 2021.

Carried.

**10. DEPUTATION**

**Art Coles, on behalf of Lynne Gregory, Belvedere Board Representative- Update**

Art Coles reported on Belvedere's new health care model, "Campus of Care". Mr. Coles answered questions from Council regarding budget structure and facility location. Council thanked Mr. Coles for his presentation.

**11. OTHER BUSINESS**

**Health Care Model "Campus of Care" proposed by Belvedere Heights Long Term Care, West Parry Sound Health Centre, and Lakeland Long Term Care**

21-112

**Moved by Councillor Barton  
Seconded by Councillor Frost**

**WHEREAS** Ontario's Long-Term Care COVID-19 Commission's final report has now been delivered and health system leaders in West Parry Sound want to be prepared for the changes that are expected to come; and

**WHEREAS** health authorities of the West Parry Sound District are working together, including the Boards of the West Parry Sound Health Centre, Lakeland Long Term Care and Belvedere Heights Long Term Care, with a vision to provide the best possible solution to Long Term Care and health care for the seniors in our community; and

**WHEREAS** among considerations being proposed is a new model of health Care, "a Campus of Care", which essentially provides a continuum of care for the elderly to age in place including, where appropriate, their own apartments, other independent or assisted living arrangements as well as Long Term Care, all affiliated with and in proximity to local primary health care and wellness services; and

**WHEREAS** it is also proposed that the community of seniors continuing to live at home be supported by our vision of virtual care which would include professional home based health and wellness care supported by high speed internet services;

**NOW THEREFORE BE IT RESOLVED** that Council for the Township of The Archipelago hereby supports these initiatives and the collaborative efforts between the Province of Ontario and the local stakeholders to develop innovative and improved care for the seniors in our community, subject to receiving and approving further information regarding the development of programs and cost implications (operating and capital).

Carried.

Council recessed for a break at 10:26 a.m. and resumed business at 10:45 a.m.

**12. QUESTION TIME**

Councillor Manners inquired about the Township staff vaccination rate and if there are any additional measures the Township could explore to assist staff in receiving their second shot. John Fior confirmed that the Township is working with local agencies to ensure staff members are provided vaccination opportunities as essential workers.

Councillor Manners informed staff that he and Councillor Sheard plan on responding to the ratepayer letters pertaining to the closure of the US/Canada border. Councillor Manners asked Council if uploading the FOCA letter to the Township website would be of any benefit. After discussion, Council decided to forgo uploading the letter at this time.

**13. DEPUTATION**

**Dave Van Kerrebroeck, Otter Energy Options for installation of solar panels**

Dave Van Kerrebroeck reported on the Government solar panel grants currently being offered and how Otter Energy can facilitate the application process.

Staff was directed to work with Otter Energy to bring back a report for July Council outlining the application process and associated costs with installing solar panels at the Pointe au Baril Community Centre, the Pointe au Baril Nursing Station, and 9 James Street Township Office.

**14. QUESTION TIME**

Councillor Frost inquired as to whether a violation was issued for the fire on Highway 529A. Maryann Weaver reported that there is an open investigation currently underway and once closed, she will provide Council with an update. Council discussed the fire reporting process for privately owned land and crown land within the Township.

Councillor Zanussi inquired on what the policy is when a Councillor misses three executive Council meetings, and who is responsible for monitoring that. Councillor Zanussi further inquired about if the policy speaks to repeat offenders. Ms. Weaver reported that she will review the Municipal Act and the Township's Procedural By-law and report back to Council.

**15. CONFIRMING BY-LAW**

2021-34

**Moved by Councillor Ashley  
Seconded by Councillor Manners**

That By-Law Number 2021-34, being a By-law to Confirm the Proceedings of the Regular Meeting of Council held on June 18, 2021, be read and finally passed in Open Council this 18<sup>th</sup> day of June, 2021.

Carried.

**16. ADJOURNMENT**

21-113

**Moved by Councillor Zanussi  
Seconded by Councillor Sheard**

NOW THEREFORE BE IT RESOLVED that the Regular Meeting of Council held on June 18, 2021, be adjourned at 11:43 a.m.

Carried.

**TOWNSHIP OF THE ARCHIPELAGO**

\_\_\_\_\_  
Bert Liverance, Reeve

\_\_\_\_\_  
Maryann Weaver, Clerk

**Subject:** Fwd: FW: moving Belvedere Heights to a campus of care at the health centre (final)....  
for your records

**From:** Lynne Gregory <lgregorymcdougall@gmail.com>

**Date:** 2021-06-30, 10:34 a.m.

**To:** Bert Liverance <bert@colishcreations.com>, Maryann Weaver  
<mweaver@thearchipelago.on.ca>, Mike Konoval <mkonoval@carling.ca>,  
kmcllwain@carling.ca

----- Forwarded message -----

Dear Maryann and Kevin.

Could you please forward to your councils. This is of the utmost importance.

Thank you, Lynne

TO: Belvedere Heights member municipalities. FROM: Lynne Gregory, Board Chair

Please find attached 3 documents: 1. Belvedere Board resolution to ask Ministry of Long-Term Care to create a campus of care at the health centre, carried unanimously at 29 June 2021 board meeting. 2. Covering memo from BH board chair providing an overview of the process. 3. Draft by-law for member municipalities to also request relocation of Belvedere to create a campus of care.

Several months ago we hired a government relations specialist to help us navigate getting approval at Queens Park to move Belvedere long term care to a campus of care. We are also doing a facility assessment of the 21 Belvedere Ave property to quantify our future liability to maintain/upgrade our facilities, in support of our application to the Ministry. An architect from Sudbury has been engaged to begin the conceptual layout of a campus of care on the WPSHC site.

Most of you have already passed a resolution of support for the campus of care project (in June). Our gov't relations consultant has asked us to accelerate the legislated process that is required to move Belvedere. This legal process requires us to surrender the management of Belvedere back to the Ministry in order that the Ministry can then issue a new long term care license to WPSHC.

Given the next provincial election is less than 1 year away, time is of the essence to get our project on the fall 2021 list for the final round of LTC funding announcements just prior to the provincial election. Your representatives will be meeting with our provincial counterparts and ministry staff again in mid July to start the negotiation. We need to demonstrate that the process to enact the municipal by-law is underway.

Under the current long term care act regulations that impact Belvedere, s.125(1) and s126(1) give unlimited power to a Board of Management to assign an operating or capital levy. There is no obligation to consult with municipalities in advance.

With the creation of a campus of care, the Board of Management will be dissolved. In the future, an ongoing relationship between municipalities and the campus of care will be negotiated by us (not pre-defined by the province).

There will be no requirement to supplement operating costs. Historically, the Belvedere levy (as much as \$1.5M annually) supported an operating deficit (no capital contribution). Future levy contributions would only be for capital. If so, these would be long-term capital debentures with fixed, predictable annual costs. In the past, many annual operating levy increases were often greater than 10%, at a time when annual inflation was less than 2% annually.

As recommended by the LTC Commission review of the pandemic, the government is supporting a 'P3' capital financing model. Under this model, government is expected to provide sufficient annual subsidies to cover the annual debt servicing cost over 25 years to redevelop LTC homes to a post-pandemic standard for safety, quality and dignity. For example, shared washrooms are no longer adequate.

As municipalities, we have the sole responsibility to address the relocation of the 24 life lease units into seniors' retirement options. We will be meeting with the life lease owners soon to talk about options available to move them to a new location so each owner can make their own choice. We will follow-up with you on this matter, which is separate and distinct from the Ministry approval to move long term care beds. Any ongoing financial commitment by municipalities to the campus of care will be much less than the current \$1.3M annual operating levy.

Additional information is provided in the attached covering letter. Your Belvedere municipal rep will be in touch to answer your questions and support your municipal process to enact the draft by-law which we have provided for your consideration. We thank-you for your continued support.

— Attachments:

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bh motion to return beds v6 FINAL 29jun2021.pdf	190 KB
note from bh chair to members v2.pdf	122 KB
bylaw to return approval9.docx	16.8 KB



**Belvedere Heights**  
Community Support Services • Residential Long-Term Care

TO: West Parry Sound Board of Management (Belvedere Heights) member Municipalities

FROM: Lynne Gregory, Board Chair, Belvedere Heights

DATE: 28 June 2021

RE: *Belvedere Heights 101 bed long term care home moving to our proposed campus of care*

This is an exciting opportunity in the long history of Belvedere. The time has come for the Belvedere Ave. nursing home and life lease to move to a campus of care on the health centre grounds. This is great news for seniors' care in our district, providing a choice of housing options along with more amenities and services to enhance our senior's quality of life as they age in place in a community village atmosphere.

As a Board of Management, we do not own a long-term care license, only manage Belvedere Heights on behalf of the Ministry of Long-Term Care. Therefore, we must follow the process in the Long-Term Care Act to return the management of these beds so that the Ministry can then issue a new license to WPSHC to create Belvedere anew (on the same legal framework as Lakeland LTC) on a Campus of Care.

The process to move Belvedere requires a majority of our eight member municipalities to support a by-law to "surrender the approval to manage LTC beds on behalf of the Ministry of Long-Term Care". The Board of Management must pass a similar resolution. The legislation allows for up to five years to transition to the new campus of care, as determined by the Ministry timetable.

To facilitate the multi-year transition, we are proposing a joint LTC management board for both Belvedere and Lakeland, which is consistent with the objective of the Ontario Health Team initiative. The current Board of Management would remain in effect, meeting perhaps twice per year to address the ongoing municipal levy and corporate financial reporting requirements until the transition is complete.

For the 2021 budget, Belvedere Board reduced the municipal levy by 10 per cent. The Board has made a commitment to further levy reductions as more efficiencies are found due to: the management agreement with the health centre, enhanced case mix acuity reporting and future economies of a 160 bed facility on a campus of care.

The current levy is paid to the Board of Management, which will change to support the campus of care. This new arrangement is to be determined, with your input, perhaps as a joint municipal service corporation or other contractual approaches.

It is likely that the campus of care with a variety of housing options in addition to long-term care will use a "P3" financing model. If so, then ongoing municipal support for some portion of the capital debenture is anticipated. This support for capital will be fixed long term payments not subject to the historical large annual levy increases that had been seen in prior years due to operating cost increases and/or decline in revenues.

In summary, the operations of the campus of care are to be self-sufficient with no equivalent of an ongoing municipal levy for operating costs. Ongoing municipal support is anticipated for capital infrastructure investment to support the campus of care and outreach to seniors at home in our communities. Examples include: life lease apartments/rentals, social housing, rural transportation and communications/broadband support.

Each municipality is requested to table the attached draft by-law for initial reading as soon as possible. After final reading from at least five municipalities, government can begin the transition to the campus of care. Members of our Ad Hoc group are available to provide deputations to your Council and answer any questions that arise from the public. If you require any assistance, please contact:

Don Carmichael, [don@carmichael-co.ca](mailto:don@carmichael-co.ca), 705-996-0424, Councillor, Township of McKellar, Belvedere Board member.

21 Belvedere Ave, Parry Sound, P2A 2A2, 705-746-5871

## BELEVEDERE HEIGHTS RESOLUTION

**WHEREAS** Belvedere Heights Home For the Aged (hereafter referred to as 'Belvedere') has the opportunity to enhance the services and amenities available to its residents by re-location to a Campus of Care;

**AND WHEREAS**, the creation of a Campus of Care will provide for a consolidated governance model for Belvedere and Lakeland Long-Term Care in support of the Ontario Health Team initiative;

**AND WHEREAS**, the 21 Belvedere Ave. location is no longer ideal to safeguard the safety of our long-term care residents and not cost effective for further investment because only 19 of 101 are private rooms and is limited by a two-acre, land locked site with insufficient parking (in a residential neighbourhood);

**THEREFORE, BE IT RESOLVED THAT** the Board of Management for the District of Parry Sound West (hereafter referred to as the 'Board') does hereby give notice to the Ministry of Long-Term Care to surrender the approval to manage the existing 101 long term care beds (as per Ontario Regulation 79/10, s.308 (4)(b)(i));

**AND THAT** the Board requests the eight (8) participating municipalities to enact a by-law (as per s.313(2)) to also request the surrender of the approval to manage long term beds on behalf of the Ministry of Long-Term Care;

**AND THAT** the Board requests the Ministry of Long-Term Care issue a new not-for-profit long-term care license to the West Parry Sound Health Centre to recreate Belvedere as part of a Campus of Care on the Health Centre property;

**AND THAT** the Board further requests the Ministry of Long-Term Care to award sufficient capacity in this new long-term care license to replace the existing 101 beds, include the new 24 beds (awarded in Spring 2021) and a further 35 beds to begin to address the urgent needs of our under-served community and optimize cost efficiency with a 160 bed configuration;

**AND THAT** the Board further requests the Ministry of Long-Term Care waive the five (5) year maximum notice period to expedite the creation of a Campus of Care and additional long term care bed capacity to better serve the District of Parry Sound West.

Moved by: Art Coles    Seconded by: Don Carmichael

CARRIED UNANIMOUSLY this 29<sup>th</sup> day of June 2021.



Lynne M. Gregory, Board Chair

HOME FOR THE AGED  
ADMINISTRATION  
(705) 746-5871 • FAX (705) 774-7300

21 BELVEDERE AVENUE  
NURSING DEPARTMENT  
(705) 746-5871 • Extension 2  
FAX (705) 774-7300

PARRY SOUND, ON P2A 2A2  
COMMUNITY SUPPORT SERVICES  
(705) 746-5602 or 1-800-883-0058  
FAX (705) 774-7300

**BY-LAW TO RETURN MANAGEMENT OF 101 LONG TERM CARE BEDS TO MINISTRY OF LONG-TERM CARE TO BE RELOCATED INTO A CAMPUS OF CARE AT WEST PARRY SOUND HEALTH CENTRE SITE**

**WHEREAS** Belvedere Heights Homes for the Aged (“Belvedere Heights”) was initially established as a territorial district home under a Board of Management, it has evolved into a provincial resource serving residents beyond the district with all admissions controlled by the province-wide placement coordination services AND

**WHEREAS** the new Ontario Health agency is building Ontario Health Teams to improve health system performance through patient-centred, integrated care specifically looking to better serve our seniors AND

**WHEREAS** the Ministry of Long-Term Care has the sole authority to allow the long-term care beds currently managed by Belvedere Heights to participate in an evolving Ontario Health Team and to be relocated to a campus of care at the West Parry Sound Health Centre site AND

**WHEREAS** under Ontario Regulation 79/10, s.308 (4)(b)(i), the Belvedere Heights Board of Management may surrender the approval to manage 101 long term care beds to the Ministry of Health and Long-Term Care provided that a majority of the eight (8) supporting municipalities pass a by-law to that regard (s.313 (2)) AND

**WHEREAS** the Ministry of Long-Term Care has designated West Parry Sound as under-serviced with the intent to increase the long-term bed complement beyond the 101 long term beds in the district currently in operation at Belvedere Heights as demonstrated by the recent government announcement of 24 new beds AND

**WHEREAS** the now dated structural bed configuration of Belvedere Heights (with only 19 private beds out of 101 beds) is not ideal to ensure the best possible care for long term care residents; these 101 beds should be relocated as part of a Campus of Care approach as promoted by the Ministry of Long-Term Care.

**NOW THEREFORE**, the Council of the Township of \_\_\_\_\_ enacts the following:

**THAT** we request the Board of Management for the District of Parry Sound West (Belvedere Heights) provide the mandatory five (5) years prior written notice to surrender the approval to manage 101 long term care beds to the Ministry of Long-Term Care in order that these beds can be integrated into a best practice aging in place campus of care at the West Parry Sound Health Centre site;

**THAT** we request the MINISTRY OF LONG-TERM CARE to issue a 160-bed not-for-profit long term care bed license to the West Parry Sound Health Centre to recreate Belvedere on a campus of care, which will provide additional long term care capacity, optimize bed configuration and consolidate the management of long-term care under one governance, consistent with the Ontario Health Team initiative to better serve the District of West Parry Sound;

**THAT** we further request the MINISTRY OF LONG-TERM CARE to waive the five (5) year notice period in favour of early adoption of integrated long-term care in support of the mandate of the evolving Ontario Health Teams, increase the complement of long-term beds sooner to reduce the wait list and support the creation of a Campus of Care, aging in place approach for seniors’ services in West Parry Sound.

READ a FIRST and SECOND time this ?th day of July? 2021

READ a THIRD time this ?th day of July? 2021

## CAO REPORT on COUNCIL DIRECTIONS - JULY 2021

Council Date	Department	Item	Update / Status	Date to return to
July 16, 2020	CAO	Council's Strategic Principles/Strategic Plan	Consultant retained to facilitate completion of the plan. Background document being reviewed and finalized.	Ongoing
July 16, 2020	CAO	OPP/EMS Response Concerns	Completed. Awaiting response from OPP/EMS for further discussions.	Ongoing
September 17, 2020	Corporate Services	Connectivity	Plan, land, agreements, communication	Ongoing
October 20, 2020	Environment/Operations	Seabins	Seabins delivered and being Installed at Holiday Cove and PAB Wharf	Completed
January 22, 2021	Planning	Site Alteration By-law	Consultant preparing draft by-law and researching potential municipal costs.	Ongoing
January 22, 2021	Planning	Land Supply Study	Retained Consultant, completing study.	8/19/2021
March 9, 2021	CAO	LCBO Outlets	CAO to contact LCBO to discuss policy changes	Completed
April 9, 2021	Corporate Services	Pointe au Baril Land Transfer	Process the transfer of lands from Twn PS (Highway 69 old EMS site)	Completed
April 9, 2021	Development/Operations	Phragmites	Phragmites resolution forwarded to all parties. Working towards implementing other direction (clean equipment protocol, follow up with MTO, implement best management practices, etc.)	Ongoing
April 30, 2021	Corporate Services	Land Acquisition	Conclude process for acquiring property for PauB Tower Build	6/15/2021
May 21, 2021	Environment	Washing Machine Filters	Investigate purchase of filters and distribution to community.	Ongoing
May 21, 2021	Finance	Love My Neighbour Charity	Investigate and research report back to council	Completed

**Township of The Archipelago**



**COUNCIL CORRESPONDENCE**  
**Regular Meeting of Council**  
**July 16, 2021**

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**REQUESTS FOR SUPPORT**

[A]

**FEDERAL GOVERNMENT**

[01]

**PROVINCIAL GOVERNMENT**

[02]

**MUNICIPALITIES**

[03] THE CORPORATION OF THE TOWNSHIP OF BROCK

RE: Support for the Township of The Archipelago's resolution concerning road management action on invasive phragmites

[04] TOWN OF COCHRANE

RE: Request to Province that the prostate blood test be included in the national health care system and that it be made available for all Canadian men at no charge

[05] MUNICIPALITY OF HURON EAST

RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279

RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities

[06] COUNTY OF FRANTENAC

RE: Request to Province to cease further consideration of eliminating Capital Gains Tax exemptions on Primary Residences

- [07] THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS  
RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279
- [08] THE MUNICIPALITY OF MCDougall  
RE: Resolution passed requesting that the Near North District School Board convene a new Accommodation Review Committee for the junior kindergarten to grade 12 mega school  
RE: Request to Province to endorse 9-8-8 crisis line initiative
- [09] TOWN OF MONO  
RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities
- [10] TOWNSHIP OF THE NORTH SHORE  
RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279  
RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities
- [11] CITY OF PORT COLBORNE  
RE: Request to Province to cease further consideration of eliminating Capital Gains Tax exemptions on Primary Residences
- [12] TOWN OF RAINY RIVER  
RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279  
RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities
- [13] TOWNSHIP OF SCUGOG  
RE: Request to Province to cease further consideration of eliminating capital gains tax exemptions on primary residences
- [14] TOWNSHIP OF SOUTH STORMONT  
RE: Request to Province to cease further consideration of eliminating capital gains tax exemptions on primary residences  
RE: Request to Province to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with the disease
- [15] THE CORPORATION OF THE MUNICIPALITY OF ST. CHARLES  
RE: Request to Province that Municipalities be allowed to have a charge applied to all land transfers within their boundaries and that this amount go directly to Municipality.
- [16] TAY VALLEY TOWNSHIP  
RE: Request to Province to endorse the 9-8-8 crisis line initiative

- [17] SEGUIN TOWNSHIP  
RE: Resolution passed requesting that the Near North District School Board convene a new Accommodation Review Committee for the junior kindergarten to grade 12 mega school
- [18] TOWNSHIP OF WAINFLEET  
RE: Request to all levels of government to consider funding support to aid the Township of Wainfleet in managing invasive Phragmites

**FIRST NATIONS**

[19]

**RATEPAYERS' ASSOCIATIONS**

[20]

**RATEPAYERS/OTHERS**

[21]

**AGENCIES**

- [22] NORTH BAY PARRY SOUND DISTRICT HEALTH UNIT  
RE: Public Health Funding 2022 Ltr and Motion to Minister of Health  
RE: Get the First COVID-19 Vaccine Available to You for Your First and Second Dose  
RE: Health Unit Declares COVID-19 Outbreak at Faith Chapel
- [23] PARRY SOUND AREA CHAMBER OF COMMERCE  
RE: Letter from Chamber Executive Director thanking the Township for their monetary donation in 2021
- [24] WEST PARRY SOUND HEALTH CENTRE  
RE: COVID-19 Update – June 21 2021, Number 61

**PLANNING**

[25] TOWNSHIP OF THE ARCHIPELAGO

**PLANNING BOARD**

[26]

**ENVIRONMENT**

[27]

**MISCELLANEOUS**

[28]

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO  
BY-LAW NO. A2099-21**

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**To amend By-law No. A2000-07  
(the Comprehensive Zoning By-law)  
Island No. 97A, being Parcel 6685 PSNS  
in front of the geographic Township of Harrison  
(Carrick Point LLC/Shaw)**

---

**WHEREAS** Section 34(1) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, authorizes municipalities to enact zoning by-laws;

**AND WHEREAS** The Archipelago Area Planning Board has approved an application for consent under File No. B06-20, to create one, new residential, water-access lot;

**AND WHEREAS** the consent is conditional upon the rezoning of the subject lands to recognize the proposed lot size, to prohibit any further division of the lands and to ensure there is a 15 metre (49 feet) setback from the water's edge in accordance with the Species At Risk Habitat Assessment;

**NOW THEREFORE BE IT ENACTED** as a By-law of the Council of the Corporation of The Township of The Archipelago as follows:

1. Schedule 'A' of By-law No. A2000-07, as amended, is hereby further amended by rezoning part of Island 97A, designated as Parcel 6685 PSNS, in front of the geographic Township of Harrison, from the 'Coastal/Island Residential (CR)' Zone to the 'Coastal/Island Residential/Divided Exception 93 (CR/D-93)' Zone, as shown on Schedule '1' to this By-law.
2. Section 6.2 – Special Exception Regulations – Coastal/Island Residential (CR) of By-law No. A2000-07, as amended, is hereby further amended by adding:

**"6.2.93 Coastal/Island Residential/Divided-Exception 93  
(CR/D-93)**

Part of Island 97A, designated as Parcel 6685 PSNS, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**6.2.93.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

**6.2.93.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-93 Zone, with the exception of the following site specific regulation:

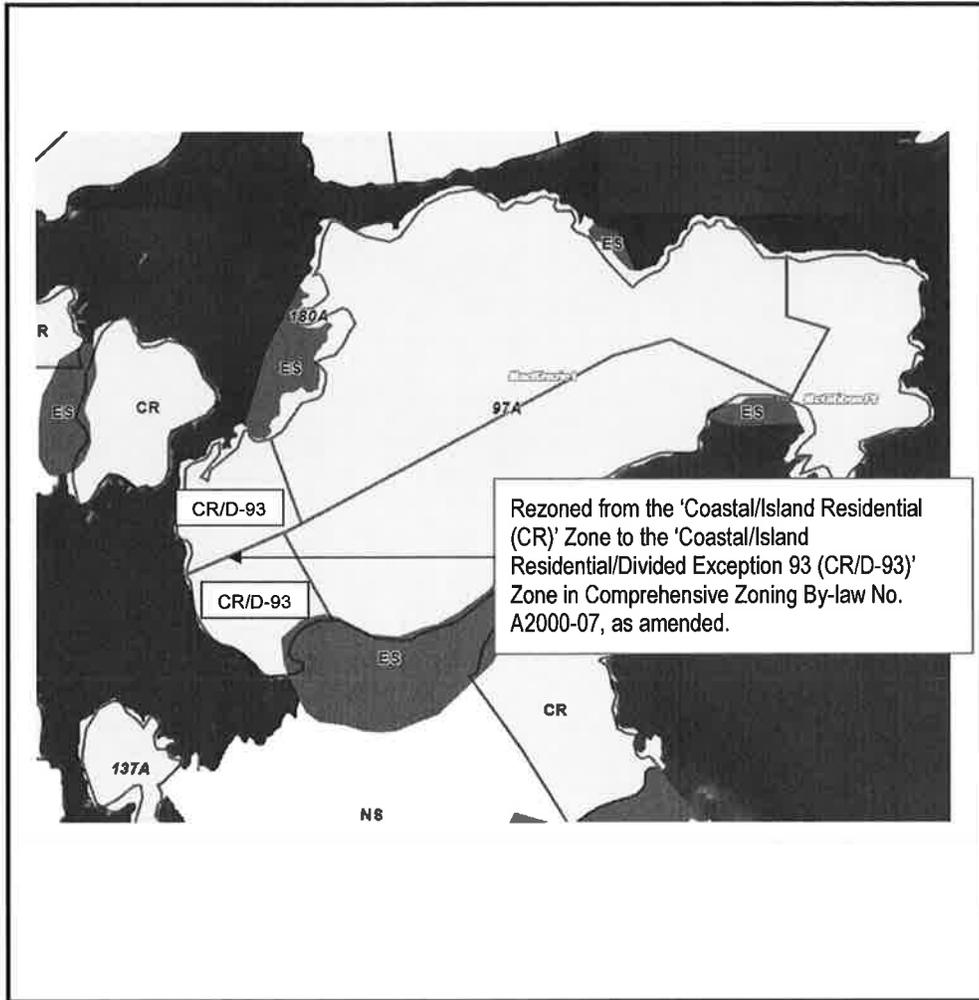
- i) A minimum front yard setback of 15 metres.

3. This By-law shall take effect and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

**READ and FINALLY PASSED in OPEN COUNCIL this 16<sup>th</sup> day of July, 2021.**

\_\_\_\_\_  
**REEVE**

\_\_\_\_\_  
**CLERK**



**THIS IS SCHEDULE '1' TO BY-LAW NO. A2099-21**

**TOWNSHIP OF THE ARCHIPELAGO**

**PASSED THIS 16<sup>th</sup> DAY OF JULY, 2021**

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**REEVE**

---

**CLERK**

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO  
BY-LAW NO. 21-**

---

**BEING a By-law to authorize the execution of a development agreement between Carrick Point LLC and Patrick Shaw and the Corporation of the Township of The Archipelago**

---

**WHEREAS** Section 51(26) of the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes municipalities to enter into agreements with the owners of land;

**AND WHEREAS** the Council for the Corporation of the Township of The Archipelago deems it expedient to enter into an agreement with Carrick Point LLC and Patrick Shaw, as a condition of consent, as approved by The Archipelago Area Planning Board, located on part of Island 97A, being Parcel 6685 PSNS, in front of the geographic Township of Harrison;

**NOW THEREFORE BE IT ENACTED AS A BY-LAW** of the Council of the Corporation of the Township of The Archipelago as follows:

1. That the Reeve and Clerk of the Corporation of the Township of The Archipelago be and are hereby authorized to execute all documents as may be required to enter into an agreement with Carrick Point LLC and Patrick Shaw.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

**READ and FINALLY PASSED in OPEN COUNCIL** this 16<sup>th</sup>, day of July, 2021.

---

**REEVE**

---

**CLERK**

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**

**DEVELOPMENT AGREEMENT**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

**SHAW, PATRICK  
CARRICK POINT LLC**

(hereinafter called the "OWNERS")

- and -

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**

(hereinafter called the "TOWNSHIP")

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

**AND WHEREAS** the Archipelago Area Planning Board granted a consent for the creation of one new waterfront lot by virtue of Application No. B06-20;

**AND WHEREAS** as a condition of the said severance, the PLANNING BOARD required the OWNERS to enter into a site plan development agreement;

**AND WHEREAS**, pursuant to Section 51(26) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Planning Act"), municipalities and approval authorities may enter into agreements imposed as a condition of the approval a consent and the agreement may be registered on title against the land to which it applies.

**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" attached hereto.

**SECTION 2: COMPONENTS OF THE AGREEMENT**

2.1 The text, consisting of Sections 1 through 8, and the following Schedules, which are annexed hereto, constitute the components of this Agreement:

- |                |  |
|----------------|--|
| Schedule "A"-  | Legal Description of the Lands   |
| Schedule "B"-  | FRI Ecological Services - Species at Risk Habitat Assessment<br>- Dated June 9, 2020 |
| Schedule "C"-  | Constraint Map   |
| Schedule "D" - | FRI Ecological Services – Supplementary Submission<br>- Dated December 10, 2020      |
| Schedule "E" - | FRI Ecological Services – Supplementary Submission<br>- Dated June 16, 2021          |

**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 TOWNSHIP and suitable for registration.

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

#### **SECTION 4: ISSUANCE OF BUILDING PERMITS**

- 4.1 The OWNERS agree not to request the Chief Building Official to issue a building permit to carry out the development until the Agreement has been registered on title to the subject lands and a registered copy of same has been provided to the TOWNSHIP.
- 4.2 It is agreed that if the OWNERS fail to apply for a building permit or permits to implement this Agreement within two (2) years after registration, then the TOWNSHIP, at its option, has the right to terminate the Agreement and require that a new agreement be submitted for approval and execution.

#### **SECTION 5: PROVISIONS**

- 5.1 The OWNERS agree to comply with, carry out or cause to be carried out all recommendations of the report submitted by FRI Ecological Services, dated June 9, 2020, including, but not limited to, the following:
- a) All Development, including building, structures and site alteration activities is not permitted within the identified constraint areas;
  - b) The minimum front yard setback for future development is 15 metres and the shoreline area within that 15-metre setback is to remain in its natural state, except for the permitted structures within the Zoning By-law, and to access the water.
  - c) The four trees that have been identified as potential bat maternity roosts shall remain marked and shall be retained;
  - d) All docking facilities shall be located in the recommended areas on the constraint mapping;
  - e) All removal of vegetation shall be done outside of the typical migratory bird nesting season of April 15 to August 15 (Zone C3) to comply with the Migratory Birds Convention Act;
  - f) If vegetation removal must occur during this time period, a qualified professional can assess an area to ensure no nesting migratory birds are present and documentation is to be provided to the Township;
- 5.2 The OWNERS agree that external lighting facilities on the subject lands and buildings will be designed and constructed so as to avoid, wherever possible, the illumination of adjacent properties. The OWNERS agree to only use a level of illumination that minimally impacts the natural beauty of the surrounding properties and waterbody. Specifically, no flood lighting or landscape lighting will be used on the subject lands. Any exterior lighting shall be directed downward and shall not light adjacent waterways or dock areas.
- 5.3 The OWNERS further agree to provide for the grading of change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any buildings or structures thereon and will ensure that the natural drainage is not altered in any way that will cause damage to any adjacent lands, or waterbody. The installation of storm water management works and the final grading of the subject lands, including any and all necessary ditching, culverts and construction mitigation measures will be provided by the OWNERS.
- 5.4 The OWNERS further agree to provide and maintain appropriate construction mitigation measures during any construction activity to ensure that there are no adverse environmental impacts.

#### **SECTION 6: OTHER REQUIREMENTS**

- 6.1 The OWNERS agree that nothing in this Agreement shall relieve them from complying with all other applicable by-laws, laws or regulations of the TOWNSHIP or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the TOWNSHIP or its Chief Building Official from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws or regulations.

**SECTION 7: BINDING PARTIES, ALTERATION, AMENDMENT, EFFECT, PENALTY**

- 7.1 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.
- 7.2 The OWNERS further agree to complete the items detailed on Schedule "B" within two (2) years of the date of registration of this Agreement.
- 7.3 Following the completion of the works, the OWNERS shall maintain to the satisfaction of the TOWNSHIP, and at their sole expense, all the facilities or works described on Schedule "B".
- 7.4 This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of each of the parties hereto.
- 7.5 The OWNERS acknowledge that the Agreement is entered into under the provisions of Section 51(26) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, and that the expenses of the TOWNSHIP arising out of the enforcement of this Agreement may, in addition to any other remedy the Township may have at law, be recovered as taxes under the Municipal Act, 2001, S.O. 2001, c.25 as amended.
- 7.6 The Agreement shall come into effect on the date of execution by the TOWNSHIP.

**SECTION 8: NOTICE**

8.1 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: PATRICK SHAW  
41 DUGGAN AVENUE  
TORONTO ON M4V 1Y1

CARRICK POINT LLC  
Attention: GREG FOOTE  
c/o 41 DUGGAN AVENUE  
TORONTO ON M4V 1Y1

TOWNSHIP: CLERK  
Township of The Archipelago  
9 James Street  
Parry Sound, ON P2A 1T4

IN WITNESS WHEREOF the OWNERS and the TOWNSHIP 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

\_\_\_\_\_  
Patrick Shaw

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Greg Foote for Carrick Point LLC

THE CORPORATION OF THE  
TOWNSHIP OF THE ARCHIPELAGO

\_\_\_\_\_  
Reeve  
Bert Liverance

\_\_\_\_\_  
Clerk  
Maryann Weaver

**SCHEDULE "A"**

**LEGAL DESCRIPTION OF THE LANDS**

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**PIN 52243-0130**

**Part of Island 97A, being Parcel 5, designated as Parcel 8623 PSNS, in front of the geographic Township of Harrison**

**SCHEDULE "B"**

**FRI Report, JUNE 9, 2020**

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# DOCUMENTATION MEMORANDUM



To: Greg Foote

From: Rod Bilz

Date: June 9, 2020

Subject: **Species at Risk Habitat Assessment – Consent Application for MacKenzie Island (Township of the Archipelago)**

## *Introduction*

The proponent would like to sever one new lot on the westerly part of MacKenzie Island (97A) to create a severed lot of about 1.84ha and the retained lot would be approximately 2.0ha (**Figure 1**). The severed lot would have approximately 237m of frontage on Georgian Bay and the retained lot would have approximately 278m of frontage. This memorandum will address potential concerns related to fish habitat for the purpose of selecting a docking site and habitat of species at risk as per Section 14.45 of the Official Plan for items (b) and (g).

## *Existing Conditions*

The site was investigated on May 21, 2020 under excellent weather conditions (**Table 1**).

TABLE 1 WEATHER CONDITIONS FOR MAY 21, 2020

Weather Parameter	Weather Conditions
Air Temperature	17°C
Wind Speed	9 km/h
Wind Direction	South
Precipitation	None
Humidity	49%
Cloud Cover	5%

The study area falls within regulated Eastern foxsnake habitat. Our approach was to investigate the area within 50m of the shoreline (The Study Area) and identify potential docking locations and environmental constraint areas where building should be prohibited to avoid impacts. It should be noted that these properties were separate at one time and were joined into one property at a later date. As a result, there are two “sets” of buildings or structures that roughly approximate the boundaries of the proposed retained and severed lots. The first exercise was to identify and map all of the ecosites that were within the study area to facilitate a habitat-based approach to potential impacts resulting from the proposed consent application (**Figure 2**).

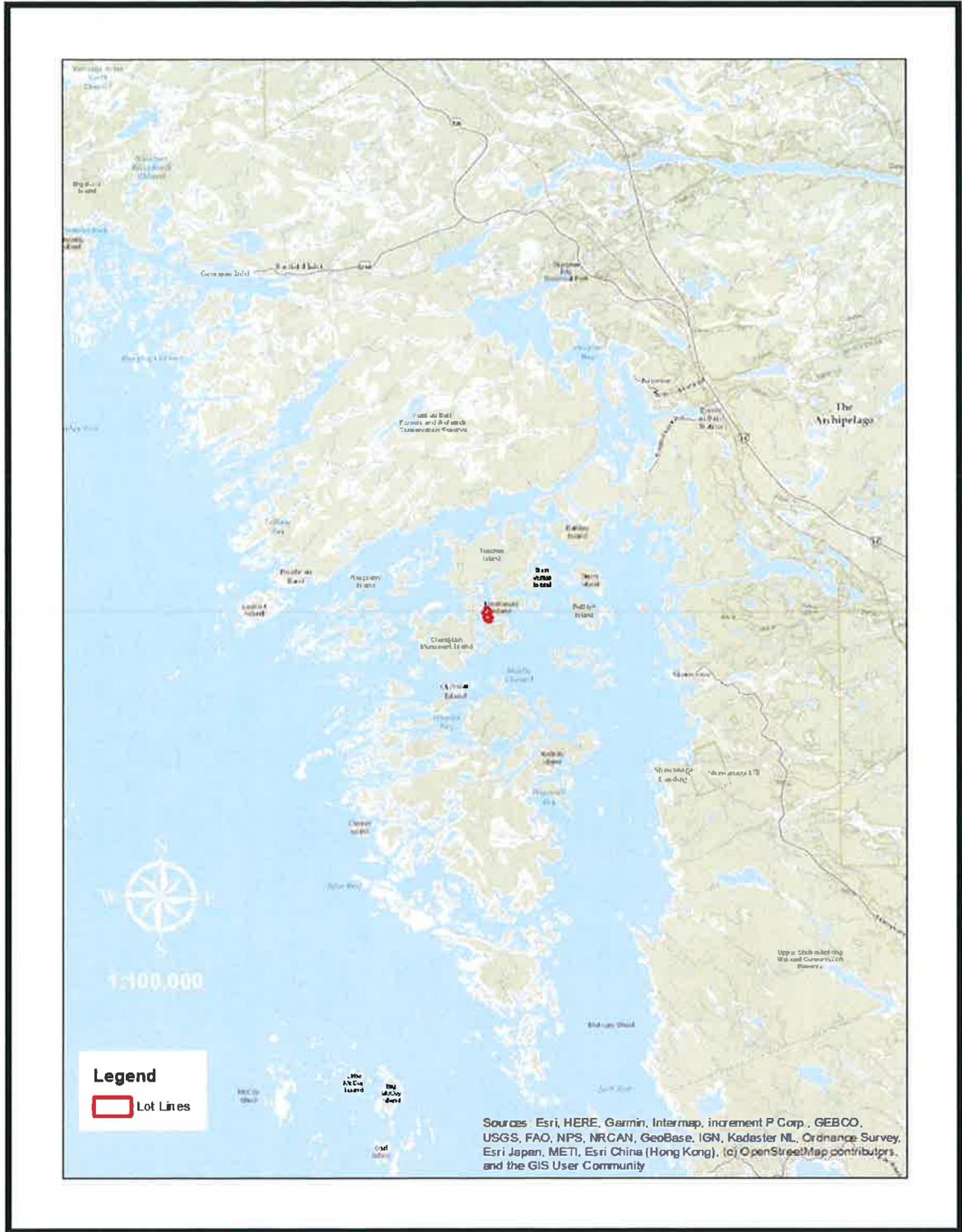


FIGURE 1 LOCATION MAP

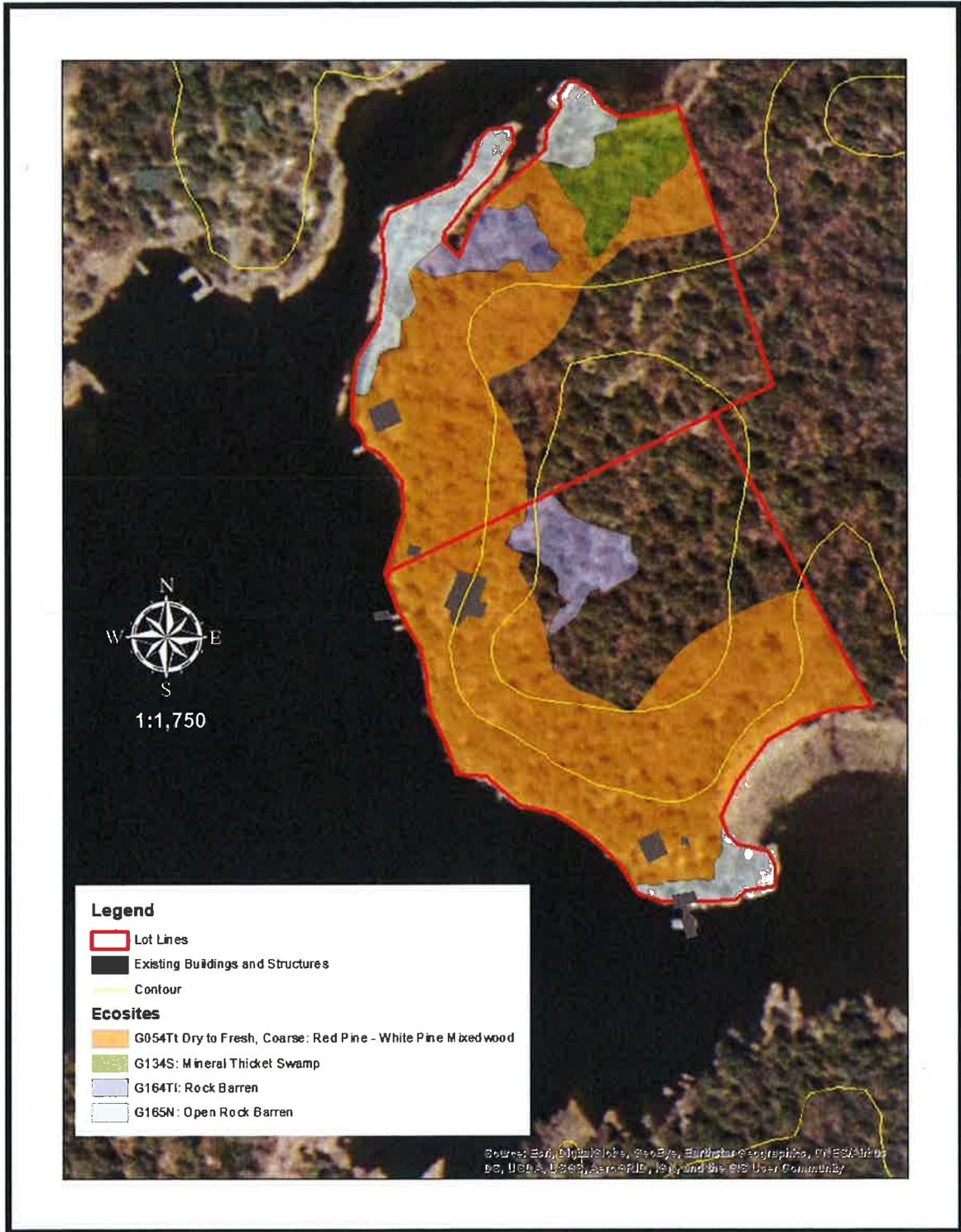


FIGURE 2 ECOSITES

### *Constraint Mapping and Assessment*

The study area is composed of four distinct ecosites. Detailed descriptions are contained within **Appendix 1**. The vast majority of the study area is a red pine-white pine mixedwood (G054Tt). It has a relatively dense canopy over most of the study area (**Photo1**).

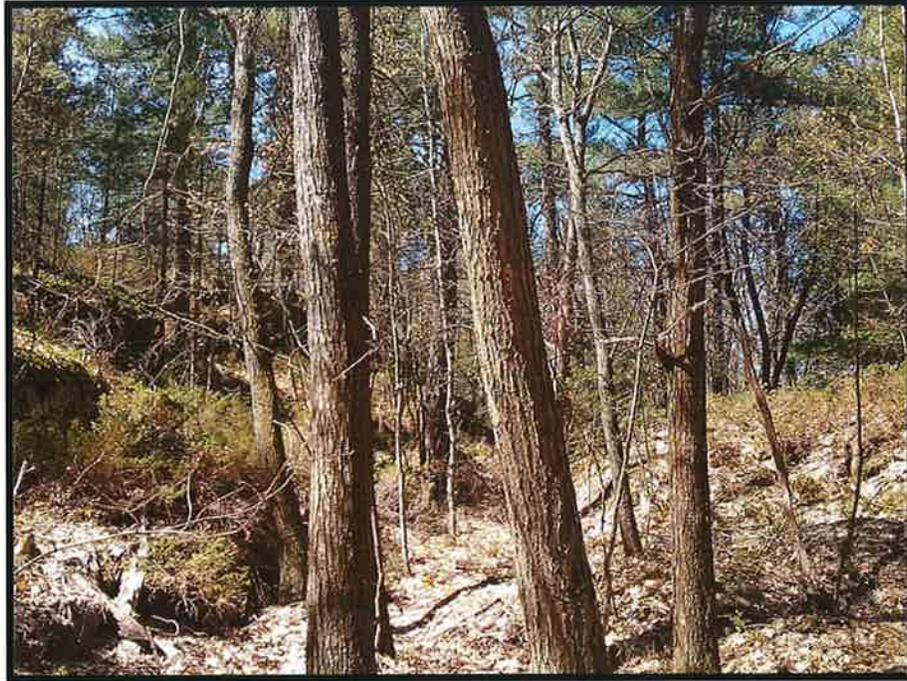


PHOTO 1 G054Tt RED PINE-WHITE PINE MIXEDWOOD

At the northern edge of the study area there is a mineral thicket swamp (G134S). Under high water conditions on Georgian Bay there may be some pooled water but under normal water levels, the surface would be dry and mainly dominated by speckled alder (**Photo 2**).

There are two distinct locations for rock barren (G164Tl) ecosites. They are sparsely covered with common juniper and low red maple, red oak and white pine trees (**Photo 3**).

The last category is found in three locations and is considered an open rock barren (G165N) and is relatively vegetation free and consists of just bedrock and some loose boulder and rock (**Photo 4**).



PHOTO 2 G134S MINERAL THICKET SWAMP



PHOTO 3 G164TL ROCK BARREN

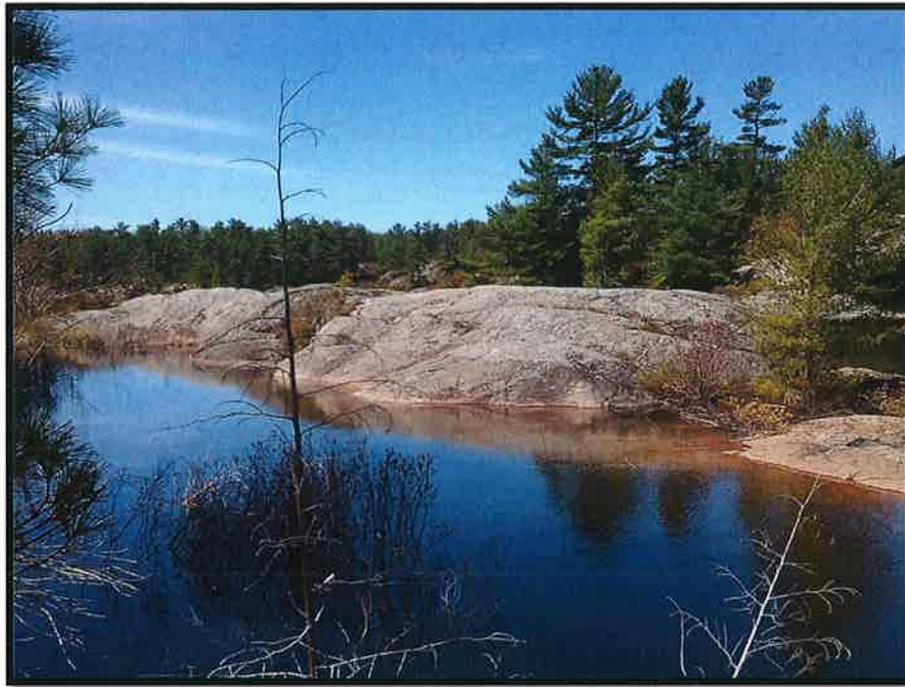


PHOTO 4 G165N OPEN ROCK BARREN

Ontario Regulation 242/08 under the *Endangered Species Act*, provides a detailed habitat regulation for this species under Section 24.4. More specifically, habitat includes:

1. An eastern foxsnake (Georgian Bay population) hibernaculum;
2. The area within 100 metres of the area described in paragraph 1;
3. A naturally occurring eastern foxsnake (Georgian Bay population) egg laying site that is being used, or has been used at any time in the previous three years, by an eastern foxsnake (Georgian Bay population);
4. An eastern foxsnake (Georgian Bay population) egg laying site, other than a naturally occurring egg laying site, being used by an eastern foxsnake (Georgian Bay population) from the time it is used until the following November 30;
5. A naturally occurring eastern foxsnake (Georgian Bay population) shedding or basking site that is being used, or has been used at any time in the previous three years, by two or more eastern foxsnakes (Georgian Bay population);
6. An eastern foxsnake (Georgian Bay population) shedding or basking site, other than a naturally occurring shedding or basking site, that is being used by two or more eastern foxsnakes (Georgian Bay population) from the time it is used until the following November 30;
7. The area within 30 metres of an area described in paragraph 3, 4, 5 or 6;

8. Any part of a rock barren, open forest, old field, marsh, shoreline or similar area that is being used by an eastern foxsnake (Georgian Bay population) or on which an eastern foxsnake (Georgian Bay population) directly depends to carry on its life processes;
9. An area that provides suitable foraging, thermoregulation, or hibernation conditions for eastern foxsnake (Georgian Bay population) that is,
  - i. within 3,600 metres of an area described in paragraph 8 and no more than 500 metres above the high water mark of Georgian Bay, or
  - ii. within 1,500 metres of any area described in paragraph 8 and within the boundaries set out in subsection (3).

As described above, the onus is fairly substantial on the proponent to identify potential habitat. Our approach was to look at the available habitat and if it fit into any of the above categories as potential habitat, we would map it as a constraint area for development. No Eastern foxsnakes were observed during our site visit under good observation conditions. However, the nature of the Georgian Bay island habitat is such that an individual foxsnake may be present on an island for a period of time and then swim to another adjacent island. They do not typically reside exclusively on one island only. The reptile constraint areas shown in **Figure 3** represent areas that could potentially be used by foxsnakes or other reptiles for hibernation, thermoregulating, shedding, egg laying or gestation sites. These areas include all of the G164TI and G165N rock barrens and some of the more open areas within the G054Tt ecosite where there were structural features that could be utilized for any of the habitat types listed above. In addition to the reptile constraint areas, there was one small wetland constraint area as well.

Representative photos were taken of each habitat feature type that potentially is present within the study area. Thermoregulation habitat typically has a gradient of temperatures available for basking. Some form of cover such as small shrubs or grasses or physical structures such as logs or rocks to provide cover are present. This could essentially apply to any of the constraint areas within **Figure 3** since it has more general requirements (**Photo 5**). Egg laying sites for foxsnakes and other reptiles can include decaying wood or vegetation or moss-filled crevices within bedrock outcrops (**Photo 6**). In either case there must be exposure to the sun to provide the temperatures required for incubation and must be able to retain some moisture so eggs do not dessicate. Hibernation sites for foxsnake are typically bedrock crevices or small mammal burrows that would extend below the frostline but above the groundwater level. There were numerous locations where there appeared to be deeper crevices in the bedrock features within the constraint areas (**Photo 7**).



FIGURE 3 CONSTRAINT AREAS AND SUITABLE DOCK LOCATIONS

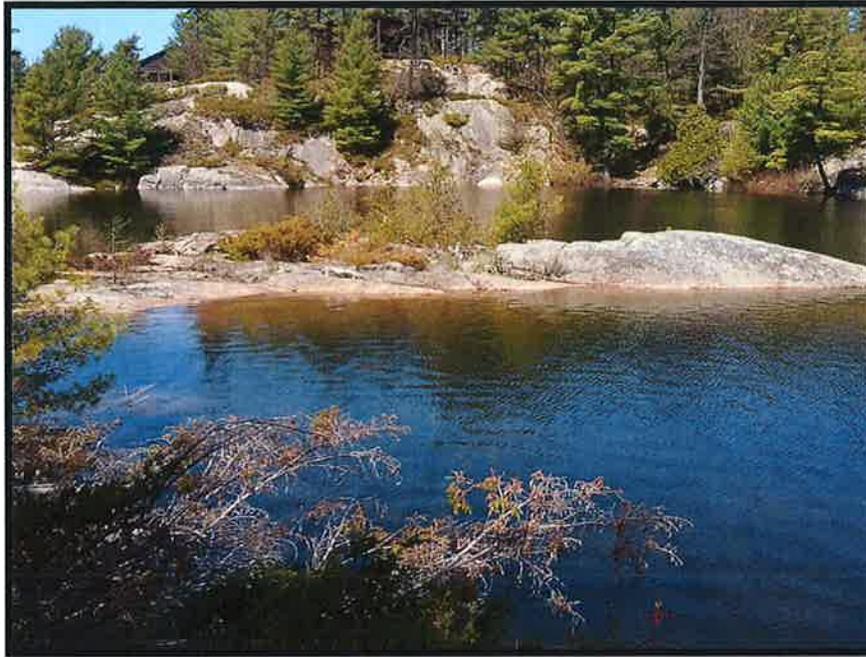


PHOTO 5 ANY OPEN OR PARTIALLY OPEN HABITAT CAN BE USED FOR REPTILE THERMOREGULATION



PHOTO 6 DECAYING WOOD AND MOSS-FILLED CREVICES IN THE BEDROCK CAN PROVIDE SUITABLE EGG LAYING SITES FOR REPTILES



PHOTO 7 CREVICES SUCH AS THOSE SHOWN IN THE FAR RIGHT OF THE PHOTO HAVE POTENTIAL TO BE USED AS HIBERNATION SITES BY THE EASTERN FOXSNAKE

Shedding sites are often used communally and may be used multiple times over multiple seasons. Key features are jumbles of rock and/or wood debris that can provide the frictional surfaces and edges to aid in the shedding process and provide good cover while they are particularly vulnerable to predators (**Photo 8**).

In addition to reptile species at risk, we also identified any potential bat maternity roost trees that may be suitable for species at risk bats. Potential roost trees are typically exposed to the sun by being in an open area or in super canopy trees that extend above the main canopy. Some damage or decline is necessary to gain access to the interior of the tree, so evidence of cavities, splits and knotholes is required. Larger diameter trees typically over 25cm are usually selected. Areas that have groups of trees with these characteristics are more valuable than single isolated trees. This is because the females will often move their pups to maintain certain thermal conditions or to avoid potential predators. Lastly, a good maternity roost is located close to water suitable for the females to drink. We located a grouping of red maples that had good characteristics for a maternity roost (**Photos 9-11**). The site was mapped and the individual trees were marked with green flagging tape in the field.



PHOTO 8 POTENTIAL SHEDDING SITES USUALLY HAVE A VARIETY OF ROCKS AND OTHER STRUCTURE TO AID IN THE SHEDDING PROCESS



PHOTO 9 GROUPING OF TWO RED MAPLE AS POTENTIAL BAT MATERNITY ROOSTS

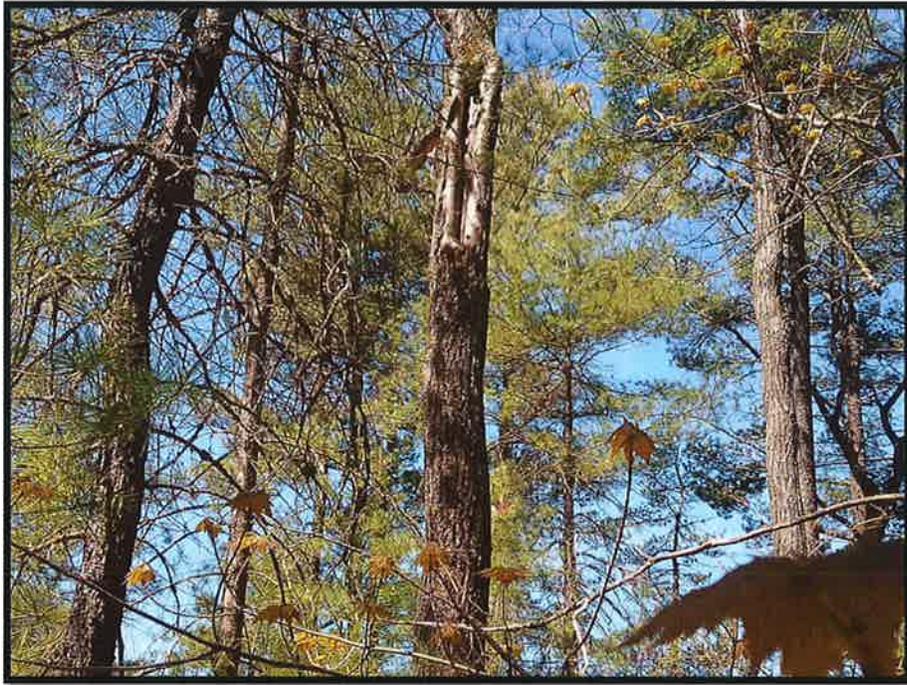


PHOTO 10 ANOTHER GROUPING OF TWO RED MAPLE AS POTENTIAL BAT MATERNITY ROOSTS



PHOTO 11 GREEN FLAGGING TAPE MARKING POTENTIAL BAT MATERNITY ROOST TREES

Typically to grant a consent application to sever a waterfront lot, there must be a suitable building envelope and a suitable docking site on each lot. The constraint mapping in **Figure 3** directs development away from potential environmental constraint areas. The existing buildings are setback from the water's edge a distance ranging from about 7.5m to 16m. We would typically recommend a building setback of 15m in this type of habitat to provide a good riparian shore area to protect water quality and fish habitat features. We located 6 potential dock locations over the two proposed lots. Three of the areas have been used in the past for docking or continue to be used for this purpose and three other areas have been identified as alternative locations.

#### *Compliance with the ESA*

The preferred alternative with any activity is avoidance of impacts to individuals and habitat. It is the intention of the proponents to achieve avoidance. To protect the identified potential habitat of the foxsnake and other reptiles at risk, we have identified those as constraint areas to direct any future development away from these areas. As with the reptile species, we have identified the best potential habitat for bat species at risk and identified the potential roost trees as constraint areas as well. Finally, the wetland area was identified as a constraint area for a number of reasons but it could represent habitat for any of the protected reptile species as well.

#### *Recommendations*

Based on our field visit and the habitat present, it appears that there is considerable space within the study area to create a development envelope(s) outside of all of the potential constraint areas and suitable locations are available for docking facilities as well. The following recommendations are suggested:

- all development activities pertaining to construction of structures or buildings shall be directed away from the mapped constraint areas;
- Development should be setback 15m from the normal water's edge;
- The four trees that have been identified as potential bat maternity roosts shall remain marked and shall be retained;
- Docking facilities shall be located in the recommended areas on the constraint mapping;
- All removal of vegetation shall be done outside of the typical migratory bird nesting season of April 15 to August 15 (Zone C3) to comply with the *Migratory Birds Convention Act*;
- If vegetation removal must occur during this time period, a qualified professional can check an area to ensure no nesting migratory birds are present;

- Any shoreline works including docks may need additional approvals from provincial or federal agencies such as the Ministry of Natural Resources and Forestry or Fisheries and Oceans Canada; and
- Use of property within the constraint areas can continue that is generally compatible with protected species such as accessing docks/water, informal walking trails, cutting of individual stems or branches to maintain trails or viewscapes or for safety reasons. If in doubt about the compatibility of your planned activities, consult with the Ministry of Environment, Conservation and Parks.

We feel with the suggested recommendations, the consent application to create one new lot can occur while protecting natural heritage values.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Rod Bilz". The signature is fluid and cursive, with the first name "Rod" and the last name "Bilz" clearly distinguishable.

Rod Bilz

Environmental Specialist



1875A Seymour Street, North Bay ON P1A0C7  
Phone: 705.476.0085 Fax: 705.476.5631

# Appendix 1

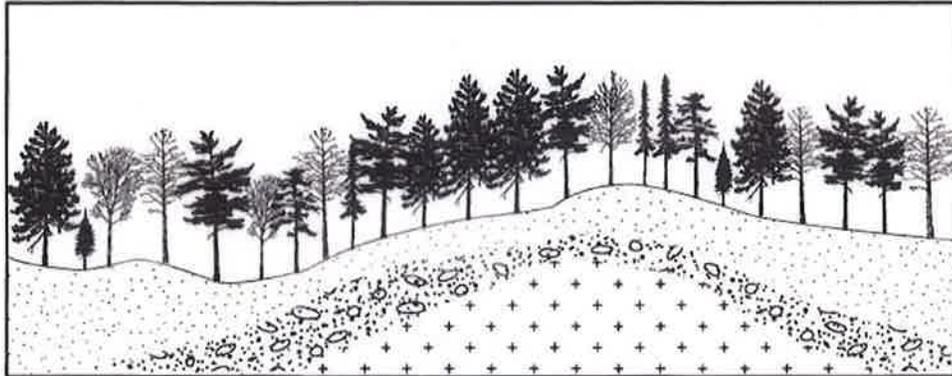
Ecosites



1875A Seymour Street, North Bay ON P1A0C7  
Phone: 705.476.0085 Fax: 705.476.5631



**Profile/Slope Sequence**



approximately 250m

**Ecosite Description**

Hardwood dominated canopy with a component of eastern white and/or red pine. May contain large-tooth aspen, red maple, red oak, sugar maple, and white birch. Understory tree species consisting of moderate levels of red maple, red oak, balsam fir, Eastern white pine and sugar maple. Shrub and herb moderately poor. Ground surface mostly conifer, broadleaf litter, and variable stones. Substrate sandy to coarse loamy. Mostly > 15 cm deep and dry to fresh (MR = 2 or 3, if sandy; MR ≤ 3, if coarse loamy).

**Substrate Description**

<b>Substrate Series</b>	S1 M2 M4 MD2 MD4 D2 D4													
<b>Mode of Deposition</b>	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
<b>Family</b>	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
<b>Humus Form</b>	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
<b>Moisture Regime</b>	Θ	0	1	2	3	4	5	6	7	8	9	x	h	s
<b>Moisture</b>	d		f		m		v		w		x		h	s
<b>Depth</b>	R		VS		S		M		MD		D			
<b>Chemistry</b>	k				n				z					

**Vegetation Description**

Tall treed (> 10 m) and low treed (≤ 10 m) ecosites common. Canopy closure variable. Low treed condition often indicative of younger trees. Hardwood species with a relative cover > 50% and eastern white and/or red pine with an absolute cover > 20% are diagnostic of this ecosite. Hardwood component variable from pure stands to a mixed condition. Common understory vegetation includes beaked hazel, wintergreen, low sweet blueberry, wild sarsaparilla, wild lily-of-the-valley, bracken fern, and powder horn lichen. May contain Central v-types V28, V31, V34, V23, V27, and V34; NE v-types V20, V17, V18, and V8.

<b>Trees</b>	<i>Pinus strobus</i> , ( <i>P. resinosa</i> ), <i>Populus grandidentata</i> , <i>Acer rubrum</i> , <i>Quercus rubra</i> , <i>Acer saccharum</i> var. <i>saccharum</i> , <i>Betula papyrifera</i>
<b>Shrubs</b>	<i>Corylus cornuta</i> ssp. <i>cornuta</i> , <i>Gaultheria procumbens</i> , <i>Vaccinium angustifolium</i> , <i>Lonicera canadensis</i> , <i>Diervilla lonicera</i>
<b>Vascular Herbaceous</b>	<i>Aralia nudicaulis</i> , <i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Pteridium aquilinum</i> , <i>Eurybia macrophyllus</i> , <i>Trientalis borealis</i> ssp. <i>borealis</i> , <i>Oryzopsis asperifolia</i>
<b>Non-vascular</b>	<i>Cladonia coniocraea</i> , <i>Ptilidium pulcherrimum</i>



### Ecology

Substrate has a low nutrient and moisture holding capacity resulting in decreased growth rates and low vegetation diversity. Limitations to tree growth can also be the result of high coarse fragment concentrations in morainal deposits. Shrub and herb poor with a closed canopy. Species diversity increases as canopy becomes more open. Maintenance of structure and composition associated with low to moderate intensity fire. Pine residuals are often reflective of past partial harvesting activity. In the absence of fire this ecosite will succeed through gap dynamic processes to an ecosite that favours shade-tolerant species. Inclusions of eastern white pine and/or red pine may persist for many decades.

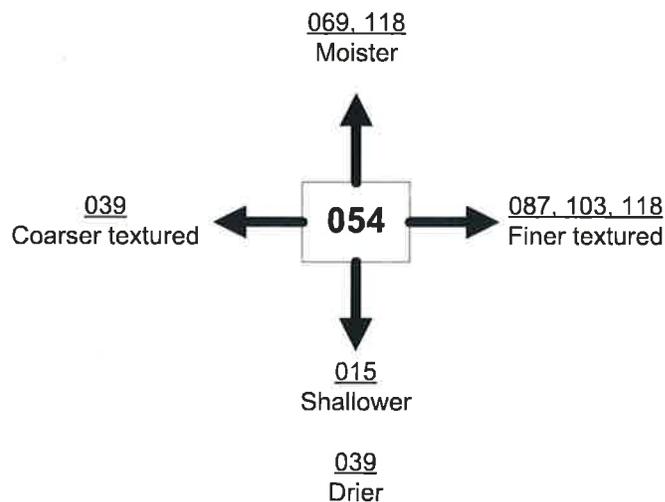
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range. Generally flat to rolling morainal deposits with occurrences of glaciofluvial material found in large river valleys throughout the range. Rugged bedrock controlled topography occurs in 5E-1, 5E-3, 5E-5, and 5E-13. Typically non-calcareous. Wide variety of associated vegetation including sugar maple, basswood, and ironwood in the southern portion of 4E throughout 5E. Trembling aspen and white birch common associate in the northern portions of 4E.

### Edaphic Variability

Typically uniform in nutrient availability with variable moisture due to inconsistency of substrate depth over bedrock. Generally moderately deep to deep substrate. Depth of coarse morainal deposits variable which may result in bedrock controlled wetlands. Abundant stoniness in morainal deposits is common. Often on upper, middle, or lower slopes positions. Increased species diversity likely over base-rich bedrock or inclusions of fine textured or moister materials. Xeric vegetation such as lichens and serviceberries, as well as decreased shrub and herb diversity likely on exposed bedrock or very shallow substrates.

### Related Ecosites



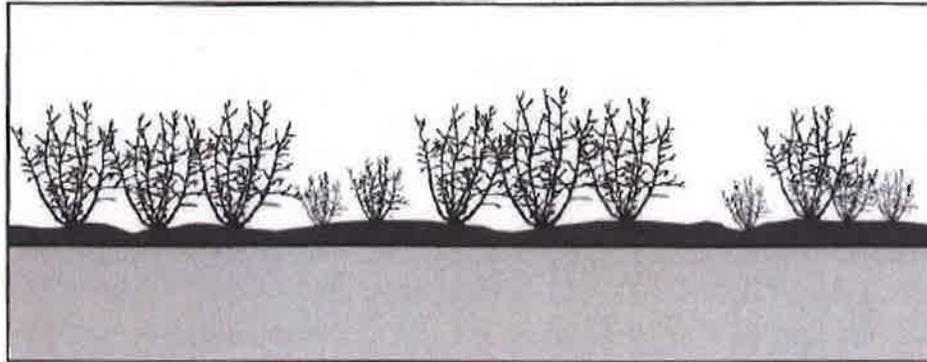


# Mineral Thicket Swamp

G134S

M H

## Profile/Slope Sequence



approximately 50m

## Ecosite Description

Tall shrub community. Tree poor. Herb moderately rich. Ground surface mostly broadleaf litter, dead wood, and mineral material. Evidence of vernal pools or presence of standing water common. Substrate mineral or peaty phase. Mostly moderately deep to deep mineral material and very moist (MR = 6).

## Substrate Description

<b>Substrate Series</b>	VS1 VS2 S1 S2 M8 M9 M10 M11 MD12 MD13 MD14 MD15 D12 D13 D14 D15													
<b>Mode of Deposition</b>	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
<b>Family</b>	Sandy		Coarse Loamy		Silty		Fine Loamy		Clayey		Peat		Folic	
<b>Humus Form</b>	Mull		Moder		Fibrimor		Humimor		Peatymor		Anmoor			
<b>Moisture Regime</b>	Θ	0	1	2	3	4	5	6	7	8	9	x	h	s
<b>Moisture</b>	d		f		m		v		w		x		h	s
<b>Depth</b>	R		VS		S		M		MD		D			
<b>Chemistry</b>	k				n				z					

## Vegetation Description

Tall deciduous shrub cover > 25%, tree cover ≤ 10%. Canopy closure variable. Ecosite variable from stands dominated by one tall shrub specie to a variable mix of tall and short shrub species. When present common tree species may include black ash, black spruce, and red maple. Shrub species commonly found include speckled alder, willows, mountain-holly, dwarf birch, and red-osier dogwood. Herbaceous understory vegetation may include blue-joint grass, sedges, and spotted jewel-weed. *Sphagnum* and *Mnium* species are the dominant mosses.

<b>Trees</b>	<i>Fraxinus nigra</i> , <i>Picea mariana</i> , <i>Acer rubrum</i> , <i>Ulmus americana</i> , <i>Thuja occidentalis</i> , <i>Fraxinus pennsylvanica</i> , <i>Acer saccharinum</i> , <i>Larix laricina</i>
<b>Shrubs</b>	<i>Alnus incana</i> ssp. <i>rugosa</i> , <i>Salix</i> spp., <i>Ilex mucronata</i> , <i>Betula pumila</i> var. <i>pumila</i> , <i>Cornus stolonifera</i> , <i>Ilex verticillata</i> , <i>Spiraea alba</i> var. <i>alba</i> , <i>Myrica gale</i> , <i>Rhamnus alnifolia</i> , <i>Cephalanthus occidentalis</i>
<b>Vascular Herbaceous</b>	<i>Calamagrostis canadensis</i> var. <i>canadensis</i> , <i>Carex</i> spp., <i>Impatiens capensis</i> , <i>Onoclea sensibilis</i> , <i>Scutellaria galericulata</i> var. <i>pubescens</i> , <i>Aster lanceolatus</i> , <i>Dulichium arundinaceum</i> var. <i>arundinaceum</i> , <i>Osmunda cinnamomea</i>
<b>Non-vascular</b>	<i>Sphagnum</i> spp., <i>Mnium</i> spp.



### Ecology

Substrate has moderate nutrient and good moisture conditions for shrub and herbaceous growth, generally too wet for trees to become established. Vegetation predominately hydrophytic. Subjected to periodic flooding or ground water movement enriching the site with mineral and organic material. The extent and frequency of flooding limits the accumulation of organic matter. Rooting zone in contact with minerotrophic groundwater. Dense, nearly continuous shrub canopy favours shade-tolerant species in the ground layer and a decrease in moss coverage. Origin of the ecosite may occur following disturbances (i.e., logging, fire, windthrow or temporary changes in hydrology due to beaver activity) that eliminate trees in a forested swamp. Relative stable ecosite but may succeed to a forested mineral swamp with a stable water table. Fire does not have a large impact due to the wetness of the site.

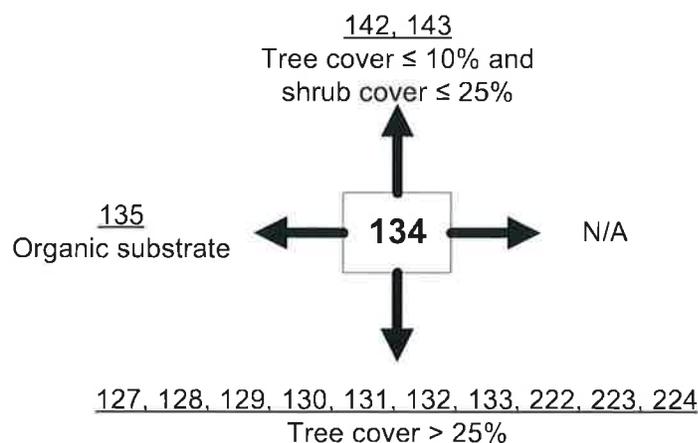
### Ecoregional Variability

Widespread across Great Lakes-St. Lawrence range in bedrock depressions, open water margins along peatlands and upland borders, or associated with large peatland systems or riparian areas such as flood plains adjacent to lakes, streams, or rivers. Generally level to undulating glaciolacustrine and glaciofluvial deposits. Typically non-calcareous, where calcareous increased plant diversity and vigour may occur. Thickets containing mountain-holly, alder-leaved buckthorn, or buttonbush occur east of Lake Superior. Thickets dominated by these species may occur along the southern edge of 5E. Speckled alder and dwarf birch more common in 4E.

### Edaphic Variability

Hydric. Nutrient and moisture availability uniform. Very shallow to deep materials. Generally on lower or level slopes, or in depressions. Often located adjacent to or as patches within forested rich swamp communities, or part of a complex associated with treed or shrub fens or treed bogs. Microtopography variable from uniformly level to mounds and hollows, resulting in better drained conditions supporting localized communities of swamp forest herbs and mosses such as dwarf raspberry, Canada mayflower, and starflower.

### Related Ecosites





**Profile/Slope Sequence**

Not Available

Approximately 250m

**Ecosite Description**

Sparsely vegetated tree or shrub communities on horizontal or slightly sloping bedrock exposures. Herb moderately poor. Vascular plants restricted to cracks, crevices, and depressions where a thin veneer of mineral or organic material has accumulated. Ground surface mostly lichens and exposed bedrock. Substrate texture rock. Moisture regime xeric or humid.

**Substrate Description**

Substrate Series	R1 R3 R4 R5													
Mode of Deposition	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
Moisture Regime	Θ	0	1	2	3	4	5	6	7	8	9	x	h	s
Moisture	d		f			m		v		w		x	h	s
Depth	R		VS		S		M		MD		D			
Chemistry	k		n		a		b		z					

**Vegetation Description**

Sparse tree or shrub system. Total vascular vegetative cover ≤ 25%. Tree and/or shrub cover > 10% and ≤ 25%. Trees when present may include red oak and white pine. Shrub species may include common juniper, low-sweet blueberry, and raspberry species. Herbaceous species may include poverty grass, pale corydalis, and sheep laurel. Non-vascular species may include rock foam, reindeer lichens, and broom mosses.

- G164Tt/TI - sparse treed communities with > 10% tree cover. Low treed (≤ 10 m) ecosites common.
- G164S - sparse shrub communities with > 10% shrub cover (≤ 10% tree cover).

<b>Trees</b>	<i>Quercus rubra</i> , <i>Pinus strobus</i> , <i>P. resinosa</i> , <i>Betula papyrifera</i> , <i>Pinus banksiana</i> , <i>Populus tremuloides</i> , <i>Acer rubrum</i> , <i>Quercus macrocarpa</i> , <i>Prunus pensylvanica</i>
<b>Shrubs</b>	<i>Juniperus communis</i> , <i>Vaccinium angustifolium</i> , <i>Rubus</i> spp., <i>Diervilla lonicera</i> , <i>Rhus hirta</i> , <i>Gaultheria procumbens</i> , <i>Salix humilis</i>
<b>Vascular Herbaceous</b>	<i>Danthonia spicata</i> , <i>Deschampsia flexuosa</i> , <i>Carex pensylvanica</i> , <i>Capnoides sempervirens</i> , <i>Rumex acetosella</i> ssp. <i>acetosella</i> , <i>Fragaria virginiana</i> ssp. <i>virginiana</i> , <i>Aralia hispida</i> , <i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Agrostis scabra</i> , <i>Aralia nudicaulis</i> , <i>Pteridium aquilinum</i>
<b>Non-vascular</b>	<i>Stereocaulon saxatile</i> , <i>Cladina</i> spp., <i>Dicranum</i> spp.,



### Ecology

Restriction in rooting zone, moisture, and nutrient availability results in limited plant growth and species diversification. Vascular plants restricted to cracks and crevices or small patches of mineral or organic substrates. Bedrock with minimal fracturing and little substrate accumulation are dominated by lichen. Plant communities are tolerant of environmental extremes, well adapted to desiccation, rapid fluctuations in temperature, and low availability of nutrients. Fire, drought, and scarce mineral and organic material help maintain the characteristics of this ecosite. In the absence of fire or other major disturbances this system may succeed to a very shallow ecosite.

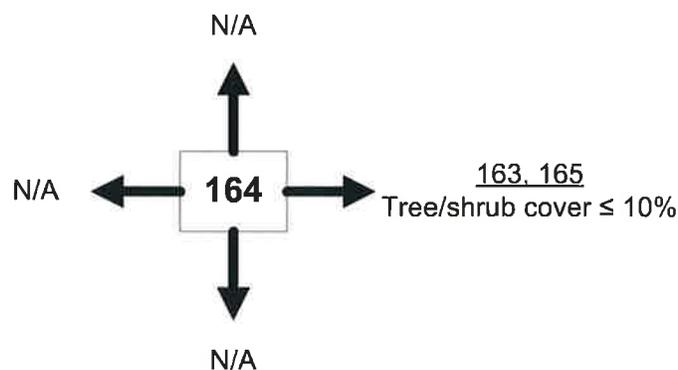
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range typically on ridgetops, side-slopes, cliff tops in rolling to rugged bedrock-controlled terrain. Common in landscapes with thin soils over bedrock. Bedrock is typically acidic. When base-rich (i.e., greenstone, basalt) increased species diversity and vigour may occur. Black huckleberry may be present in eastern 5E.

### Edaphic Variability

Nutrient and moisture availability variable. Underlying topography results in exposed bedrock, variation in substrate depth, and inclusion of bedrock controlled wetlands. Often on low, toe, or level slope positions. High spatial variability results in a complex of very shallow and rock barren systems. Often present as openings within larger treed systems. A wide variety of tree species as well as increased shrub and herb diversity and abundance likely on inclusions of deeper mineral or organic material.

### Related Ecosites





### Profile/Slope Sequence

Not Available

Approximately 250m

### Ecosite Description

Sparsely vegetated not woody communities on horizontal or slightly sloping bedrock exposures. Vascular plants restricted to cracks, crevices, and depressions where a thin veneer of mineral or organic material has accumulated. Ground surface mostly lichens and exposed bedrock. Substrate texture rock. Moisture regime xeric, humid, or saturated.

<b>Substrate Series</b>	R1 R3 R4 R5													
<b>Mode of Deposition</b>	RO	CO	MO	GF	FL	LA	GL	EO	OR	GW	WA	CX	AN	
<b>Moisture Regime</b>	0	1	2	3	4	5	6	7	8	9	x	h	s	
<b>Moisture</b>	d	f	m	v	w	x	h	s						
<b>Depth</b>	R	VS	S	M	MD	D								
<b>Chemistry</b>	k	n	a	b	z									

### Vegetation Description

Herbaceous, lichen, or bryophyte dominated community. Total vascular vegetative cover ≤ 25%. Tree and/or shrub cover ≤ 10%. Trees when present may include red oak and white pine. Shrub species may include common juniper, low-sweet blueberry, and *Rubus* species. Herbaceous species may include poverty grass, pale corydalis, and sheep laurel. Non-vascular species may include rock foam, grey reindeer lichen, and yellow-green lichen.

<b>Trees</b>	<i>Quercus rubra</i> , <i>Pinus strobus</i> , <i>P. resinosa</i> , <i>Betula papyrifera</i> , <i>Pinus banksiana</i> , <i>Populus tremuloides</i> , <i>Acer rubrum</i> , <i>Quercus macrocarpa</i> , <i>Prunus pensylvanica</i>
<b>Shrubs</b>	<i>Juniperus communis</i> , <i>Vaccinium angustifolium</i> , <i>Rubus</i> spp., <i>Diervilla lonicera</i> , <i>Rhus hirta</i> , <i>Vaccinium myrtilloides</i> , <i>Amelanchier sanguinea</i> , <i>Comptonia peregrina</i> , <i>Salix humilis</i>
<b>Vascular Herbaceous</b>	<i>Deschampsia flexuosa</i> , <i>Danthonia spicata</i> , <i>Carex pensylvanica</i> , <i>Capnoides sempervirens</i> , <i>Rumex acetosella</i> ssp. <i>acetosella</i> , <i>Aralia hispida</i> , <i>Agrostis scabra</i> , <i>Maianthemum canadense</i> ssp. <i>canadense</i> , <i>Pteridium aquilinum</i> , <i>Piptatherum pungens</i> , <i>Selaginella rupestris</i>
<b>Non-vascular</b>	<i>Stereocaulon saxatile</i> , <i>Cladina rangiferina</i> , <i>C. mitis</i> , <i>Dicranum polysetum</i> , <i>Pleurozium schreberi</i>



### Ecology

Restriction in rooting zone, moisture, and nutrient availability results in limited plant growth and species diversification. Vascular plants restricted to cracks and crevices or small patches of mineral or organic substrates. Bedrock with minimal fracturing and little substrate accumulation are dominated by lichen. Plant communities are tolerant of environmental extremes, well adapted to desiccation, rapid fluctuations in temperature, and low availability of nutrients. Fire, drought, and scarce mineral and organic material help maintain the characteristics of this ecosite. In the absence of fire or other major disturbances this system may succeed to a very shallow ecosite.

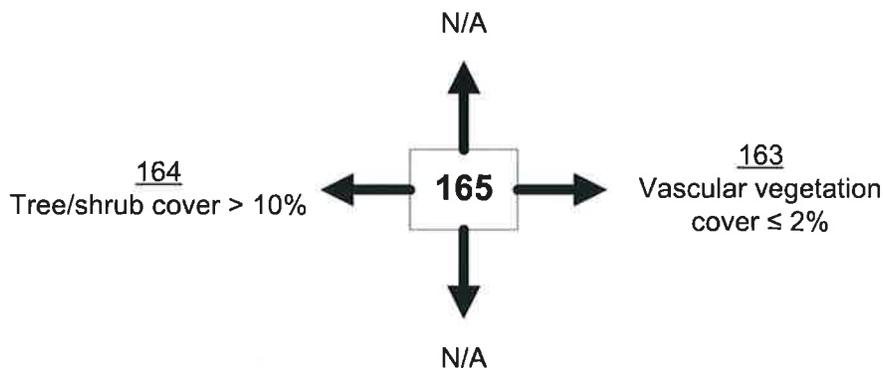
### Ecoregional Variability

Widespread and common across Great Lakes-St. Lawrence range typically on ridgetops, sideslopes, cliff tops, and along lake-shores and stream banks in rolling to rugged bedrock-controlled terrain. Common in landscapes with thin soils over bedrock. Bedrock is typically acidic. When base-rich (i.e., greenstone, basalt) increased species diversity and vigour may occur. Arctic-alpine communities may occur along the shorelines of Lake Superior on base-rich bedrock. Smooth sumac may occur west of Lake Superior and staghorn sumac and northern gooseberry may occur east of Lake Superior.

### Edaphic Variability

Nutrient and moisture availability variable. Underlying topography results in exposed bedrock, variation in substrate depth, and inclusion of bedrock controlled wetlands. Often on low, toe, or level slope positions. High spatial Variability results in a complex of very shallow and rock barren systems. Often present as openings within larger treed systems. A wide variety of tree species as well as increased shrub and herb diversity and abundance likely on inclusions of deeper mineral or organic material.

### Related Ecosites



**SCHEDULE "C"**  
**CONSTRAINT MAP**



FIGURE 3 CONSTRAINT AREAS AND SUITABLE DOCK LOCATIONS



1875A Seymour Street, North Bay ON P1A0C7  
Phone: 705.476.0085 Fax: 705.476.5631

**SCHEDULE "D"**

**SUPPLEMENTARY FRI Submission, December 10, 2020**

---

# DOCUMENTATION MEMORANDUM

To: Cale Henderson

From: Rod Bilz

Date: December 10, 2020

Subject: Greg Foote/ Patrick Shaw Consent Application

It is my understanding that Mr. Shaw had constructed a tent platform, as well as a ramp/staircase/platform to access a docking location and there were some concerns that some of the structures may have been built within environmental constraint areas. I have not been back to the site to confirm the location of these structures given the time of the year, but I have been able to confirm the location of some of these structures.

## *Tent Platform*

Our report was structured to clearly show the extent of constraint areas and those areas that were without constraints rather than site approving any conceivable structure or improvement. When I was onsite on May 21, 2020, we discussed this location where the tent platform currently resides. I understand that Mr. Shaw provided some latitude and longitude coordinates of the tent platform and I also understand the level of precision is not necessarily good enough to confirm its location. I asked Mr. Shaw to provide a series of photos of the structure. The photos had georeferencing information associated with them in the properties' files. I was able to convert these geotagged photos to points on our GIS map to accurately plot the location (**Figure 1**). Based on the photos and the georeferencing information, I am confident that the tent platform is outside of any of the mapped constraint areas.

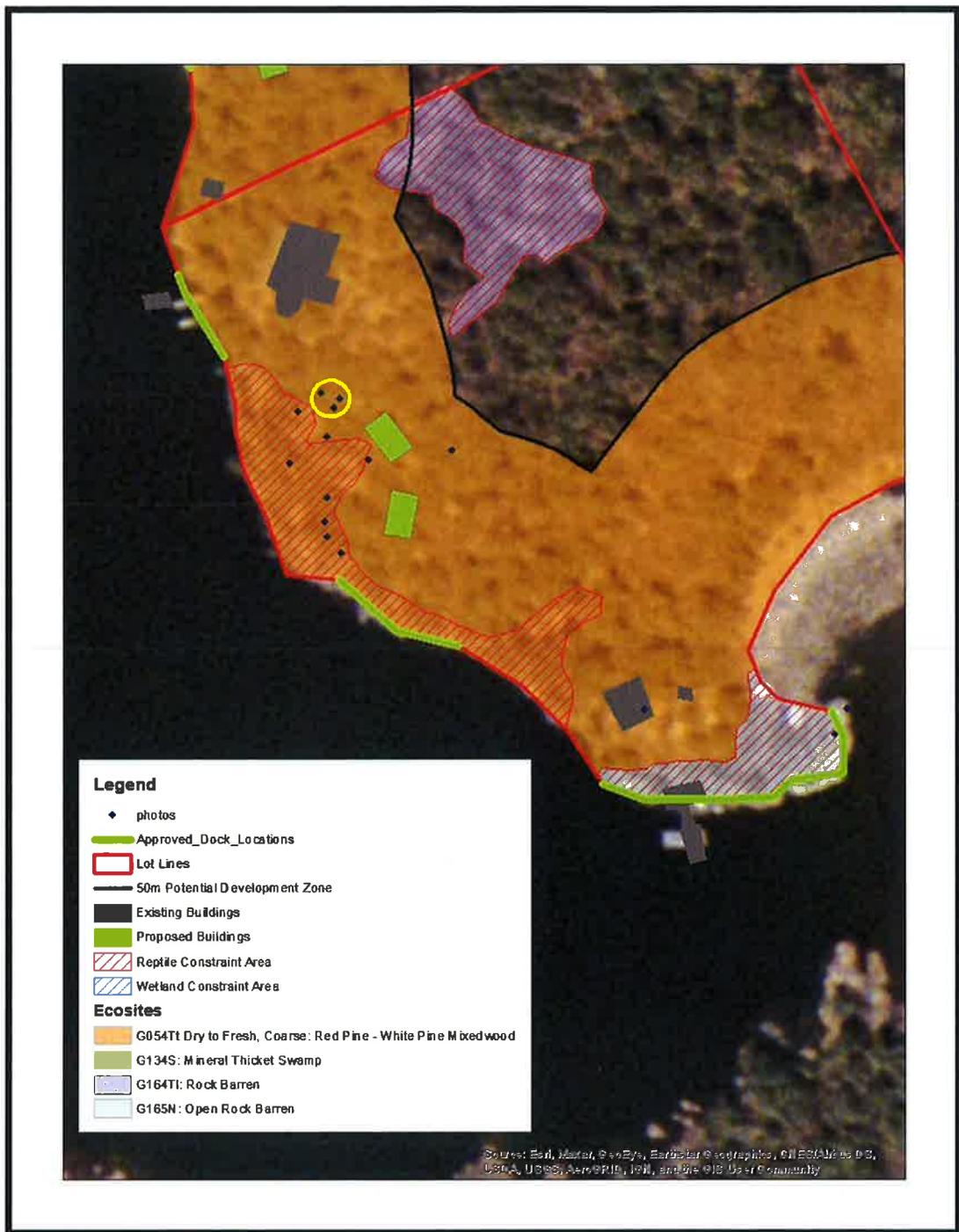


Figure 1 The Three Photo Locations in the Yellow Circle Represent the Location of the Constructed Tent Platform

### *Ramp/Staircase/Platform for Dock Access*

Unfortunately, the only photos of these structures were taken either from the water or the camera did not have the geotagging feature operational. Obviously, to access the docking area, you must pass through a constraint area. Initially I expected that it would be a walking trail down to the existing platform within the recommended docking location. However, the terrain is quite steep in this location and I can understand why these structures may have been desired for better access. The original site plan that Mr. Shaw and Mr. Foote had provided to me at the start of the project indicated the existing structures and the potentially planned structures. There was an existing platform at the water's edge, albeit in poor condition when I was onsite. It appears that the new platform that was built is in the same location replacing the older platform (**Figure 2 & 3**).

The ramp and staircase I cannot definitively confirm that their location poses no issues with regards to the identified environmental constraints.

### *Recommendations*

Based on the above information, I would conclude that the constructed tent platform is not in an area of environmental constraint and I have no objections to its location. The platform at the shoreline appears to be replacing an existing platform that was present during my site visit on May 21, 2020 and I don't see that there are any issues with its location or structure. We would propose that the ramp and staircase be examined in the spring as soon as conditions permit prior to the active season for reptiles to determine if it should be moved, dismantled or remain in place based on the site-specific habitat features that we had previously identified. Since the reptile species are currently in hibernation, the structures pose no issue at this time and can be corrected if necessary, in the spring just prior to the active season to ensure no impact to any species at risk.

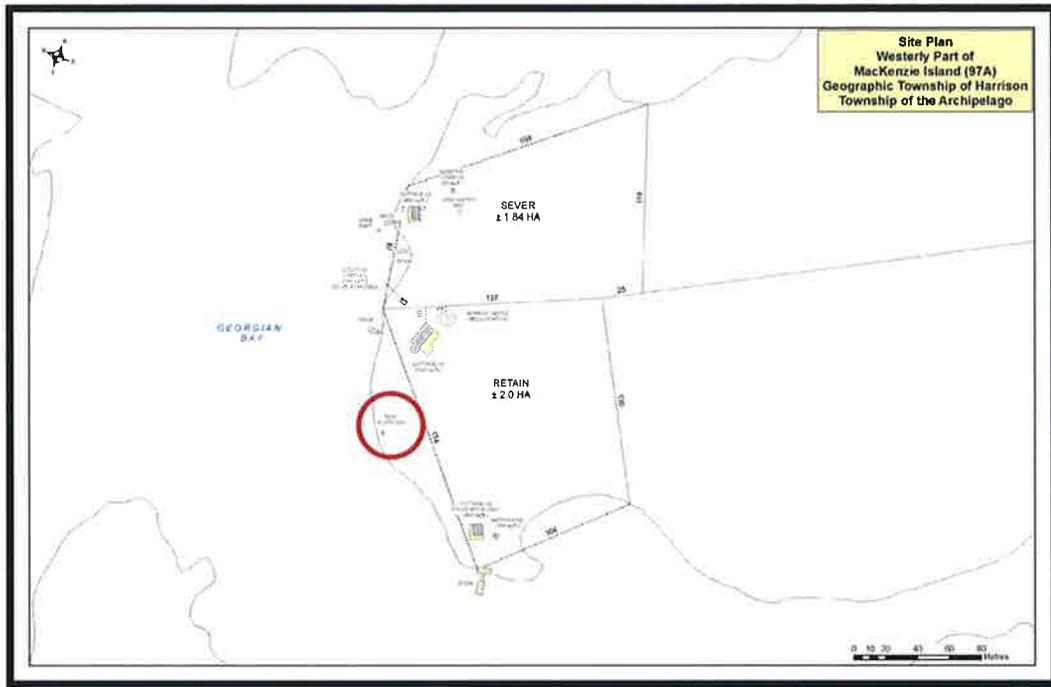


Figure 2 Existing Features Showing Shoreline Platform

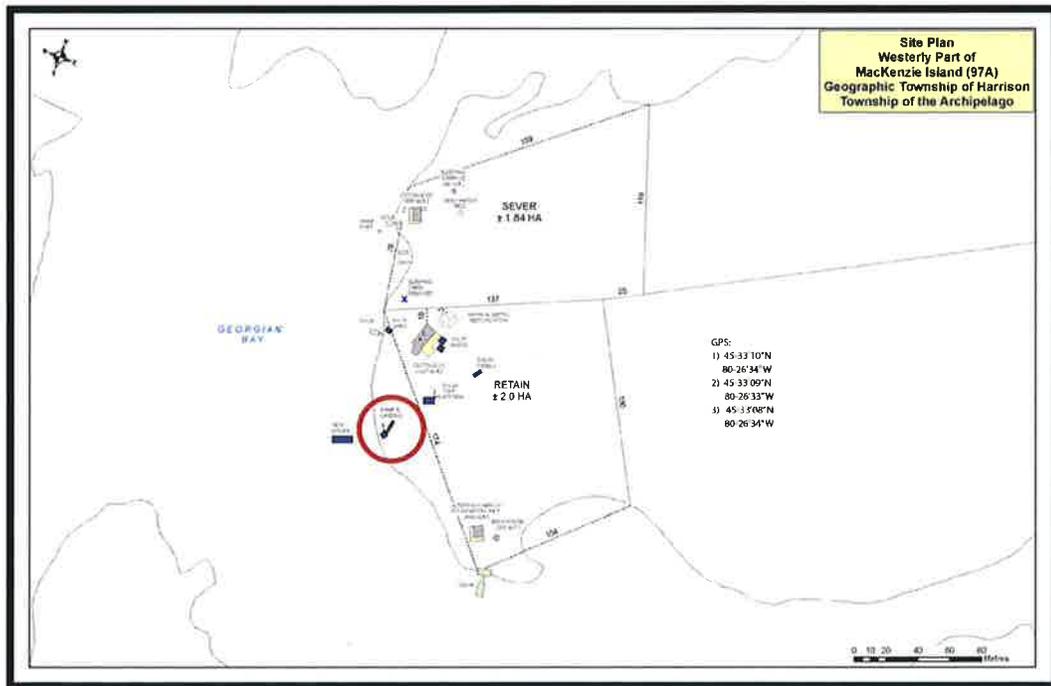


Figure 3 Constructed Features

**SCHEDULE "E"**

**SUPPLEMENTARY FRI Submission**  
**(Re: stairs, walkway and landing in constraint area)**  
**June 16, 2021**

---

# DOCUMENTATION MEMORANDUM

To: Cale Henderson

From: Rod Bilz

Date: June 16, 2021

Subject: Greg Foote/ Patrick Shaw Consent Application – Mackenzie Island

It is my understanding that Mr. Shaw had constructed a tent platform, as well as a ramp/staircase/platform to access a docking location and there were some concerns that some of the structures may have been built within environmental constraint areas. I recently visited the site on May 29, 2021 to confirm the location of the tent platform and assess the location of the Ramp/Staircase/Platform for Dock Access.

## *Tent Platform*

As per our Documentation Memorandum dated December 10, 2020, I can confirm that the tent platform was constructed outside of the constraint areas initially identified in our original report dated June 9, 2020. There are no issues with this location.

## *Ramp/Staircase/Platform for Dock Access*

Our original report identified the preferred docking location and there was an existing platform at the water's edge indicating historic use of this shoreline access area. It was initially anticipated that access through the constraint area would be by a simple path. However, the access is quite steep and alternative access would have required the removal of juniper and other shrubs to create a pathway to the docking facility. A series of photos were taken of the current location of the ramp and staircase. The location of the access creates the shortest and most efficient route to the docking area.

## Evaluation

The habitat contained in the constraint area where the ramp and staircase are located was a combination of potential basking and hibernation habitat. Neither was confirmed but to err on the side of caution, any development must demonstrate that it has not damaged or destroyed habitat. The definitions of these terms can be found in the guidance document, Categorizing and Protecting Habitat under the Endangered Species Act.

*Damaging Habitat* – Any activity that damages habitat of a species is one that alters the habitat in ways that impair the function (usefulness) of the habitat for supporting one or more of the species' life processes.

*Destroying Habitat* – Any activity that destroys the habitat of a species is one that alters the habitat in ways that eliminate the function (usefulness) of the habitat for supporting one or more of the species' life processes.

There are a number of things to consider to determine if damage or destruction has or is likely to occur as a result of the activities. The considerations are the physical construction and location of the structures, the sensitivity of the surrounding habitat, and the way in which the habitat may be used by the species.

The ramp, stairs and platform are all constructed of wood and are supported on wooden posts placed on the bedrock surface (**Photos 4, 6, 7 and 8**). There are no permanent concrete footings or foundations for any of the structures. The surface boards on the structures have relatively wide gaps allowing for good drainage and sunlight filtration (**Photo 9 and 10**).

The potential hibernation habitat would be accessed by some of the deeper fissures in the bedrock. None of the existing structures impede ingress or egress from these bedrock fissures if indeed they are used by the species. Hibernation function would not be damaged or destroyed as a result of the construction.



Photo 1. New platform location



Photo 2. Lower end of staircase



Photo 3. Looking towards dock from ramp



Photo 4. Staircase



Photo 5. Lower end of ramp



Photo 6. Upper end of ramp



Photo 7. Lower section of ramp



Photo 8. Showing post supports for ramp.



Photo 9. Board spacing on ramp



Photo 10. Showing width of ramp.

Potential basking habitat includes open areas that have suitable available adjacent cover in the way of surface rocks, vegetation, woody debris or a combination. The best quality basking habitats support a range of ambient temperatures that allow snakes maintain their optimum body temperature while remaining in a safe location from predators. On cooler or

overcast days, snakes will seek more open areas and ground features such as rocks that absorb and radiate heat. On extremely hot and sunny days, snakes will seek some portion of refuge from direct sunlight and will use partly shady locations to maintain their body temperature. In all cases they prefer to have suitable escape cover nearby and overhead cover from avian predators.

The constructed structures are relatively narrow, are elevated above the bedrock substrate and have not moved or relocated existing cover features. The partial shade under these structures will provide basking opportunities on hot sunnier days and provide good protection from avian predators. On cooler days, the rocks and other cover features at the edges of the structures will continue to serve as basking habitat. On a positive note, the area under the wood structures over barren bedrock may now be suitable for basking with the addition of overhead cover.

### Conclusion

The potential hibernation habitat has not been damaged or destroyed and if present will continue to function.

The potential basking habitat has not been damaged or destroyed. On a very localized level, some basking habitat has been altered but not necessarily in a negative fashion and some portions may have created new suitable basking sites afforded by the partial shading from the structure.

The initial plan of creating a walkway on the rock surface represented a greater chance of snake encounters than the raised walkway. Snakes can find cover under the walkway and pass freely under it without direct contact with humans.

It is our opinion that the ramp, staircase and platform does not contravene the Endangered Species Act (ESA) with regard to the regulated habitat of Eastern foxsnake. However, only the Ministry of Environment, Conservation and Parks can definitively determine compliance with the ESA.

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO**

**BY-LAW NO. 21-**

---

**BEING a By-law to authorize the execution of a site plan agreement  
between Brendan O'Neill and Janet Green and the Corporation of  
the Township of The Archipelago**

---

**WHEREAS** Section 41(7)(c) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, authorizes municipalities to enter into agreements with the owners of land;

**AND WHEREAS** the Council for the Corporation of the Township of The Archipelago deems it expedient to enter into an agreement with Brendan O'Neill and Janet Green to accommodate the development of their property in accordance with the removal of the Holding 'H' Provision from the Coastal/Island Residential Divided Exception 86-H (CR/D-86-H) Zone, as approved by Council in accordance with Zoning By-law Amendment No. Z03-20, located on Island 417A, being Part 4 on Plan 42R-20556, in front of the geographic Township of Shawanaga;

**NOW THEREFORE BE IT ENACTED AS A BY-LAW** of the Council of the Corporation of the Township of The Archipelago as follows:

1. That the Reeve and Clerk of the Corporation of the Township of The Archipelago be and are hereby authorized to execute all documents as may be required to enter into an agreement with Brendan O'Neill and Janet Green.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

**READ and FINALLY PASSED in OPEN COUNCIL** this 16<sup>th</sup> day of July, 2021.

---

REEVE

---

CLERK

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**

**SITE PLAN DEVELOPMENT AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

**O'NEILL, Brendan D.  
GREEN, Janet L.**

(hereinafter called the "OWNERS")

- and -

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**

(hereinafter called the "TOWNSHIP")

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

**AND WHEREAS** the OWNERS have applied to the TOWNSHIP to remove the Holding (H) Provision and permit the development on the OWNERS' lands;

**AND WHEREAS**, pursuant to Section 41 of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Planning Act"), the Council of the TOWNSHIP, by By-law No. 97-30, has designated the said lands as being within a site plan control area;

**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 8, 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"- Ecological Site Screening 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 TOWNSHIP and suitable for registration.

3.2 The Agreement shall be registered on title to the subject lands as provided for by Section 41(10) of the Planning Act, by the Township, at the expense of the OWNERS.

#### **SECTION 4: ISSUANCE OF BUILDING PERMITS**

- 4.1 The OWNERS agree to not request the Chief Building Official to issue a building permit to carry out the development until the Agreement has been registered on title to the subject lands and a registered copy of same has been provided to the TOWNSHIP.
- 4.2 It is agreed that if the OWNERS fail to apply for a building permit or permits to implement this Agreement within two (2) years after registration, then the TOWNSHIP, at its option, has the right to terminate the Agreement and require that a new Site Plan Agreement be submitted for approval and execution.

#### **SECTION 5: PROVISIONS**

- 5.1 The OWNERS agree to develop the subject lands in accordance with the Site Plan being Schedule "B" attached hereto, and agree that no work will be performed on the subject lands except in conformity with all provisions of this Agreement.
- 5.2 The OWNERS agree to comply with all of the recommendations within the Ecological Site Screening Report, prepared by Georgian Bay Biosphere and dated June, 2021, attached hereto as Schedule "C", notably:
- that potential gestation and hibernation habitats (Massasauga rattlesnake and eastern foxsnake) will be flagged to protect it from disturbance during development of the building, Bunkie and septic envelopes;
  - that site alteration activities in the potential gestation and hibernation habitat and immediate area that could impair its function, such as tree removal, blasting, addition of fill, excavation, etc., be prohibited;
  - that if nesting SAR turtle is encountered during construction, the area must be marked and protected with a 30-metre buffer;
  - that if a SAR snake, such as a Massasauga rattlesnake, is encountered during construction, the snake shall not be harmed, harassed and/or killed and shall be left alone until it leaves the site;
  - that 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;
  - that nesting site of any at-risk turtles or birds encountered will be provided with an appropriate buffer, as highlighted in the report
  - that development occurs in a manner that will not harm the significant natural heritage features and functions; and,
  - that contractors be provided with the list of species at risk that may be found on the property, and if encountered, provide Georgian Bay Biosphere with information with respect to the sighting.
- 5.3 The OWNERS further agree to provide for the grading of change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any buildings or structures thereon and will ensure that the natural drainage is not altered in any way that will cause damage to any adjacent lands, or waterbody. The installation of storm water management works and the final grading of the subject lands, including any and all necessary ditching, culverts and construction mitigation measures will be provided by the OWNERS.
- 5.4 The OWNERS agree that external lighting facilities on the subject lands and buildings will be designed and constructed so as to avoid, wherever possible, the illumination of adjacent properties and waterways.

**SECTION 6: OTHER REQUIREMENTS**

6.1 The OWNERS agree that nothing in this Agreement shall relieve him or her from complying with all other applicable agreements, by-laws, laws or regulations of the TOWNSHIP or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the TOWNSHIP or its Chief Building Official from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws or regulations.

**SECTION 7: BINDING PARTIES, ALTERATION, AMENDMENT, EFFECT, PENALTY**

- 7.1 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.
- 7.2 This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of each of the parties hereto.
- 7.3 The OWNERS acknowledge that the Agreement is entered into under the provisions of Section 41(10) of the Planning Act, and that the expenses of the TOWNSHIP arising out of the enforcement of this Agreement may, in addition to any other remedy the Township may have at law, be recovered as taxes under Section 427 of the Municipal Act, 2001, S.O. 2001, c.25 as amended.
- 7.4 The Agreement shall come into effect on the date of execution by the TOWNSHIP.

**SECTION 8: NOTICE**

8.1 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: O'NEILL, Brendan  
 GREEN, Janet  
 51 St. Leonards Crescent  
 North York, ON M4N 3A7

TOWNSHIP: Clerk  
 Township of The Archipelago  
 9 James Street  
 Parry Sound, ON P2A 1T4

IN WITNESS WHEREOF the OWNERS and the TOWNSHIP 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

\_\_\_\_\_  
O'Neill, Brendan D.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Green, Janet L.

THE CORPORATION OF THE  
TOWNSHIP OF THE ARCHIPELAGO

\_\_\_\_\_  
Reeve  
Bert Liverance

\_\_\_\_\_  
Clerk  
Maryann Weaver

**SCHEDULE "A"**

**LEGAL DESCRIPTION OF THE LANDS**

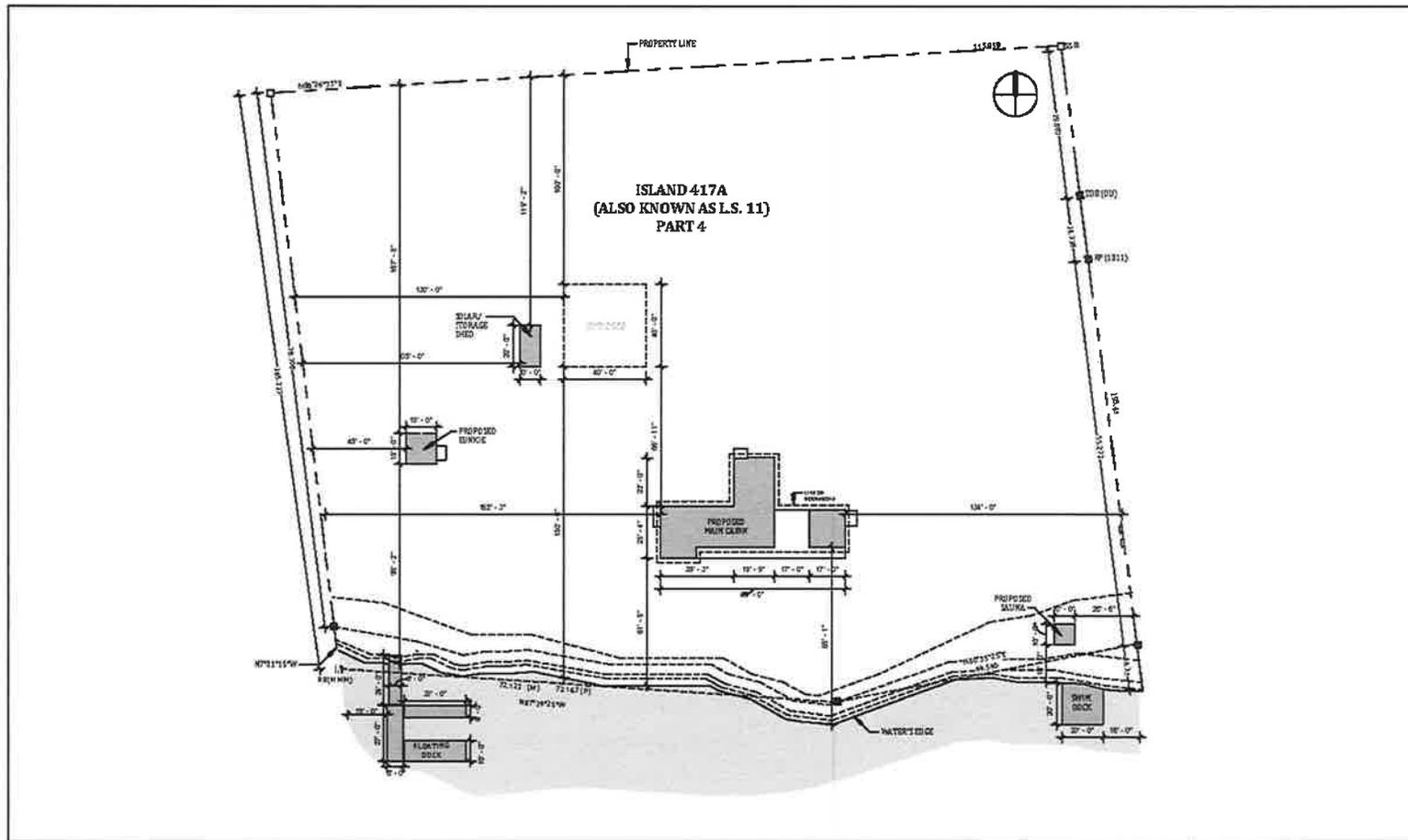
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Part of Island 417A, being Part 4 on Plan 42R-20556, located in front of the geographic Township of Shawanaga

PIN No. 52094-0337

# SCHEDULE "B"

## SITE PLAN



**SCHEDULE "C"  
ECOLOGICAL SITE SCREENING REPORT**

---

# Ecological Site Screening Report

Island 417A, Pointe au Baril region

*June 2021*

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



**GEORGIAN BAY  
BIOSPHERE**  
**MNIDOO GAMII**  
Spirit of the Water

# Ecological Site Screening Report

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# Ecological Site Screening Report

## 1. Purpose and Scope of Report

The purpose of this Ecological Site Screening Report is to address the Township of the Archipelago (TOA) 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 Island 417A and how any unacceptable impacts can be eliminated or minimized.

To provide better planning context, the new owner submitted a Zoning By-law Amendment application to remove the holding provision from a previous consent application, in order to proceed with development of the property.

More specifically, Georgian Bay Biosphere (GBB) was retained to:

- Determine whether the proposed development, namely within the building envelopes and adjacent areas, 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 and neighbouring areas, 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](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/>

# Ecological Site Screening Report

## 2. Subject Property

Table 1 provides planning and site screening information about the subject property. The subject property (Figures 1-3) is located on Island 417A in the Pointe au Baril region. A conceptual site plan was provided by the applicant (Figures 4-5). The proposed building and septic envelopes were flagged prior to the site visit by the applicant.

Table 1: Information on Subject Property

<b>Current Landowner(s)</b>	Brendan O'Neill and Janet Green
<b>Applicant(s)</b>	Brendan O'Neill
<b>Planning Authority</b>	Township of the Archipelago
<b>Roll Number</b>	4905180002455109
<b>Proposed Development</b>	Construction of a single main dwelling, bunkie and septic system. Installation of a boat dock.
<b>Date of Site Visit</b>	May 4, 2021
<b>Site visit – GBB Staff</b>	David Bywater
<b>Report authors – GBB Staff</b>	David Bywater

# Ecological Site Screening Report



Figure 1 - Regional map of Island 417A (subject property highlighted in red)

# Ecological Site Screening Report

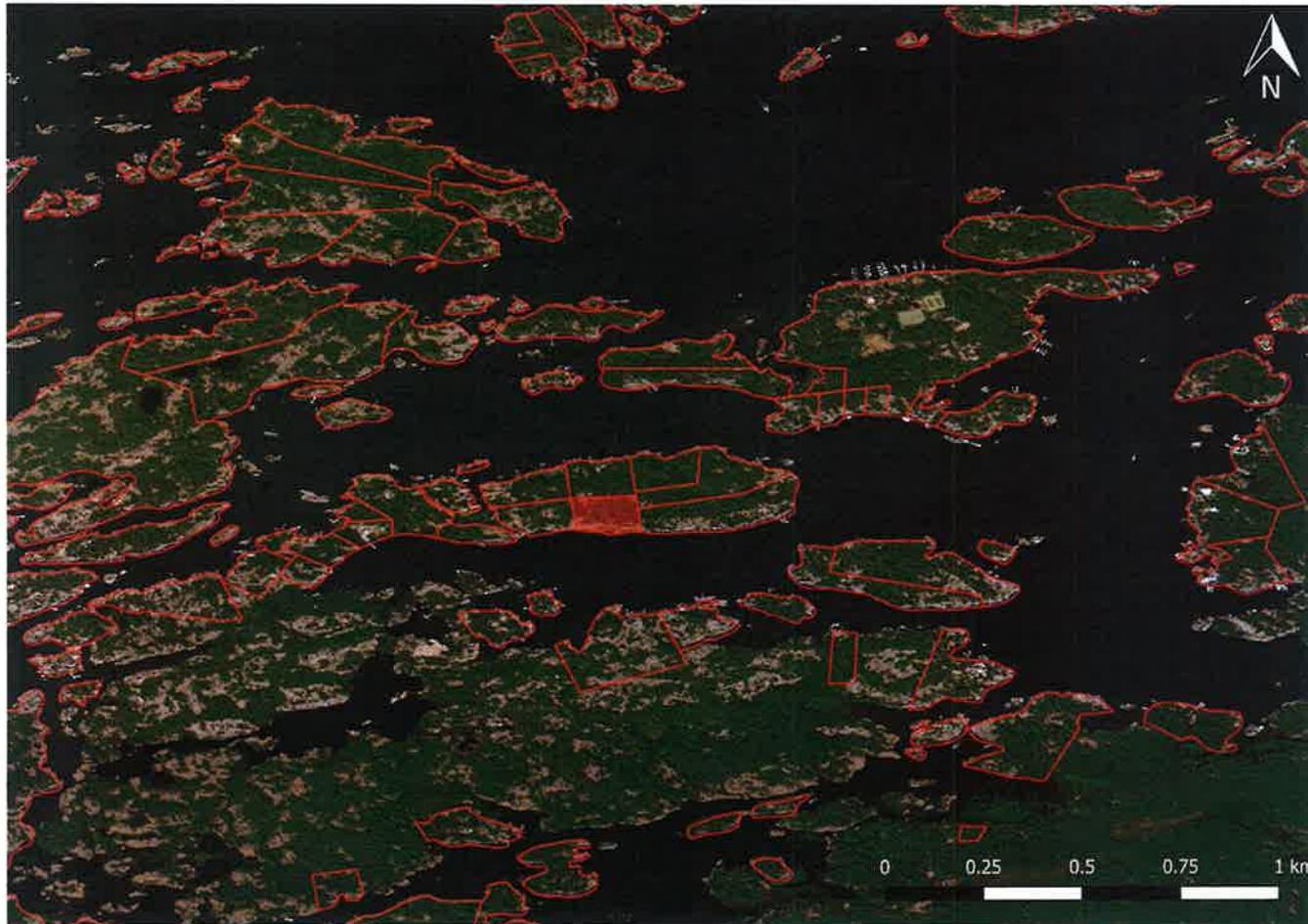


Figure 2 -Island 417A (subject property highlighted in red)

# Ecological Site Screening Report



Figure 3 --Subject Property on Island 417A

# Ecological Site Screening Report

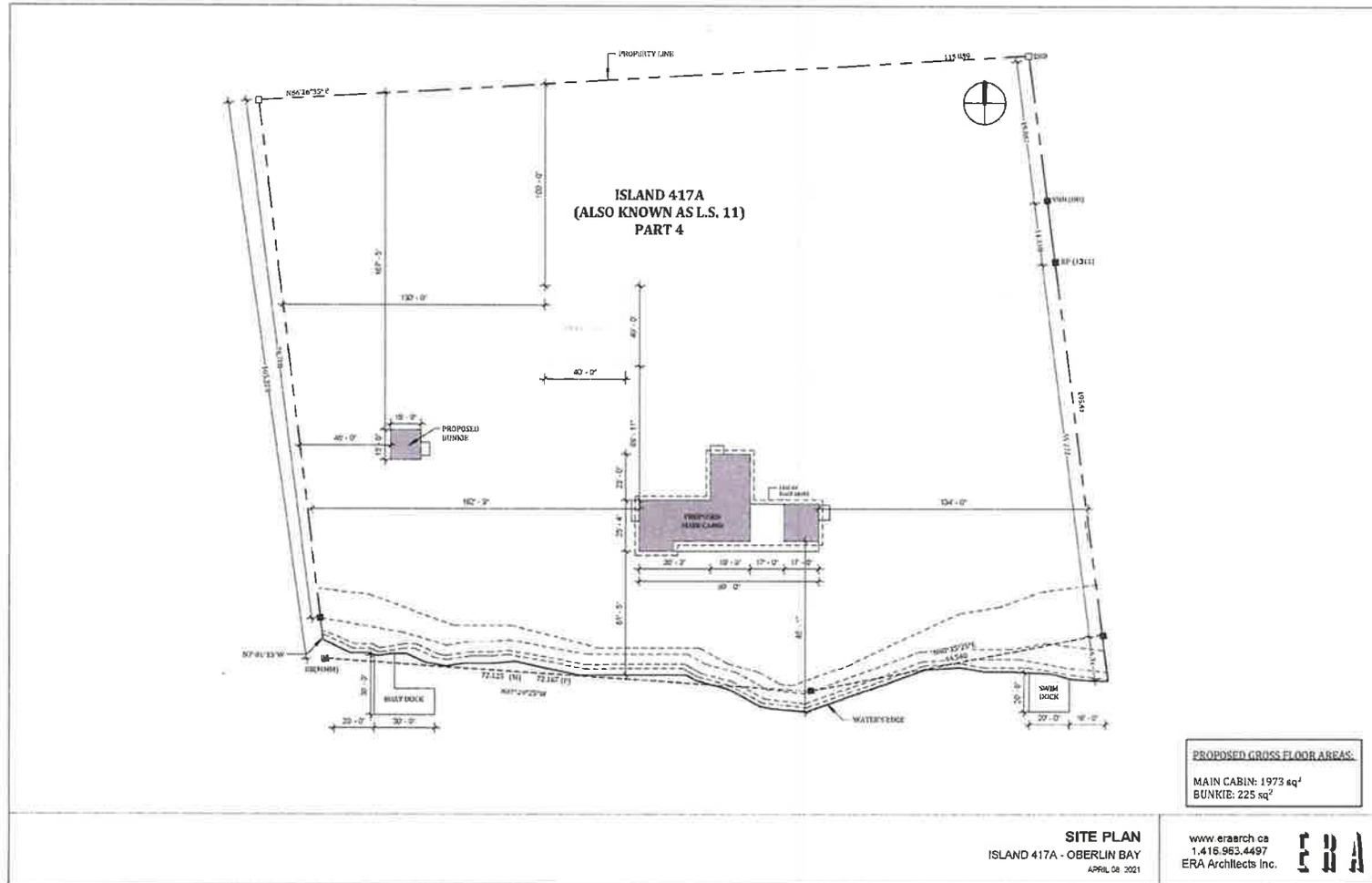


Figure 4 - Conceptual Site Plan (provided by applicant)



# Ecological Site Screening Report

## 3. Approach and Methods

The objective of this Ecological Site Screening Report is to determine whether the proposed development, namely within the building envelopes, would result in harm to habitats of species at risk and significant wildlife. 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 COSWEIC or OMNRF.

The scope of this ecological site screening process is as follows:

1. Collect and review background information to determine what species at risk are likely to be found in the area.
2. Review satellite imagery to determine if potential habitats of species at risk and significant wildlife is present (on the subject property and/or regional lands).
3. Conduct a site visit to determine if habitats of species at risk and significant wildlife is present (on the subject property and/or regional lands).
4. Determine whether the proposed development, namely within the building envelopes, would result in harm to habitats of species at risk and significant wildlife.

### Collection and Review of Background Information

Table 2 lists species at risk known and/or likely to occur in the general subject property area. This list is based primarily on the Ontario Ministry of Natural Resources and Forestry's (OMNRF) document "SAR in Parry Sound District (v.7)", the Ontario Breeding Bird Atlas, and GBB's in-house knowledge, experience and documentation (i.e. SAR citizen science sightings).

In the interests of clarity and transparency, some species are presented in the table below even though they are designated as 'not at risk' by COSSARO (Committee on the Status of Species at Risk in Ontario), because they are designated at risk by COSEWIC (Committee on the Status of Endangered Wildlife in Canada). To clarify, this property is subject to COSSARO designation because it is on municipal/provincial lands, COSEWIC designation only applies to federal lands.

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

# Ecological Site Screening Report

COMMON NAME	LATIN NAME	COSSARO*DESIGNATION
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
Evening Grosbeak	<i>Coccothraustes vespertinus</i>	Special Concern
Golden-winged Warbler	<i>Vermivora chrysoptera</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
Midland Painted Turtle	<i>Chrysemys picta marginata</i>	Not at risk
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
Rusty Blackbird	<i>Euphagus carolinus</i>	Not at risk
Spotted Turtle	<i>Clemmys guttata</i>	Endangered
West Virginia White Butterfly	<i>Pieris virginienensis</i>	Special Concern
Western Chorus Frog	<i>Psuedacris triseriata</i>	Not at risk
Whip-poor-will	<i>Caprimulgus vociferous</i>	Threatened
Wood Thrush	<i>Hylocichla mustelina</i>	Threatened
Yellow-banded Bumble Bee	<i>Bombus terricola</i>	Special Concern

## Review Satellite Imagery

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

- 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/or regional lands.

# Ecological Site Screening Report

## Subject Property Survey

The subject property was physically surveyed on May 4th, 2021 to determine if habitats of species at risk and significant wildlife is present (on the subject property and/or regional lands). Furthermore, to determine whether the proposed development, namely within the building envelopes, would result in harm to habitats of species at risk and significant wildlife.

During the property survey, the contractors (building and septic) were present, as well as the applicant.

## 4. Existing Physical Conditions

### Terrestrial Features

A large portion of the subject property is comprised of secondary growth, mixed forest (Figure 6) including species such as white pine (*Pinus strobus*), red pine (*Pinus resinosa*), and red maple (*Acer rubrum*). Understory species include common juniper (*Juniperus communis*), low-bush blueberry (*Vaccinium angustifolium*) and common polypody fern (*Polypodium virginianum*). Portions of the open bedrock shoreline are steep and sparsely vegetated with common juniper, and lichen and moss species.



Figure 6 - Secondary growth, mixed forest on subject property

# Ecological Site Screening Report

## Aquatic Features

Fish habitat in this portion of Georgian Bay was assessed and mapped by OMNRF 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 OMNRF as a limiting factor to the productive capacity of a body of water.

The regional map (Figure 7) does not show any fish habitat in the immediate area. The closest fish habitat (Type 2) is located along the mainland and Shawanaga Island a couple kilometres away from the subject property. The shoreline of the proposed dock locations (Figure 8) was surveyed during the site visit and does not have the characteristics of Type 1 or Type 2 fish habitat.



# Ecological Site Screening Report

Figure 7 - Regional Fish Habitat Map



Figure 8 - Shoreline of the proposed boat dock location

## 5. Significant Natural Features

### Introduction

The objective of this Ecological Site Screening Report is to determine whether the proposed development, namely within the building envelopes would result in harm to habitats of species at risk and significant wildlife. 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.”*

Taking into consideration the scope of the proposed development, significant wildlife habitat typically includes habitats that are critical to the survival of local populations.

# Ecological Site Screening Report

## Subject Property

The physical survey identified potential hibernation (Figure 9) and gestation (Figure 10) habitat for Massasauga rattlesnakes on the subject property (Figure 11). The potential hibernation habitat consists of white pine, alder and sphagnum moss lowland. Potential gestation habitat consists of south facing rock outcrop located at the western portion of the subject property. 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.



Figure 9 - Potential Massasauga rattlesnake hibernation habitat

# Ecological Site Screening Report



Figure 10 - Potential Massasauga rattlesnake gestation habitat



Figure 11 - Potential Massasauga rattlesnake hibernation and gestation habitat map

## Ecological Site Screening Report

The physical survey also identified potential eastern foxsnake hibernation habitat (Figure 12) on the subject property adjacent to the shoreline (Figure 13). Eastern foxsnakes require a mosaic of habitat types that includes suitable sites for hibernation, foraging, thermoregulating and oviposition, as well as natural linkages that allow for movement between locations. Foxsnakes show a strong preference for shoreline edge habitats. Typical characteristics of hibernation habitat on eastern Georgian Bay are sloped, fractured rock within 50 metres of shoreline that allows the snakes to retreat below the frost line. Hibernation sites may be the most sensitive and important component of habitat given that foxsnakes show high site fidelity to them and often hibernate communally.

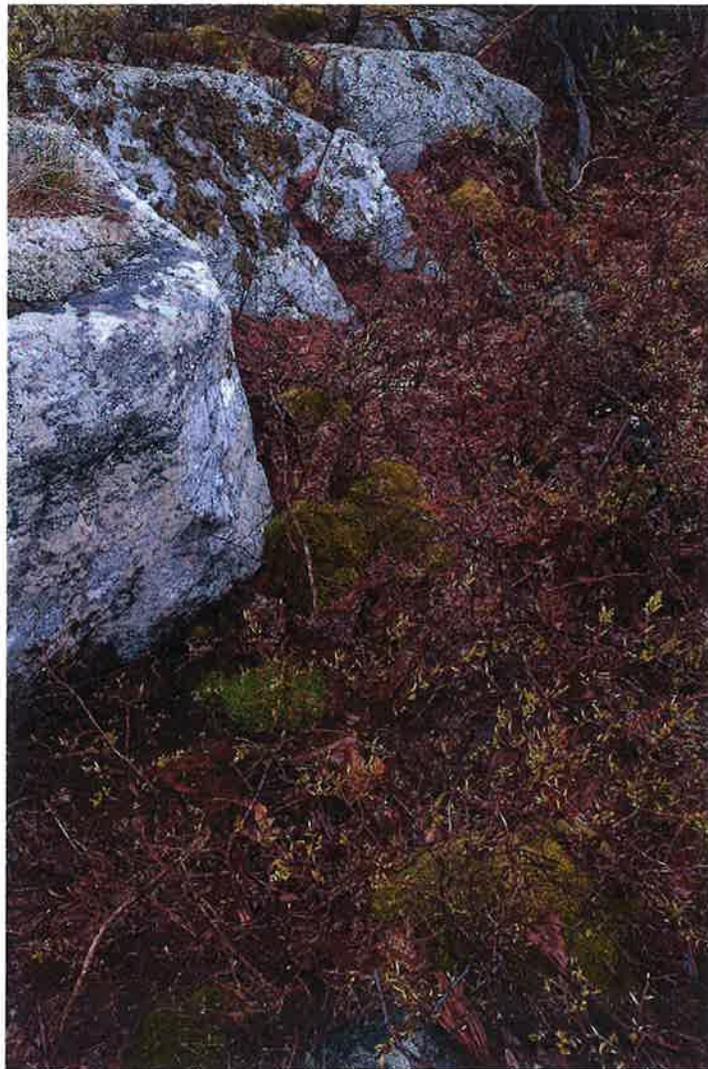


Figure 12 - Potential eastern foxsnake hibernation habitat

# Ecological Site Screening Report



Figure 13 – Potential eastern foxsnake hibernation habitat map

Massasauga rattlesnake hibernation and gestation habitats are considered “Category 1”, and require 100 metre and 30 metre buffers respectively (Figure 14). As outlined in OMNRF’s “General Habitat Description for the Massasauga (*Sistrurus catenatus*)”:

*“Gestation sites and the area within 30 m, and hibernacula and the area within 100 m 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.”*

# Ecological Site Screening Report

The eastern foxsnake recovery strategy (2010) recommends that hibernation habitat should be protected with a 100 metre buffer via a habitat regulation<sup>1</sup>:

*“Because of the high site fidelity that Eastern Foxsnakes show to hibernacula, as well as the communal nature of these microhabitats, destruction of this type of habitat could have a catastrophic impact on local population viability. Hence, these habitat features should be considered the most important to protect. All identified hibernacula, including natural and anthropogenic sites, should be prescribed as habitat in a habitat regulation.”*

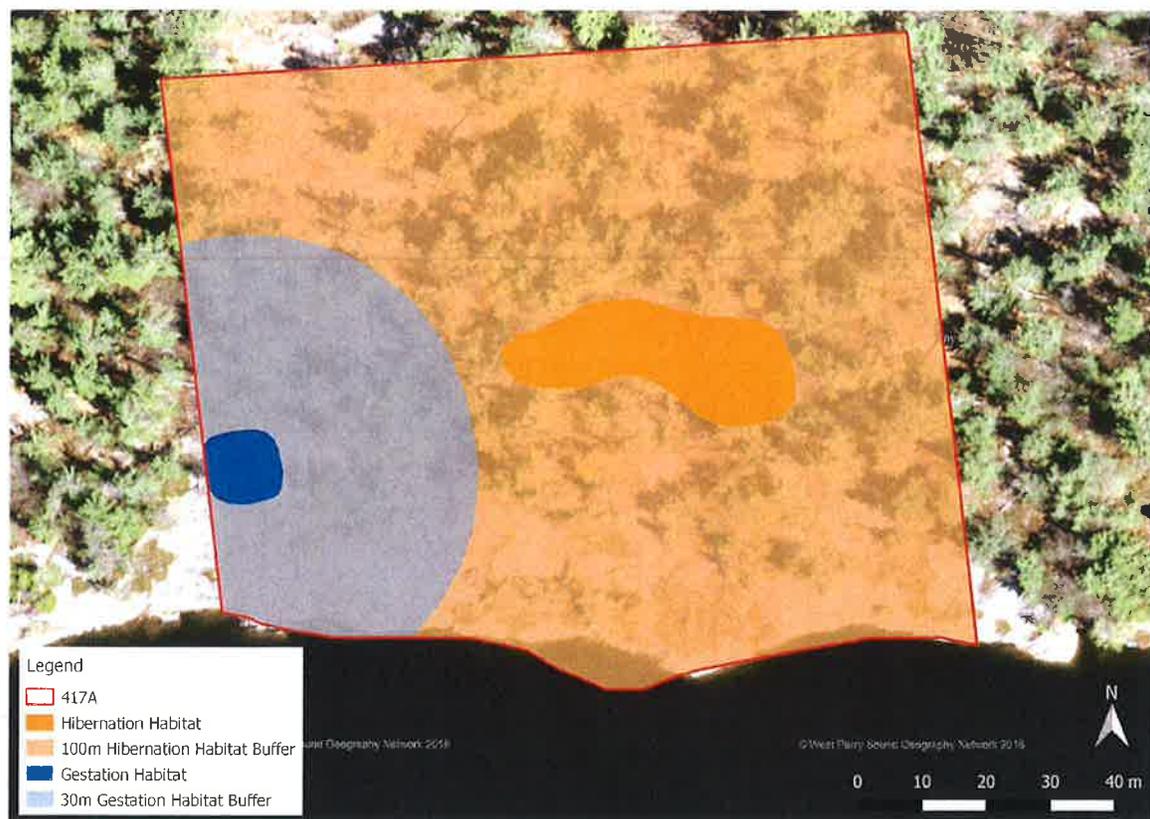


Figure 14 – Potential Massasauga rattlesnake hibernation and gestation habitat with buffers

<sup>1</sup> Under the *ESA*, 2007, a recovery strategy must include a recommendation to the Minister of Natural Resources on the area that should be considered in developing a habitat regulation. A habitat regulation is a legal instrument that prescribes an area that will be protected as the habitat of the species. The recommendation provided below by the recovery team will be one of many sources considered by the Minister when developing the habitat regulation for this species.

## Ecological Site Screening Report

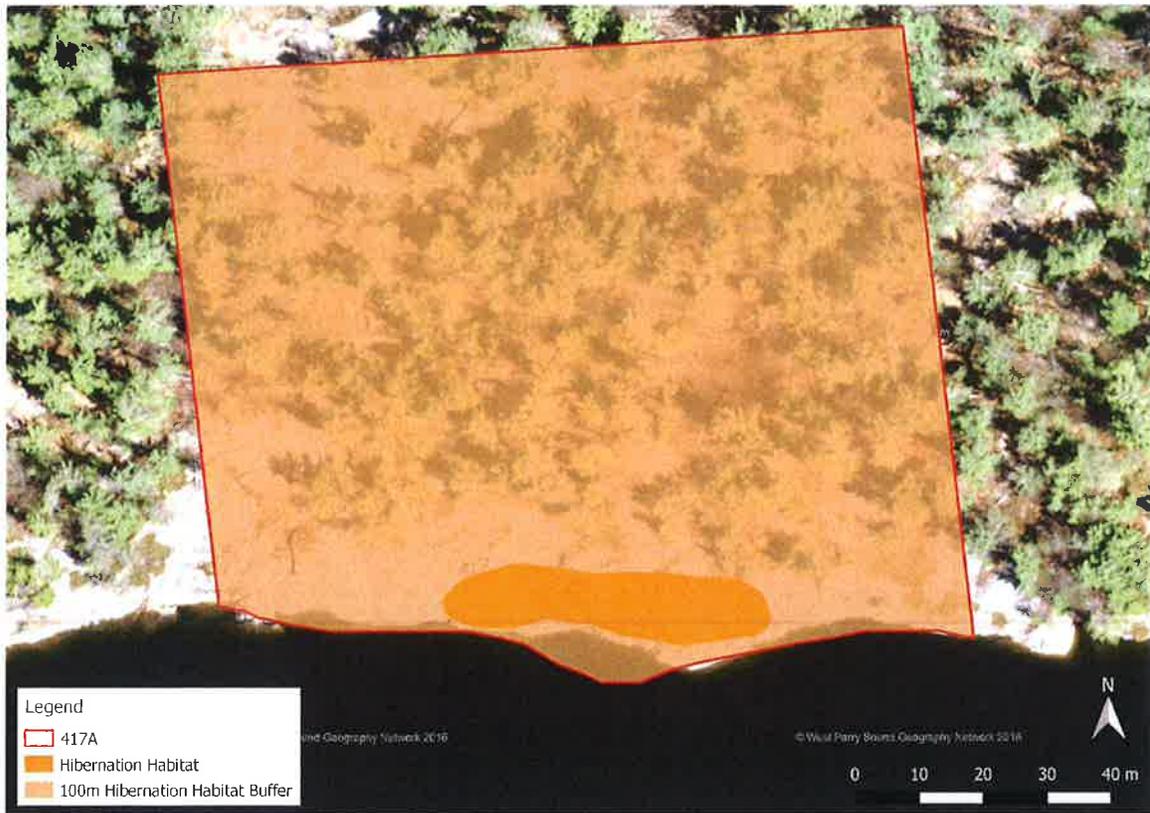


Figure 15 - Potential eastern foxsnake hibernation and habitat with buffer

While the building, bunkie and septic envelopes are sited within these potential habitat buffers (Figure 14 & Figure 15), existing dwellings and buildings in this region demonstrate that people, Massasaugas and foxsnakes can co-exist. The intent of the buffer is to minimize disturbance and/or alteration to the hibernation and gestation habitat and its function. As outlined in OMNRF'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). To mitigate potential impacts to the function of the potential Massasauga hibernation habitat, the building envelope was relocated to provide greater setback. Furthermore, discussions with the contractors took place to review site development and the importance of protecting these important habitat and associated functions. For example, site disturbance will be minimized and

# Ecological Site Screening Report

construction will not require blasting, thereby eliminating the potential for negative impacts from this activity.

Furthermore, the building and bunkie envelopes are sited on rock outcrops 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 potential gestation and hibernation habitats, of both the Massasauga rattlesnake and eastern foxsnake, so long as the following mitigation measures are in place:

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

## Regional Considerations

Several features of conservation interest are located in this region, which means that species at risk may be encountered on the subject property. The features of conservation interest in this region include wetlands and rock outcrops.

Regional wetlands are potential habitat for four at risk turtle species: common snapping, Blanding's, northern map, 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 SAR turtle is encountered during construction, the area must be marked and protected with a 30 metre buffer.

# Ecological Site Screening Report

## 6. Mitigation Measures and Recommendations

In summary, the following mitigation measures and recommendations are required for the subject property:

1. Flag the potential gestation and hibernation habitats (Massasauga rattlesnake and eastern foxsnake) to protect it from disturbance during development of the building, bunkie and septic envelopes.
2. Prohibit site alteration activities in the potential gestation and hibernation habitat and immediate area that could impair its function, such as tree removal, blasting, addition of fill, excavation, etc.
3. If a nesting SAR turtle is encountered during construction, the area must be marked and protected with a 30 metre buffer.
4. If a SAR snake, such as a Massasauga rattlesnake, is encountered during construction, the snake shall not be harmed, harassed and/or killed and shall be left alone until it leaves the site.
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](http://www.ontario.ca/environment-and-energy/species-risk-ontario-list)). Please contact the GBB if you have any questions about potential nesting sites and applicable buffers (705-774-0978).

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 (705-774-0978 or [info@gbbr.ca](mailto:info@gbbr.ca)).

# Ecological Site Screening Report

## 7. References

Bird Studies Canada, Environment Canada's Canadian Wildlife Service, Ontario Nature, Ontario Field Ornithologists and Ontario Ministry of Natural Resources. 2006. Ontario Breeding Bird Atlas Database, 31 January 2008. <http://www.birdsontario.org/atlas/aboutdata.jsp?lang=en>

Eastern Foxsnake Recovery Team. 2010. Recovery strategy for the Eastern Foxsnake (*Pantherophis gloydi*) – Carolinian and Georgian Bay populations in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources, Peterborough, Ontario. vi + 39 pp.

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.7) (Ontario Ministry of Natural Resources and Forestry).

Various Recovery Strategies and/or Status Reports (COSEWIC and/or OMNRF).

For more information on the species at risk listed in this report, please visit:

5. [www.gbbr.ca/species-at-risk/](http://www.gbbr.ca/species-at-risk/)

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO  
BY-LAW NO. A2100-21**

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To amend Zoning By-law No. A2000-07 by removing the Holding 'H' Symbol from Part of Island 417A, being Part 4 on Plan 42R-20556, in front of the geographic Township of Shawanaga (O'Neill/Green)

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**WHEREAS** Section 36(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, authorizes the Council of a local municipality to, in a by-law passed under Section 34 of the Planning Act, by the use of the holding symbol "H" in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law;

**AND WHEREAS** the Council of the Corporation of the Township of The Archipelago passed By-law No. A2069-15 on the 18<sup>th</sup> day of September, 2015, pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, which by-law designated Part 4 on Plan 42R-20556, located on part of Island 417A, in front of the geographic Township of Shawanaga, to the Coastal/Island Residential/Divided Exception 86 Holding (CR/D-86-H) Zone;

**AND WHEREAS** Council deems it appropriate to remove the Holding symbol from the lands described as Part 4 on Plan 42R-20556, to permit the proposed development of the property as the owner has performed the necessary environmental assessment and an agreement to be registered on title;

**NOW THEREFORE BE IT ENACTED** as a By-law of the Council of the Corporation of the Township of The Archipelago as follows:

1. Schedule 'A', (Harrison) of By-law No. A2000-07, is hereby further amended by removing the 'H' symbol from the lands described as Part 4 on Plan 42R-20556, located on part of Island 417A, in front of the geographic Township of Shawanaga, as shown by hatching on a copy of part of Schedule 'A', (Shawanaga) attached to this By-law as Schedule '1'.
2. This By-law shall take effect and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

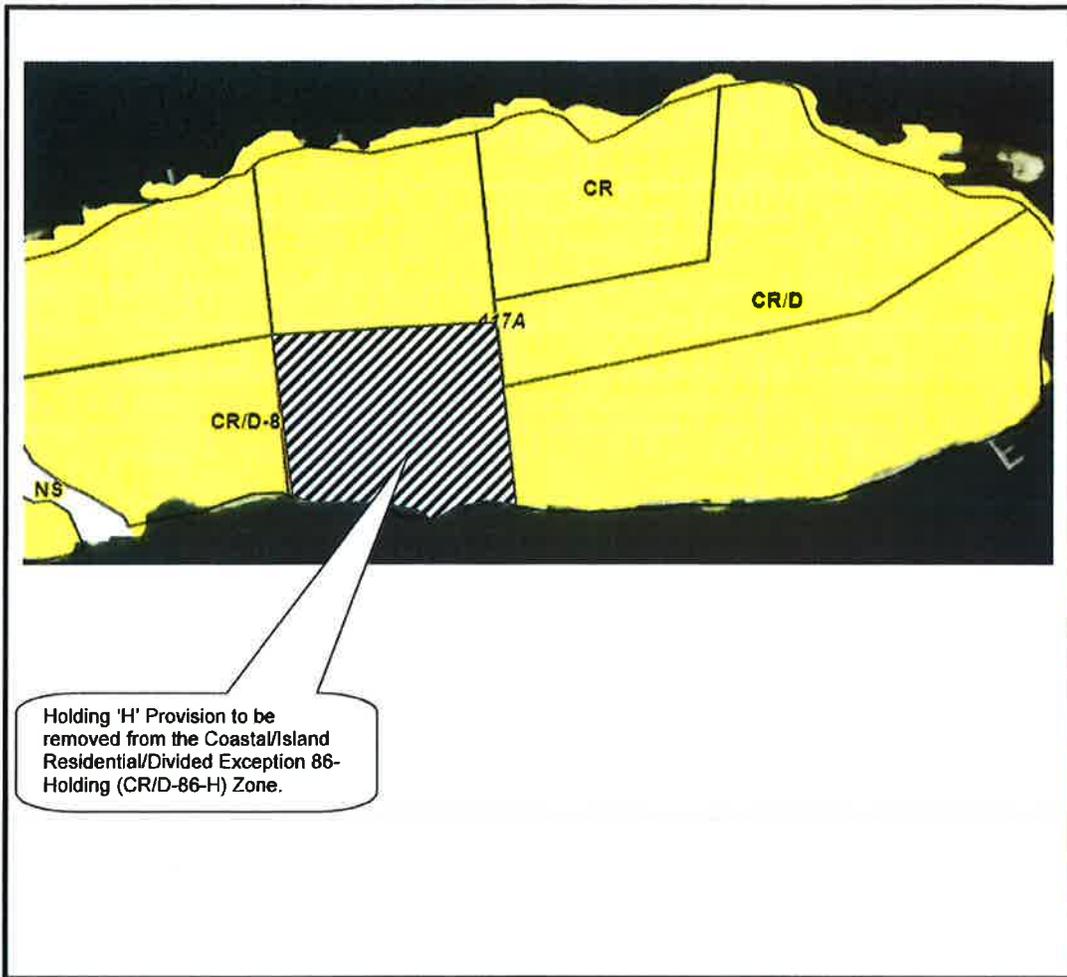
**READ and FINALLY PASSED** in **OPEN COUNCIL** this 16<sup>th</sup> day of July, 2021.

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**BERT LIVERANCE, REEVE**

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**MARYANN WEAVER, CLERK**



**THIS IS SCHEDULE '1' TO BY-LAW NO. A2100-21**

**TOWNSHIP OF THE ARCHIPELAGO**

**PASSED THIS 16<sup>th</sup> DAY OF JULY, 2021**

\_\_\_\_\_  
**BERT LIVERANCE, REEVE**

\_\_\_\_\_  
**MARYANN WEAVER, CLERK**



**Township of The Archipelago**  
9 James Street, Parry Sound ON P2A 1T4  
Tel: 705-746-4243/Fax: 705-746-7301  
[www.thearchipelago.on.ca](http://www.thearchipelago.on.ca)

March 29, 2019

**19-053**

**Moved by Councillor Ashley  
Seconded by Councillor Frost**

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**RE: Councillor Andrews Indemnification Request – Hachigian v Andrews**

Councillor Zanussi requested a recorded vote.

**NOW THEREFORE BE IT RESOLVED** that Council for the Corporation of the Township of The Archipelago hereby denies the request submitted by Councillor Greg Andrews for indemnification related to the Hachigian v Andrews matter, noting that Councillor Andrews can make a new request after determination on the matter by the court and providing that there is new evidence stemming from the court proceedings.

**Yea**

Councillor Manners  
Councillor Sheard  
Councillor Ashley  
Councillor Zanussi  
Councillor Walker  
Councillor Frost  
Reeve Liverance

**Nay**

Councillor Barton  
Councillor Emery

**Carried.**



**TO:** Chair Frost and The Township of The Archipelago Planning & Building Committee

**FROM:** Rian Allen,  
Planning Consultant

**DATE:** July 13, 2021

**RE:** Zoning By-law Review – Draft Modifications for discussion purposes

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### **1.0 BACKGROUND**

The Zoning By-law Review for the Township was initiated in 2019 following the approval of the Township's Official Plan Review in December 2018.

To initiate the Zoning By-law Review project and obtain public input, three Public Open Houses were held in different locations in the Township in August of 2019. The comments received at those Public Open Houses were summarized for the Committee in a report dated September 19, 2019. Following the Public Open Houses an interactive session at the Deerhorn Conference was held on October 5, 2019. The comments received at this session in addition to the comments received from individuals and associations were provided to the Committee in a report dated February 21, 2020. Additional comments received were provided to the Committee in a report dated August 20, 2020.

### **2.0 UPDATE**

Since the completion of public consultations, staff have spent the past months reviewing each of the comments received and to determine how or if the Zoning By-law can be updated to incorporate those suggested changes. Staff also completed a detailed review of the Township Official Plan to determine what amendments to the Zoning By-law are needed to conform to the new Official Plan. The Planning Act and the Provincial Policy Statement, 2020 were also reviewed to understand if there were any consistency issues that required attention. Preliminary mapping was produced to understand the possible impacts of some of the potential changes to the Zoning By-law.

Due to a number of factors, including the impacts associated with COVID-19, the review of the Zoning By-law has been delayed and a first draft of the updated Zoning By-law is not available to share with the Committee and the public at this time. At this point in time, the majority of the modifications to the text have been completed, however there are formatting and section number issues that require more work before a first draft will be available. Furthermore, all new zoning schedules will also be required to implement some of the new proposed provisions and this mapping has also not yet been completed.

More than one year has passed since staff last brought forward new information about the Zoning By-law Review project to the Committee. In order to provide the Committee with a sense of the

progress that has been made, this report was prepared to provide an overview of the key changes that are proposed. A summary of the public comments was also provided.

### **3.0 SUMMARY OF PUBLIC COMMENTS**

After the public consultations concluded staff reviewed all of the comments received and created a comment summary table which is attached as Appendix “A”. The person or group who contributed the comment was not included or was the manner that the comment was received (open house versus written comment). Removing the commentor’s name and commenting method simply provides the Committee with the comments received from the public.

During the review of the public comments, staff discussed each comment and determined if the suggested changes were necessary or appropriate and to determine how to best implement the change.

### **4.0 KEY CHANGES AND HIGHLIGHTS**

The existing format and structure of the Zoning By-law is intended to remain the same. Changes will be made within the existing structure of the document and the updated Zoning By-law will be a modification of the existing By-law versus a completely new Zoning By-law.

There are a large number of changes proposed to the Zoning By-law. Some changes are very minor and have little to no impacts (i.e. formatting), however some of the changes are substantial and will have considerable impacts (i.e. increasing the minimum front yard setback).

In order to provide the Committee and the public with a sense of the proposed changes to the updated Zoning By-law the key changes and highlights are provided. The reason or justification for the change is also provided to understand if the change is a result of public input, staff input, or Official Plan conformity.

#### **Modification #1**

Housekeeping matters that involve formatting changes, section numbering, correcting typos and confirming the use of consistent wording, terms, and definitions.

*Staff input* – The proper formatting of the Zoning By-law is important because it is a legal document used by property owners, the development and real estate industry, planning consultants, and Township staff. Proper formatting is key to the use of the document. Using proper numbering is critical for the use and application of the provision of the Zoning By-law, and eliminating typos corrects unintended wording.

#### **Modification #2**

Update the mapping of the zone schedule to reflect the details of the Natural Heritage Study and ‘Schedule F – Natural Heritage Features’ of the Official Plan.

*Official Plan conformity* – The Zoning By-law implements the policies of the Official Plan, including the land use mapping. A Natural Heritage Study that was completed as part of the review and update of the Official Plan identified new natural heritage features and ecologically sensitive areas that are required to be protected. For example, Significant Coastal Wetlands were not previously mapped and protected through zoning. The zoning schedules will be updated to reflect the applicable features on ‘Schedule F – Natural

Report to Planning Committee  
Zoning By-law Review – Draft Modifications for discussion purposes

Heritage Features' from the Official Plan. All of the existing Environmental Protection and Natural State zoning will remain.

**Modification #3**

- a. Increase the minimum front yard setback for buildings and structures on cold water and at-capacity lakes and streams (Blackstone Lake, Crane Lake, Forget Lake, Spider Lake, Three Legged Lake) to 30 metres for all zones.
- b. Increase the minimum front yard setback for buildings and structures on cool water and warm water lakes and streams (all other lakes and rivers) and on Georgina Bay to 15 metres for all zones.

*Official Plan conformity* – The Official Plan requires a minimum 30 metre setback for buildings and structures on Blackstone Lake, Crane Lake, Forget Lake, Spider Lake, Three Legged Lake. The Official Plan requires a minimum 15 metre setback for buildings and structures on all other lakes, including inland lakes and and Georgian Bay.

*Public input* – Numerous comments were received that suggested increasing the minimum front yard setback or setback from the shoreline.

**Modification #4**

Permit replacement of existing legal buildings and structures located within the minimum front yard setback and permit the expansion of existing legal buildings and structures provided the additional ground floor area does not exceed 50% of the existing ground floor area and the additional height does not exceed 25% of the existing height and provided the front yard setback is not less than 7.5 metres.

*Staff input* – Increasing the minimum front yard setbacks from 7.5 metres to 15 metres and 30 metres will result in a large number of legal non-complying buildings and structures. Consideration has been given to allowing modest expansions provided the expansion to avoid the need for a greater number of planning approvals due to the increased setbacks (i.e. minor variances).

**Modification #5**

Increase the distance a deck, up to 2 metres in height, can encroach into the minimum front yard setback from 3 metres to 5 metres.

*Staff input* – The distance a deck is permitted to encroach into the front yard setback has been increased to account for the impacts of the increased in the minimum front yard setbacks.

**Modification #6**

- a. Limit the maximum size of a deck attached to a dwelling to the ground floor area of the dwelling, up to a maximum of 110 sq m, whichever is lesser.
- b. Limit the maximum size of a deck attached to an accessory building to the ground floor area of the accessory building, up to a maximum of 55 sq m, whichever is lesser.

*Staff input* – There currently is no maximum size limit for a deck attached to a dwelling or accessory building and non-roofed decks do not count towards lot coverage. A maximum size limit of a deck is needed similar to the size limit for detached decks.

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*Public input* – A comment was received about limiting the maximum size of a deck attached to a dwelling.

**Modification #7**

Create a new Pointe au Brail Residential (PBR) zone.

*Staff input* – A new Pointe au Brail Residential (PBR) zone is proposed in Pointe au Brail Station to permit residential development with reduced lot area and frontages, and a range of unit types are to be permitted: single detached dwellings, duplex dwellings, and townhouse dwellings.

*Official Plan conformity* – The Official Plan encourage the provision of a range of housing types and opportunities in Point au Baril Station.

**Modification #8**

Add a definition of ‘Secondary Dwelling Unit’ and permit ‘Secondary Dwelling Unit’ as a permitted accessory use in the Pointe au Brail Residential (PBR) and General Residential (GR) zones.

*Official Plan and Planning Act conformity* – Amendments to the Planning Act requires municipal Official Plan to permit a second residential unit in a detached house, semi-detached house or rowhouse as well as another residential unit in a building or structure ancillary to the detached house, semi-detached house or rowhouse. The Official Plan includes policies that permit accessory apartments in the Pointe au Baril Station Settlement Area and the Rural Area, within a single detached dwelling or in a structure ancillary to a dwelling if the dwelling contains a single residential unit, and in a semi-detached dwelling provided the lot is located on a year-round maintained public road and can be adequately serviced.

*Public input* – Comments were received about the need for affordable housing.

**Modification #9**

Reduce the minimum dwelling size for all dwelling units and dwelling units contained within commercial buildings to 17 sq m.

*Public input* – Numerous comments were received that questioned the need for a minimum dwelling size. 17 sq m is the minimum dwelling size permitted under the Ontario Building Code.

**Modification #10**

Revise the definition of ‘Building’ to remove reference to ‘as defined within the Building Code’.

*Public input* – Numerous comments were received that expressed concerns with the amount and size of shoreline development and accessory structures.

*Staff input* – There are inconsistencies regarding the treatment of buildings and structures based on their size and if a building permit is required or not. The definition of ‘Building’ and ‘Structure’ have a considerable impact on the number of permitted buildings on a lot because the current definition excludes buildings less than 10 sq m and all structures. The requirements of the Zoning By-law such as setbacks and lot coverage are to be applied to all buildings regardless of size.

**Modification #11**

- a) Permit a maximum of 4 accessory buildings or structures on a Residential zone lot, excluding 3 sleeping cabins and 1 dock.
- b) Permit a maximum of 2 accessory buildings or structures with less than 10 sq m of ground floor area on a Residential zone lot.
- c) Permit a maximum of 3 accessory buildings or structures with between 10.1 sq m and 100 sq m on a Residential zone lot.
- d) Permit a maximum of 1 building or structure with more than 100.1 sq m of ground floor area.
- e) Reduce the maximum number of marine railways from 3 to 2.
- f) Limit the maximum cumulative ground floor area of accessory buildings and structures to 232 sq m within 60m of the shoreline.

*Public input* – Numerous comments were received that expressed concerns with the amount and size of shoreline development and accessory structures. Treating all buildings and structures similarly ensures that buildings less than 10 sq m in area that do not require a building permit will be controlled by the Zoning By-law. Capping the maximum number of accessory buildings and structures based on a maximum ground floor area, and limiting the total combined area of all accessory buildings located within 60m of the shoreline will help to limit the appearance and visual impact of accessory buildings and structures.

**Modification #12**

Limit the maximum sauna size to 25 sq m and increase the minimum front yard setback from 0 metres to 7.5 metres.

*Public input* – Numerous comments were received that expressed concerns with the amount and size of shoreline development and accessory structures.

*Staff input* – There currently is no maximum sauna size and a maximum size is needed. Additional setback from the shoreline is also needed.

**Modification #13**

Limit the maximum cumulative ground floor area of all sleeping cabins on a lot not to exceed the ground floor area of the main dwelling.

*Public input* – Numerous comments were received that expressed concerns with the amount and size of shoreline development and accessory structures and concerns with the size of sleeping cabins.

**Modification #14**

Reduce the minimum parking requirements for 'other dwelling types' from 2 parking spaces per unit to 1 space per unit.

*Staff input* – A single detached dwelling requires one parking space and other dwelling types should require the same number of spaces.

**Modification #15**

Revise the definitions of Floor Area (Residential), Total; Floor Area (Industrial) Total, Ground Floor Area; and added a definition of Gross Floor Area.

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*Staff input* – The term ‘gross floor area’ is used in the provisions of the Zoning By-law but is not defined. A definition of ‘gross floor area’ was added and the other floor area definitions were reviewed and updated to ensure consistency and clarity.

**Modification #16**

- a) Revise the Natural State Conservation (NSC) and Natural State (NS) zones to include conservation uses and flood control uses.
- b) Restrict new buildings and the enlargement of existing buildings in the Natural State Conservation (NSC) zone.

*Staff input* – The development permissions in the Natural State Conservation (NSC) zone were revised to be consistent with the permissions in the Natural State (NS) zone.

**Modification #17**

Added a 3m minimum setback requirement for the NS and NSC zones to be consistent with the Environmentally Sensitive (ES), Environmentally Sensitive One (ES1), and Environmentally Sensitive Two (ES2) zones.

*Staff input* – It is appropriate to provide a similar sized buffer for the NS and NSC zones to protect the lands from impacts of buildings and structures.

**Modification #18**

Add ‘Sports Court’ to the Tennis Court provisions that limit the maximum number and setbacks.

*Staff input* – It is appropriate to treat all purpose-built playing surfaces (i.e. basketball, hockey, tennis, racquetball, etc.).

**Modification #19**

Clarify the definition of ‘Lot Frontage’. Provide simplified wording that is used to measure and determine the amount of lot frontage for single ownership islands and peninsulas, through lots, lots with water and road frontage, and lots with multiple frontages.

*Public input* – Several comments were received that requested clarification lot frontage is to be measured.

**Modification #20**

Change the term ‘high water mark’ to ‘shoreline’.

*Staff input* – The term ‘high water mark’ is confusing in the context of the various floodplain elevations and the fact that the high water mark, as defined in the Zoning By-law, is not actually the high water mark. Using the term ‘shoreline’ is more accurate and understandable. The shoreline on Georgian Bay is 176.44 metres G.S.C. above sea level, and in all other cases means the normal water mark of any waterbody at the time of the original surveys unless altered by the construction of a dam, in which case the measurement shall be from the high water mark as controlled by a dam.

**Modification #21**

Update the flood elevations and add the flooding elevation for exposed island on Georgian Bay. Create an Exposed Island (-E) zone suffix associated with the Georgian Bay floodplain provisions that

is to be applied to specific exposed islands in the bay where the flood elevation is 178.9m G.C.S. above sea level.

*Official Plan Conformity* – The Official Plan requires the minimum floor elevation on exposed islands in Georgian Bay to be 178.9m G.C.S.

**Modification #22**

Create a Deer Wintering Area (-DWA) zone suffix that is to be applied to lands located within the Stratum 1 (core) Deer Wintering Area identified on Schedule F – Natural Heritage Features of the Official Plan. Development is to be subject to greater control on lands with the -DWS suffix, and only includes: 1) The replacement legal non-conforming buildings and structures is permitted; 2) The expansion of legal existing buildings or structures permitted provided any addition is not more than 50% of the ground floor area of the existing building or structure; 3) Accessory buildings and structures up to 40 sq m.

*Official Plan Conformity* – The Official Plan indicates that development and site alteration in Stratum 1 habitat shall generally not be permitted unless the conifer thermal cover has been mapped and it has been determined through a site evaluation report that there will be no negative impacts to the natural features or their ecological functions.

**Modification #23**

Create a Moose Aquatic Feeding Areas (-MFA) zone suffix that is to be applied to lands located in and within 120 metres of Moose Aquatic Feeding Areas identified on Schedule F – Natural Heritage Features of the Official Plan. Development is to be subject to greater control on lands with the -MFA suffix, and only includes: 1) The replacement legal non-conforming buildings and structures is permitted; 2) The expansion of legal existing buildings or structures permitted provided any addition is not more than 50% of the ground floor area of the existing building or structure; 3) Accessory buildings and structures up to 40 sq m.

*Official Plan Conformity* – The Official Plan indicates that development and site alteration shall generally not be permitted in identified moose aquatic feeding areas or within 120 metres of such areas, unless a site evaluation report has been prepared and it has been demonstrated that there will be no negative impacts on the habitat or its function.

**Modification #24**

Create a Significant Wetland (-SW) zone suffix that is to be applied to lands located within 120m of a Provincially Significant Wetland or Significant Coastal Wetland identified on Schedule F – Natural Heritage Features of the Official Plan. Development is to be subject to greater control on lands with the -SW suffix, and only: 1) The replacement legal non-conforming buildings and structures is permitted; 2) The expansion of legal existing buildings or structures permitted provided any addition is not more than 50% of the ground floor area of the existing building or structure; 3) Accessory buildings and structures up to 40 sq m.

*Official Plan Conformity* – The Official Plan indicates that development and site alteration in Stratum 1 habitat shall generally not be permitted unless the conifer thermal cover has been mapped and it has been determined through a site evaluation report that there will be no negative impacts to the natural features or their ecological functions.

**Modification #25**

The maximum height in the General Residential (GR) zone is increased in Wards 2, 3 and 4 from 6 metres to 9 metres.

*Staff input* – 6m max height on Georgian Bay and 9m max height on inland lakes, Implemented through CR and IR zones. GR zone was not updated and based on wards.

**Modification #26**

Prohibit human habitat in any truck, bus, coach, streetcar body, railway car body, shipping container, or similar structure.

*Staff input* – There are currently no provisions that would prohibit the use of a truck, bus, coach, streetcar body, railway car body, shipping container, or similar structures to be used for human habitat, and provisions are needed.

**Modification #27**

Permit a maximum of 5 backyard hens on Residential zoned lots that have a minimum lot area of 0.4ha. The maximum size of a chicken coop is 10 sq m and must meet the minimum setbacks of the zone. A chicken coop must be setback a minimum of 60 metres from the shoreline.

*Public input* – Several comments were received that requested backyard laying hens be permitted.

**Modification #28**

Require the filter beds associated with a septic system to be located above flood elevations.

*Staff input* – The setback for the filter bed associated with a septic system is currently measured from the high water mark or shoreline. Restrictions are needed to prevent filter beds from being constructed in a floodplain.

**4.0 RECOMMENDATION**

None. For information purposes.

Respectfully submitted,

PLANSCAPE INC.



Rian Allen, MSc, MCIP, RPP  
Planning Consultant

**APPENDIX A: SUMMARY OF COMMUNITY COMMENTS RECEIVED**

<b>Minimum Front Yard Setback</b>
Every [waterfront] property is unique. Need to cater setback on a property specific basis.
Surprised about minimal [waterfront] front yard setback.
Increase setback for inland lakes.
Should be increased to 60 feet (18.2 m)
Increase shoreline setback to 50 feet (15.2 m) for Ward 5. Craft By-law to protect ribbon of life.
Extend the front setbacks from 7.5 m to 10 m
Lot 2, Plan 42M-543 Vacant Lot Would like site specific exception to maintain 7.5 metre setback if setback on Blackstone Lake is increased. Majority of lots are already developed, so increase would not be fair.
<b>Front Yard Setback Measurement (Shoreline)</b>
Questions about how to measure setback and the high water mark.
Clarification as to how we measure front yard setback and the high water mark.
176.44 metres is used for planning purpose and was derived as it is the all-time average water level for Georgian Bay.
<b>Side Yard Setback</b>
Extend the side setbacks from 6 m to 9 m
<b>Maximum Lot Coverage</b>
Questions about incorporating frontage in the determination of maximum permitted lot coverage.
Calculation of total lot coverage should have two factors to determine what that coverage number is and the lesser of the two shall be the coverage square footage: a) the area of the lot as defined in the CZBL currently and b) the lot frontage - taking 15 times the frontage length to obtain a coverage number Take the two coverage numbers calculated and use the one which has the least coverage as the official maximum sq ft allowable.
Concerns about buildings becoming non-complying if lot coverage changes – need to ensure any changes to lot coverage does not freeze all existing development, some flexibility needs to be incorporated into rules.
<b>Maximum Lot Coverage (Definition)</b>
Clarification requested regarding existing calculations.
Questions whether a tent, eave, decks, etc. is included in lot coverage.
All roofed structures, structures under 100 sq ft, saunas, pumphouses and decks should be included in lot coverage.
<b>Minimum Dwelling Size</b>
General questions around why there is a minimum dwelling size.
Assessment of properties not appropriate based on building size restrictions.
Too restrictive from an architectural design perspective, but doesn't see problems too often.
Clarification as to what is included in the measurement of 300 sq. m. maximum total floor area of main dwelling. (i.e. no basement, etc.)
Clarification that we do not distinguish between permanent and seasonal – 300 sq. m. maximum total floor area for both.

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Decrease or remove minimum size requirement.
<b>Legal Non-Complying Dwellings</b>
Clarification that adding a roof over an existing deck attached to a non-complying building would be a potential issue.
Clarification of “Legal” Non-complying, stressing that building must have been built legally and highlighting formation of the Township and passing of first Zoning By-law is a critical point in time in determining what is “legal” or not.
<b>Sleeping Cabins</b>
Permitted size is too large, does not represent the traditional or historical sleeping cabins.
Concerns with the ability to enforce the “cooking facilities” restrictions (i.e. microwave, bbq, toaster, etc.).
Restriction on no full kitchens is not a problem, but people do want ability to have coffee, toast, etc. in morning.
Discussed issues with enforcing no cooking facilities (i.e. microwave, toaster, coffee maker, etc.).
Sliding scale on size and number of sleeping cabins should be incorporated.
Current rules may allow too much development.
The size of cottage and number & size of sleeping cabins permitted needs to be considered.
Sleeping cabins being rented (i.e. Air BnB) is a concern. Cooking facilities restriction may assist in controlling or limiting rentals.
Setback and separation between buildings is important in reducing development and preserving natural landscape.
Reduce the allowable size of sleeping cabins and cap at 30 m2
Add to the 540 sqft a covered porch up to 150 sqft making for 690 sqft total. If there is not to be a covered porch then the maximum cabin size remains 540 sqft.
<b>Accessory Structures – Residential (On Land)</b>
Too many buildings permitted on a property (accessory, sleeping cabins, main dwelling).
Clarification provided as to what is included in number of accessory buildings.
Maximum of 5 other structures with a roof not requiring permits (Marine Storage, Pump House, Sauna, Woodshed, Deck with roof, etc.).
Reduce the Accessory Buildings to one from three and max out at 1200 sq ft (maximum size depends on total sq ft allowable) without sewers/toilet
Reduce the number of accessory buildings.
The provision is limiting, especially with regards to historic uses of accessory buildings as cook houses in the summer.
<b>Decks</b>
Cap the size of a deck attached to a main dwelling.
<b>Docks</b>
Questions raised why Inland Lakes rules, and a maximum of only two docks is permitted on Inland Lakes, even if they are larger in area and frontage.
Questions regarding docks at marinas (discussed water lots and MNR authority under Public Lands Act).
Need to prohibit pressure treated wood and ‘dock foam’ in the construction of docks.
Rules need to be simplified.

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Clarification about ‘near shore’ portion.
Near Shore Portion explained.
Clarified no different rules between floating versus crib.
Far too much clutter is permitted along the shoreline, such as saunas, dry boathouses, recreational buildings, boat storage racks
Cap the size of a dock
<b>Boathouses &amp; Boatports</b>
Comment about fluctuating water levels on Georgian Bay making it challenging to construct boathouses.
Questions about whether the Township was considering prohibiting boathouses.
Discussions ensued around non-complying building and structures and ability to replace.
Discussions about when MNR approval is required
Clarified that two-storey boathouses are not permitted
Living accommodations are not permitted within a boathouse
Tents and canvas coverings are also considered boat ports and must comply with regulations.
Clarification provided on boathouse vs. boatport.
Discussion on floating versus crib and MNR requirements under Public Lands Act.
Questions as to why we are limiting living space & second storey.
Far too much clutter is permitted along the shoreline, such as saunas, dry boathouses, recreational buildings, boat storage racks
Discussed challenge of constructing a two slip boathouse with the restrictions on width, no consensus as to whether this was an actual issue.
<b>Lot Creation</b>
No changes to minimum lot area or frontage requirements.
Asked if there is any discussion about changing minimum lot size and frontage to be eligible for severance, clarified that this is within the Official Plan and it did not change.
<b>Septic Systems</b>
Restrict locations where septic systems are installed, i.e. increase the setback from water course for Class 2 leach pits and Class 4 septic beds installed on the windward/exposed sides of out-islands.
Discussions around size of buildings and septic requirements (bedrooms, fixtures, floor area).
<b>Number of Buildings</b>
Maximum limit of 6 building permit required buildings (Main, 3 Sleeping Cabins, 1 Accessory, Boathouse).
<b>Accessory Dwelling Units</b>
issues raised about potential multiple impacts, servicing, roads, density, etc.
<b>Affordable Housing</b>
Issues raised about potential multiple impacts, servicing, roads, density, etc.
Discussion around what is affordable, ensuring affordable housing goes to those in need, what is the Township doing to address these issues?
<b>Backyard Chickens</b>
Backyard chickens should be permitted.

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Allow chickens under some conditions
<b>Green Energy</b>
Windmills are a concern (both at a residential level and industrial).
Solar Panels are also a concern.
Need to find a balance between promoting and allowing renewable energy, but maintain the natural aesthetics of area.
Must be concerned with repeal of Green Energy Act and should be incorporating and regulating in Zoning By-law.
<b>Site Plan Control</b>
All or more properties should be placed into Site Plan Control, to ensure development is appropriate for each unique property.
<b>Definitions and Terms</b>
The definitions or divisions are confusing and unclear (“waterfront” versus “inland lake” does “inland lake” mean non-island? “island” versus “waterfront”. Why are there distinctions?
Include basements in building area in residential floor area calculations.
<b>Change of Use</b>
“The purpose for which any land or building or structure is used shall not be changed”, is very restrictive and does not allow for commercial flexibility.
<b>Agricultural Uses</b>
Allow Agriculture using a broader definition to include small-scale farming, homesteads, hobby-farms, kitchen gardens, forest gardening, specialty crops, etc. A mixed land use policy within zoning could embrace small- scale agriculture as well as other land uses on residential and commercial land.
Create a new zone and designate any farms (according to farm tax rated parcels) as “farms” or “mixed use”.
Allow the keeping of animals. The current by- law would exclude a bee hive, a stable for a work horse (more ecologically sound than a ATV or tractor), a chicken coop, a shelter for a few llamas or goats or sheep ( far more ecologically sensible than cutting grass with a tractor), or a kennel for hunting dogs. In rural areas, the keeping of a small number of animals on properties large enough or far enough away from neighbours, would not detract from the natural beauty of the surroundings or disturb neighbours.
It might be useful to differentiate rural residential properties from those that are not within General Residential or a new category.
<b>Neighbourhoods</b>
Capture neighbourhood specific criteria within the Zoning By-law
<b>Cultural Heritage and Earth Science Zone</b>
Use specific zones to protect cultural, heritage, historical, geological, archaeological sites
<b>Dark Sky</b>
Strengthen dark sky provisions to prevent exterior lighting (or only allow very low wattage lighting, downwardly faced to light necessary steps/paths) – i.e. prevent lighting up the outside of buildings, landscaped areas, patios and docks.

Report to Planning Committee  
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Enforcement of the dark sky and quiet enjoyment of our area.
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<b>Short Term Rentals</b>
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Maintain a zero tolerance of rentals that are within 7 days to help prevent the occasional rental of properties within Pointe au Baril such as AirB&B.
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## **TOWNSHIP OF THE ARCHIPELAGO**

### **DONATION POLICY**

**Revision Date: February 20, 2020**

This document outlines the approach and guidelines that The Township of The Archipelago (TOA) applies to requests for sponsorships, fund raising and donations.

The TOA is committed to its role as a socially responsible municipal government and has the aim that the neighbourhoods that make up The TOA should benefit from the ability of The TOA to identify and assist worthy local causes.

It is necessary that The TOA have clear parameters as to the causes it chooses to support and those it does not.

#### **GUIDELINES**

1. The priority is for The TOA to help and support the people and neighbourhoods it serves.
2. The TOA supports projects and causes, complementary to The TOA's focus as a local government, that directly benefit seasonal and/or permanent residents of The TOA e.g. training for safety on the water.
3. The TOA also recognizes that it is part of the West Parry Sound District and that the people who live in the district are an integral part of our community. Therefore we will consider requests that meet our guidelines and support the residents of the surrounding communities who, in turn, support us.
4. The TOA will consider contributions to the capital cost of projects in the immediate area that support the broader community but it will not support operating costs beyond what could be considered for the benefit of our residents.
5. The decision to support or donate should not serve the exclusive personal interest of any member or members of Council.
6. All requests for donation must be made in writing and preferably in conjunction with a delegation to the Committee of the Whole or to a regular meeting of Council. Also, requests should include financial statements for the organization requesting the donation or a budget for the project. These should confirm that the organization or project is viable over the long term. If appropriate, a request may be for a donation that is spread out over a number of years.
7. The TOA will acknowledge all requests including refusals.

## **REQUESTS OUTSIDE THE GUIDELINES**

The following donations will not be supported:

1. Requests to support individuals.
2. Requests from denominationally specific organizations (e.g. religions).
3. Requests from political or advocacy organizations (e.g. political parties or campaigns).
4. Requests where funds collected are not spent in Canada.
5. Requests where it would be more appropriate for our residents to contribute directly to the campaign.

## **SPECIAL REQUESTS FOR FINANCIAL ASSISTANCE**

The following donation will be considered by Council:

1. A one-time request by dependent of employee under the age of 22.
2. The dependent is involved in a recognized Canadian organization that is involved in humanitarian work.
3. A presentation to Council either prior to or after the event to explain the goals and the benefits of the program/journey.

## **OTHER RELATED POLICIES**

- Creation and Support of Community Recreational Facilities
- Henvey Inlet Power Transmission Payments

**Township of The Archipelago**



**REVISED**  
**COUNCIL CORRESPONDENCE**  
Regular Meeting of Council  
July 16, 2021

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➤ **(Add-on)**

**REQUESTS FOR SUPPORT**

[A]

**FEDERAL GOVERNMENT**

[01]

**PROVINCIAL GOVERNMENT**

[02] **ONTARIO MINISTRY OF INFRASTRUCTURE**  
RE: Second intake of ICIP funding is now open

[02A] **BEREAVEMENT AUTHORITY OF ONTARIO**  
RE: Registrar's Direction: capacity limits removed; physical distancing, masking-wearing requirements remain

**MUNICIPALITIES**

[03] **THE CORPORATION OF THE TOWNSHIP OF BROCK**  
RE: Support for the Township of The Archipelago's resolution concerning road management action on invasive phragmites

[04] **TOWN OF COCHRANE**  
RE: Request to Province that the prostate blood test be included in the national health care system and that it be made available for all Canadian men at no charge

[05] **MUNICIPALITY OF HURON EAST**  
RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279

RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities

[06] COUNTY OF FRANTENAC

RE: Request to Province to cease further consideration of eliminating Capital Gains Tax exemptions on Primary Residences

[06A] TOWN OF GREATER NAPANEE

RE: Request to Province to endorse 9-8-8 crisis line initiative

RE: Request to Province to cease further consideration of eliminating Capital Gains Tax exemptions on Primary Residences

[06B] CITY OF KITCHENER

RE: Request to Province to review the actions that could be taken to help mitigate or offset the impacts related to the rising cost of building materials

RE: Request to Province to support private member's motion, Motion M-84 Anti-Hate Crimes and Incidents and private member's bill, Bill-C 313 Banning Symbols of Hate Act

[07] THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS

RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279

[08] THE MUNICIPALITY OF MCDUGALL

RE: Resolution passed requesting that the Near North District School Board convene a new Accommodation Review Committee for the junior kindergarten to grade 12 mega school

RE: Request to Province to endorse 9-8-8 crisis line initiative

[09] TOWN OF MONO

RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities

[10] TOWNSHIP OF THE NORTH SHORE

RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279

RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities

[10A] TOWN OF PARRY SOUND

RE: Resolution passed requesting that the Near North District School Board convene a new Accommodation Review Committee for the junior kindergarten to grade 12 mega school

RE: Request to Province for a base funding increase to fund an Associate Medical Officer of Health to support the Medical Officer of Health with the continual demands of 24/7 on call coverage that have been highlighted throughout the COVID-19 pandemic

- [11] CITY OF PORT COLBORNE  
RE: Request to Province to cease further consideration of eliminating Capital Gains Tax exemptions on Primary Residences
- [12] TOWN OF RAINY RIVER  
RE: Support for the Township of The Archipelago's resolution to call on the Province to pass Bill 279  
RE: Support for the Township of The Archipelago's resolution to ban encapsulated polystyrene products in public and private floating facilities
- [13] TOWNSHIP OF SCUGOG  
RE: Request to Province to cease further consideration of eliminating capital gains tax exemptions on primary residences
- [14] TOWNSHIP OF SOUTH STORMONT  
RE: Request to Province to cease further consideration of eliminating capital gains tax exemptions on primary residences  
RE: Request to Province to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with the disease
- [15] THE CORPORATION OF THE MUNICIPALITY OF ST. CHARLES  
RE: Request to Province that Municipalities be allowed to have a charge applied to all land transfers within their boundaries and that this amount go directly to Municipality.
- [16] TAY VALLEY TOWNSHIP  
RE: Request to Province to endorse the 9-8-8 crisis line initiative
- [16A] MUNICIPALITY OF TWEED  
RE: Support for the Township of The Archipelago's resolutions regarding Bill 279 and Bill 228.
- [17] SEGUIN TOWNSHIP  
RE: Resolution passed requesting that the Near North District School Board convene a new Accommodation Review Committee for the junior kindergarten to grade 12 mega school
- [18] TOWNSHIP OF WAINFLEET  
RE: Request to all levels of government to consider funding support to aid the Township of Wainfleet in managing invasive Phragmites

**FIRST NATIONS**

[19]

**RATEPAYERS' ASSOCIATIONS**

[20]

**RATEPAYERS/OTHERS**

[21]

**AGENCIES**

[21A] DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD  
RE: Chief Administrative Officer's Report July 2021

[21B] THE FRIENDS  
RE: Summer 2021 Newsletter

[22] NORTH BAY PARRY SOUND DISTRICT HEALTH UNIT  
RE: Public Health Funding 2022 Ltr and Motion to Minister of Health  
RE: Get the First COVID-19 Vaccine Available to You for Your First and Second Dose  
RE: Health Unit Declares COVID-19 Outbreak at Faith Chapel  
RE: Being Fully Vaccinated Against COVID-19 is About More Than Just You  
RE: COVID-19 outbreak declared over at the North Bay Jail

[23] PARRY SOUND AREA CHAMBER OF COMMERCE  
RE: Letter from Chamber Executive Director thanking the Township for their monetary donation in 2021

[23A] PARRY SOUND PUBLIC LIBRARY  
RE: Financial Statements for the year ended in December 31, 2020

[24] WEST PARRY SOUND HEALTH CENTRE  
RE: COVID-19 Update – June 21 2021, Number 61

**PLANNING**

[25] TOWNSHIP OF THE ARCHIPELAGO

**PLANNING BOARD**

[26]

**ENVIRONMENT**

[27] NUCLEAR WASTE MANAGEMENT ORGANIZATION (NWMO)  
RE: Letter to the Reeve regarding NWMO booth at AMO

**MISCELLANEOUS**

[28]

# The Township of The Archipelago Strategeic Plan Update 2021



There are many great things happening in Township of The Archipelago, and we are excited to report back on the progress we have made with the Township's Strategic Plan. We have refined our strategic principles and priorities created through our previous community discussions, and we are now eagerly working on developing actions that align with our mission and goals. This will help set the foundation and pave the way for TOA's continued success as we move forward.

We are delighted to share this high-level look at our vision, mission, values and strategic priorities. If you have any additional questions about the Strategic Plan, please contact John Fior, CAO at the Township of The Archipelago at 705-746-4243 ext. 303.

## OUR MISSION

To preserve the unique and high-quality natural environment, leading to an experience that is both relaxing and aesthetically appealing to all, and as a community we share the responsibility of attaining this mission.

## OUR VISION

The TOA in partnership with its community will ensure the continued guardianship of the Georgian Bay shoreline and its inland lakes and watershed areas.

## OUR CORE VALUES

### **Governance and Leadership:**

We lead by example by providing good governance and valuing transparency and accountability in our actions.

### **Equitability and Respect:**

We treat each other and others with respect, integrity, openness and fairness.

### **Environmental Guardianship:**

We protect and preserve our natural environment as one of our highest priorities.

### **Advocacy:**

We take a leadership role in the education, promotion and advancement of environmental protection, sustainability and awareness.

### **Community and Heritage:**

We uphold and enhance the unique character, heritage, values, philosophy and independence of our community through open communication, engagement, and community pride.



## Strategic Priorities



### **Protect & Preserve**

Adhere to the Township's mission and values centered on the continued preservation and protection of the Georgian Bay shoreline, inland and watershed areas through environmental initiatives, including prevention and removal of invasive species, responsible land use and controlled development.



### **Sustainable & Cost-Effective Services**

Deliver services and maintain infrastructure to meet the needs of the community in a manner that is responsible, sustainable, efficient, cost effective and observes the established mission, vision, values and beliefs of the Township of The Archipelago.



### **Effective Relationships & Partnerships**

Continue to strengthen and maintain relationships with internal and external stakeholders including neighbouring municipalities, Indigenous communities, community associations, other levels of governments and organizations.



### **Leadership & Communications**

Providing strong leadership through good governance, responsible decision making and open communication to encourage collaboration and develop solutions that are mindful of collective interests and aligned with the values and beliefs of the Township of The Archipelago.

**THE CORPORATION OF  
THE TOWNSHIP OF THE ARCHIPELAGO  
BY-LAW NO. 2021-**

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A By-law to amend By-law 07-19, being a By-law  
to control noise within the Township of The Archipelago

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**WHEREAS** the Council of the Corporation of the Township of The Archipelago enacted By-law 07-19 on March 23<sup>rd</sup>, 2007 to regulate noise in the Township of The Archipelago;

**AND WHEREAS** Council deems it expedient to amend By-law 07-19 with respect to the definition of noise;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO ENACTS AS FOLLOWS:**

1. By-law 07-19 is hereby amended by deleting Section 1.11 in its entirety and replacing it with the following:

1.11 Noise

"noise" means sound, that at the point of reception is likely to disturb the inhabitants;

**READ and FINALLY PASSED in OPEN COUNCIL this 16<sup>th</sup> day of July, 2021.**

**THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO**

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Bert Liverance, Reeve

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Maryann Weaver, Clerk