



**A G E N D A**  
for the  
**COMMITTEE OF ADJUSTMENT**

Friday, October 25<sup>th</sup>, 2019

**11:00 a.m.**

at

Township of The Archipelago, Council Chamber  
9 James Street, Parry Sound, ON P2A 1T4

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1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF AGENDA**

19-10-ADJ-

**NOW THEREFORE BE IT RESOLVED** that the agenda for the October 25<sup>th</sup>, 2019, Committee of Adjustment hearing be approved.

3. **DISCLOSURE OF CONFLICT OF INTEREST**

4. **ADOPTION OF MINUTES**

19-10-ADJ-

**NOW THEREFORE BE IT RESOLVED** that the minutes of the Committee of Adjustment hearing held on September 20<sup>th</sup>, 2019, be approved as circulated.

Pages: 1 – 3

5. **DELEGATIONS**

Nil

**6. HEARING OF APPLICATIONS**

- i) **STRATOS LIMITED – Application No. A08-19**  
Island No. 400A, Parcel 17705 PSNS,  
in front of the geographic Township of Harrison

**CIVIC ADDRESS: 1 A400 Island, The Archipelago**

Pages: 4 - 16

**PURPOSE AND EFFECT OF THE APPLICATION:**

The owner is seeking relief from Section 6.1.3 e) Minimum Front Yard Setback, of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that the minimum front yard setback shall be 7.5 metres (25 feet).

The purpose of the proposed application is to allow for a 23.8 square metre (256 square feet) addition onto the existing 15 square metre (161 square feet) sleeping cabin, that will require a variance of 1.7 metres (5.6 feet).

The effect of the proposed variance would be a 38.8 square metre (417.7 square feet) sleeping cabin, having a front yard setback of 5.8 metres (19 feet).

**7. CORRESPONDENCE**

Nil

**8. UNFINISHED BUSINESS**

Nil

**9. ADMINISTRATION**

Nil

**10. ADJOURNMENT**

**NOW THEREFORE BE IT RESOLVED** that the Committee of Adjustment hearing of October 25<sup>th</sup>, 2019, be discontinued at \_\_\_\_\_ .

**MINUTES**  
of the  
**COMMITTEE OF ADJUSTMENT HEARING**  
for the  
**TOWNSHIP OF THE ARCHIPELAGO**

held on  
**Friday, September 20<sup>th</sup>, 2019**

at  
**The Township of The Archipelago's Council Chamber**

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**MEMBERS PRESENT:**

P. Frost - Chair  
L. Emery  
G. Andrews  
E. Manners  
S. Sheard  
D. Ashley  
A. Barton  
B. Liverance  
I. Mead  
G. Walker

**STAFF PRESENT:**

C. Henderson, Secretary-Treasurer  
J. Nawroth, Assistant Secretary-Treasurer  
N. Bellchamber, A/Chief Administrative Officer  
M. Weaver, Clerk  
M. Kearns – Manager of Operational Services

**APOLOGIES:**

1. **Meeting Called to Order**

The meeting was called to order at 11:03 a.m.

2. **Approval of Agenda**

**Resolution 19-09-ADJ-01**

Moved by B. Liverance  
Seconded by G. Andrews

**NOW THEREFORE BE IT RESOLVED** that the agenda for the September 20<sup>th</sup>, 2019 Committee of Adjustment hearing be approved as circulated.

**Disposition Carried**

**3. Disclosure of Conflict of Interest**

NIL

**4. Adoption of Minutes**

**Resolution 19-09-ADJ-02**

Moved by L. Emery  
Seconded by B. Liverance

**NOW THEREFORE BE IT RESOLVED** that the minutes of the Committee of Adjustment meeting held on July 19<sup>th</sup>, 2019, be approved.

**Disposition Carried**

**5. Delegations**

Nil

**6. Hearing of Minor Variance Applications**

- i) **GRAFF, Linda and ALLEVATO, Anna – Application No. A07-19**  
Concession 4, Part Lot 27, being Parts 5 & 6 on Plan 42R-6895, designated as Parcel 9327, PSNS, in the geographic Township of Harrison

Pointe au Baril Station Neighbourhood

**CIVIC ADDRESS: 98 South Shore Road**

**PURPOSE AND EFFECT OF THE APPLICATION:**

The owners are seeking relief from Section 5.22 c) vi) of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which prohibits the expansion or enlargement of legally, non-complying accessory buildings.

The purpose of the proposed application is to allow for the reconstruction of the existing 52 square metre (561.6 square feet) utility building/workshop, and add on a 22.3 square metre (240 square feet) carport.

The effect of the proposed application would be the reconstruction of the utility building/workshop with the addition of a carport, at a maximum size of 74.3 square metres (802 square feet).

Cale Henderson; Secretary Treasurer, explained the nature of the application. Ms. Graff and Ms. Allevato were in attendance in support of the application.

**Resolution 19-09-ADJ-03**

Moved by G. Andrews  
Seconded by I. Mead

**NOW THEREFORE BE IT RESOLVED** that Application No. A07-19, to grant a variance from Section 5.22 c) vi), to allow for the reconstruction of the utility building/workshop with the addition of a carport, at a maximum size of 74.3 square metres (802 square feet), be approved.

**Disposition Carried**

**7. Correspondence**

Nil

**8. Administration**

Nil

**9. Unfinished Business**

Nil

**10. Adjournment**

**NOW THEREFORE BE IT RESOLVED** that the Committee of Adjustment meeting of September 20<sup>th</sup>, 2019, be discontinued at 11:17 a.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE



**TO:** Chair Frost and Members of the Committee of Adjustment  
**FROM:** Cale Henderson, Manager of Development & Environmental Services  
**DATE:** October 25, 2019  
**RE:** Minor Variance Application A08-19  
(Stratos Limited)  
**LOCATION:** Island A400, Pointe au Baril Islands

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**RECOMMENDATION**

Staff recommends that Application No. A08-19 be approved.

**PROPOSAL**

The owner is seeking relief from Section 6.1.3 e) Minimum Front Yard Setback, of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that the minimum front yard setback shall be 7.5 metres (25 feet).

The purpose of the proposed application is to allow for a 23.8 square metre (256 square feet) addition onto the existing 15 square metre (161 square feet) sleeping cabin, that will require a variance of 1.7 metres (5.6 feet).

The effect of the proposed variance would be a 38.8 square metre (417.7 square feet) sleeping cabin, having a front yard setback of 5.8 metres (19 feet).

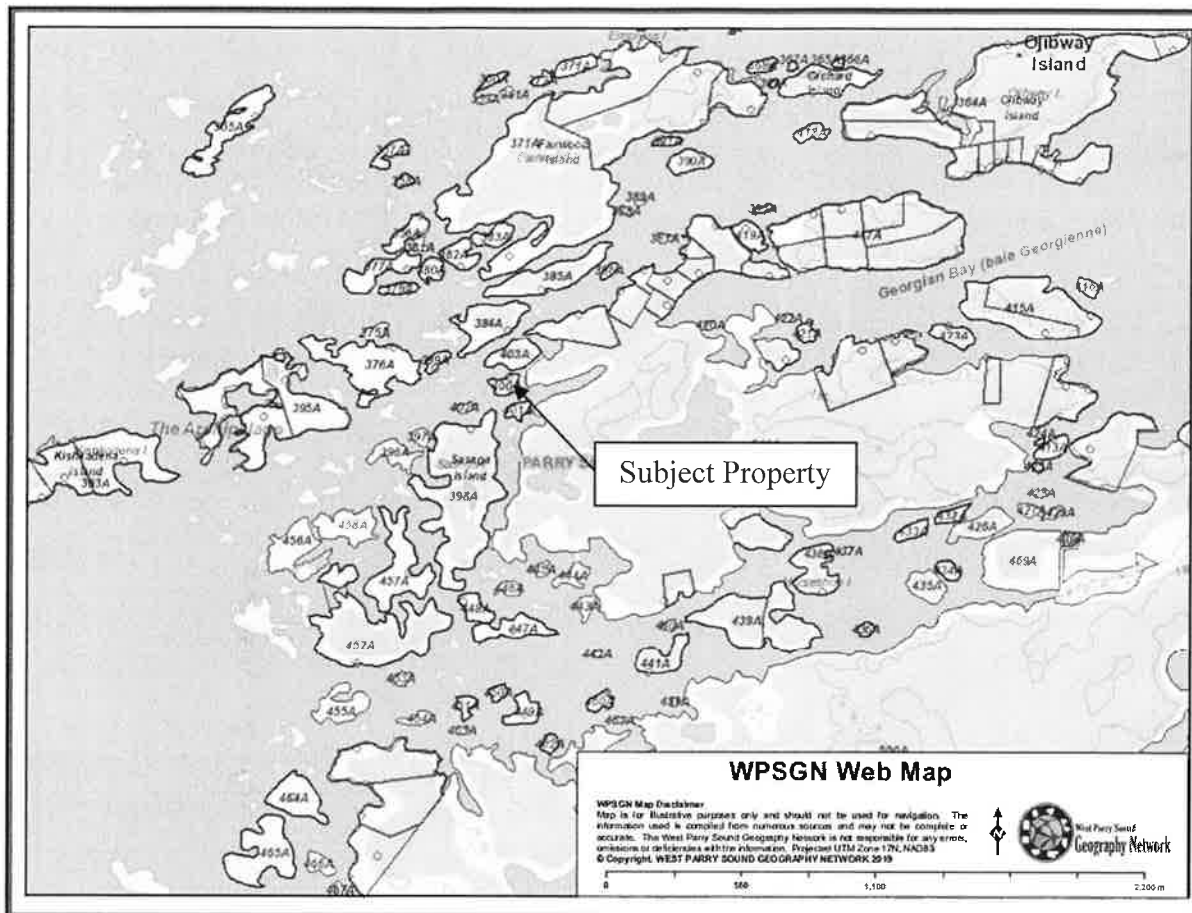
	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
<b>Front Yard Setback</b>	7.5 metres (25 feet)	5.8 metres (19 feet)	1.7 metres (5.6 feet)

A copy of the application is attached as Appendix A.

**PLANNING INFORMATION**

Official Plan Neighbourhood: Pointe au Baril Islands  
By-law No. A2000-07: Coastal/Island Residential (CR)  
Existing Uses: Residential  
Property Size: 0.49 ha (1.2 ac)  
Access: Water Access

## LOCATION MAP



## ANALYSIS

### Property Characteristics

Staff inspected the subject property on September 23<sup>rd</sup>, 2019. The property is a single ownership island, located on along Ugo Igo Channel. The island is characterized as a modest sized island, with a barren rock shoreline and a limited amount of vegetation. The property is developed with a main dwelling, sleeping cabin and other accessory structures.

### Planning Act Requirements

When considering this application, the Committee must consider the four tests as outlined in Section 45(1) of the Planning Act, R.S.O. 1990, as amended, which states that the Committee be of the opinion that the variance:

- a) is minor in nature;
- b) is desirable for the appropriate development or use of the land, building or structures;
- c) maintains the general intent and purpose of the Zoning By-law; and,
- d) maintains the general intent and purpose of the Official Plan;

The application must meet all of the above tests.

**i) Official Plan**

The Official Plan recognizes the importance of the waterfront area to the Township with the goal to preserve the unique and high quality of the natural environment which leads to an experience that is aesthetically appealing to property owners and visitors who use the area. Policy establishes that built form is to be secondary to the natural character of the area and should not be a dominant form on the landscape.

To this end, section 14.21 of the Official Plan states:

*'The aesthetics of the Township's waterfront lands will be preserved using detailed land use regulations and control during the consent, subdivision, site plan and building application processes. Principles that will be applied to afford a measure of aesthetic control will include: screening, setbacks and building locations.'*

In addition, Section 14.22 of the Official Plan States:

*'New buildings and structures will be sited to minimize their impact on existing development so that maximum privacy is provided.'*

The sleeping cabin, per the building permit record, is setback 7.5 metres and the addition is partially screened by existing vegetation. The location of the sleeping cabin is on the north side of the island, fronting an island zoned Natural State Conservation (NSC). Due to the location, existing screening and lack of development in the surrounding area, the addition does not appear to have a significant impact on the aesthetics of the area. Further, the addition does not appear to impact existing development and privacy is maintained.

Conclusion

The proposed variance appears to maintain the intent of the Official Plan.

**ii) Zoning By-law**

The subject property is zoned Coastal/Island Residential (CR) in Comprehensive Zoning By-law No. A2000-07, as amended. Within the Coastal/Island Residential Zone, Section 6.1.3 e) stipulates that the minimum front yard setback shall be 7.5 metres (24.6 ft).

The existing sleeping cabin complies with all the requirements of the Comprehensive Zoning By-law. The proposed addition will encroach into the front yard, requiring a reduction in the front yard setback requirement from 7.5 metres (25 feet) to 5.8 metres (19 feet).

A front yard setback within a waterfront area is normally included in a zoning by-law to provide separation for privacy, for visual amenity (particularly from the water), water quality and environmental protection. There does not appear to be any environmental impacts from the reduced setback, as the development will be on barren rock, and will not require any removal of trees or site alteration. Further, due to the location of the sleeping cabin and existing vegetation, the proposal does not appear to have any significant visual impacts.

Conclusion

The proposed variance would appear to maintain the general intent of the Zoning By-law.

**iii) Desirable for Appropriate Development**

The proposal will result in a 23.8 m<sup>2</sup> (256 ft<sup>2</sup>) addition onto an existing 15 m<sup>2</sup> (161 square feet) sleeping cabin. The addition has been identified as a 'living room' addition, as a result will not result in an increase in daily design flows to the existing Class V holding tank.

The only other location for the sleeping cabin would be on the western, more exposed side of the island. As a result, the existing location and the proposed addition would appear to result in the least amount of impacts on the surrounding area.

Conclusion

The proposed variance can be considered to represent appropriate development.

**iv) Minor in Nature**

There is no precise definition as to what constitutes minor. Minor is a relative term and must be interpreted in the particular circumstances involved and in conjunction with the other tests.

The applicant is proposing a variance of 1.7 metres (6 feet) or 23 percent from the required setback for sleeping cabins. Below is a table summarizing the proposed variance:

	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
<b>Setback</b>	7.5 metres (25 feet)	5.8 metres (19 feet)	1.7 metres (6 feet)

Due to the location of the addition, being on the north side of the island, fronting an inner bay between the subject property and Island 403A, which is privately owned, vacant and zoned Natural State Conservation (NSC), the proposal does not appear to have any significant impacts.

Conclusion

The proposed development can be considered to be minor in nature.


**COMMENTS**

No correspondence has been received. Any comments received prior to the October 25, 2019 meeting will be made available at the Committee of Adjustment.

**CONCLUSIONS – MINOR VARIANCE**

- 1) The requested variance appears to conform to the intent of the relevant Official Plan policies.
- 2) The requested variance appears to maintain the intent of Comprehensive Zoning By-law No. A2000-07, as amended.
- 3) The requested variance appears to be considered to allow for appropriate residential development.
- 4) The requested variance appears to be minor in nature.

Respectfully submitted,



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

**APPENDIX 'A'**  
**Application**

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

# Committee of Adjustment Application

Application for Minor Variance or for Permission  
 under Section 45 of the Planning Act  
 R.S.O. 1990, c.P.13, as amended

OFFICE USE ONLY			
Date Received _____	Complete Application	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date Accepted _____	Applicable Fee Paid	<input type="checkbox"/> Yes	<input type="checkbox"/> No

TOWNSHIP  
 OF THE  
 ARCHIPELAGO  
 Application No. ADD-19  
 SEP 04 2019  
 PLANNING  
 BUILDING

**1. Applicant / Agent Information**

Name of Applicant / Agent

John Jackson Planner Inc.

Address

70 Isabella Street, Unit #110

City Parry Sound

Province / State Ontario

Postal / Zip Code P2A 1M6

Home Phone No. \_\_\_\_\_

Business Phone No. 705-746-5667

email JJPlan@cogeco.netq

**2. Owner(s) Information**

Name of Owner(s)

Stratos Limited

Address

City \_\_\_\_\_

Province / State \_\_\_\_\_

Postal / Zip Code \_\_\_\_\_

Home Phone No. \_\_\_\_\_

Business Phone No. \_\_\_\_\_

email \_\_\_\_\_

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

**3. Purpose and Type of Application**

Minor Variance from Comprehensive Zoning By-law

Permission to extend a legal non-conforming use

From what section of the Zoning By-law is relief being sought?  
 5.22 c) vi)

What is the nature and extent of the relief being sought?

Applicant wishes to construct a 4.9m x 4.9m addition on an existing sleeping cabin.

Why is it not possible to comply with the provisions of the Zoning By-law?

Zoning by-law does not allow additions to non-complying accessory structures. Proposed additions would result in a reduced front yard setback.

**4. Location and Description of the Subject Land** (Please provide a copy of the Transfer/Deed of Land)

Assessment Roll Number 4905-18000243800 Lot \_\_\_\_\_ Concession \_\_\_\_\_ Island No. 400A

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

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

Parcel No. \_\_\_\_\_ Other Description Shawanaga

**Dimensions of Subject Property:**

Depth (metres) ±50 Frontage (metres) 96 Hectares 0.49

**5. Land Use and Zoning**

What was the date of acquisition of the subject land? 2014

What are the existing uses of the subject land? Seasonal (Cottage)

How long have the existing uses been carried out on the subject land? 25 yrs.

What are the proposed uses of the subject land? Seasonal (Cottage)

What are the existing uses of abutting properties? Seasonal (Cottage)

What is the current Official Plan designation of the subject land? Waterfront

What is the current zoning of the subject land? Coastal/Island Residential (CR)

**6. Buildings and Structures** (on or proposed for the subject land)

EXISTING - List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
Dwelling	1995	6	121	121	11.5			
Cabin	1996	4	15	15	7			
Boathouse		4	22	22				
Dock 1				19				
Dock 2				49				
Dock 3				20				

PROPOSED - List all proposed buildings and structures				PROPOSED DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	# of Storeys / Height	Ground Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )	Front	Rear	Side	Side
Cabin Addition	4	23.8	23.8	5.8			

**7. Service Information** (check appropriate box)**Access**

- Provincial Highway     Municipal road, maintained all year     Municipal road, maintained seasonally  
 Other public road     Right-of-way     Water Access (see below)

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

If access to the subject land is by water, describe the parking and docking facilities and the approximate distance of these facilities from the subject land and the nearest public road.

Pointe au Baril Marinas

7. **Service Information (cont'd)** (check appropriate box)

**Water** (check appropriate box)

- Privately owned and operated individual well     Privately owned and operated communal well
- Lake         Other Means \_\_\_\_\_

**Sewage Disposal** (check appropriate box)

- Privately owned and operated individual septic system     Privy
- Privately owned and operated communal septic system     Other Means \_\_\_\_\_

8. **History**

Has the owner previously applied to the Committee of Adjustment for relief in respect of the subject property?     Yes     No        If yes, please provide Application No., if known \_\_\_\_\_

Is the subject property the subject of an application for approval of a plan of subdivision or a consent?

Yes     No        If yes, please provide Application No., if known \_\_\_\_\_

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

Location Plan

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

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

Site Plan

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

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

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

10. **Affidavit or Sworn Declaration**


Dated at the Town of Parry Sound this 4th day of Sept. 99 August, 2019

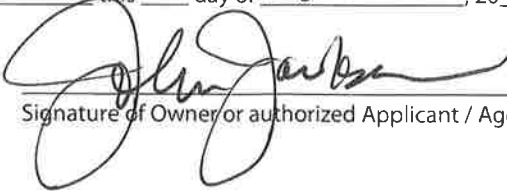
I, John Jackson of the Town of Parry Sound in the

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

DECLARED BEFORE ME at the Town of Parry Sound

in the District of Parry Sound this 4th day of Sept. 99 August, 2019.

  
A Commissioner of Oaths

  
Signature of Owner or authorized Applicant / Agent

**Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2021.**


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**11. Authorizations**

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

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

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

Date August 21, 2019 Signature of Owner 

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


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

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

**Authorization of Owner(s) for Agent to Provide Personal Information**

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

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

Date August 21, 2019 Signature of Owner 

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

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

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

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

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

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

Date August 21, 2019 Signature of Owner 

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

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

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



**Subject  
Property**



