# OFFICIAL PLAN

**of the**

# TOWNSHIP OF

# THE ARCHIPELAGO

**January 15, 2016**
**OFFICE CONSOLIDATION**
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# OFFICIAL PLAN

## of the

## TOWNSHIP OF THE ARCHIPELAGO

As approved by the Minister of Municipal Affairs and Housing on June 1, 1983

Including Official Plan Amendment No. 1 approved on June 19, 1984 (Housekeeping)

Including Official Plan Amendment No. 2 approved on November 14, 1984 (Oldfield)

Including Ontario Municipal Board Modifications approved in September, 1984 as per decision dated March 18, 1985

Including Official Plan Amendment No. 3 approved on April 25, 1986 (Crane Lake et al)

Including Official Plan Amendment No. 4 approved on November 24, 1986 (CIP)

Including Official Plan Amendment No. 5 approved on March 24, 1987 (Muma)

Including Official Plan Amendment No. 6 approved on April 23, 1987 (Cline)

Including Official Plan Amendment No. 7 approved on November 18, 1988 (Kalina)

Including Official Plan Amendment No. 9 approved on September 22, 1989 (Elliot)

Including Official Plan Amendment No. 12 approved November 12, 1996 (Boat Docking)

Including Official Plan Amendment No. 13 approved on September 20, 1990 (Naiscoot)

Including Official Plan Amendment No. 14 approved with modifications on January 10, 1996, save and except sections 11.2, 11.3 and 13.8 which were approved by the Ontario Municipal Board on October 28, 1999 and section 11.12 which was approved as modified by the Ontario Municipal Board on October 28, 1999 (Five Year Review)

Including Official Plan Amendment No. 15 approved on May 14, 1992 (Christou)

Including Official Plan Amendment No. 16 adopted on October 16, 1993 (LePage)

Including Official Plan Amendment No. 17 approved on January 28, 1993 (MacNiven)

Including Official Plan Amendment No. 18 approved on February 10, 1993 (O'Brian)

Including Official Plan Amendment No. 19 approved on February 26, 1993 (Lawson/Ketchum)

Including Official Plan Amendment No. 21 approved on October 25, 1993 (Payne)

Including Official Plan Amendment No. 22 approved on July 5, 1994 (Lawrence)
Including Official Plan Amendment No. 23 (Private Roads Amendment) approved with modifications on June 24th, 2005. Subsequently appealed to the Ontario Municipal Board. Decision of the Ontario Board dated October 19th, 2006 to approve, with additional modifications.

Including Official Plan Amendment No. 24 approved on July 29, 1997 (Grisdale)

Including Official Plan Amendment No. 25 approved on May 6, 1996 (Skerryvore Road)

Including Official Plan Amendment No. 28 approved on October 1, 1996 (Sandscliffe)

Including Official Plan Amendment No. 29 approved on November 27, 1997
(Rock Garden Camp)

Including Official Plan Amendment No. 30 approved on July 15, 1997 (M-301 Road)

Including Official Plan Amendment No. 31 approved on November 11, 1997
(Vankoughnett)

Including Official Plan Amendment No. 32 approved on July 30, 2002
(Crown Lot Additions)

Including Official Plan Amendment No. 34 approved on June 9, 1999 (Burandt)

Including Official Plan Amendment No. 37 approved on May 28, 2003
(Development Impact Study – Height By-law)

Including Official Plan Amendment No. 38 (Three Legged Lake Access) approved with modifications on August 5th, 2004.

Including Official Plan Amendment No. 39 (Dion/McMullen Road) approved with modifications on August 5th, 2004.

Including Official Plan Amendment No. 40 approved on June 5, 2002 (Olver Island)

Including Official Plan Amendment No. 41 approved on July 16, 2002 (Chippawa Island)

Including Official Plan Amendment No. 42 approved on November 3, 2003
(Lang and Martin)

Including Official Plan Amendment No. 43 (Wozny), appealed to the Ontario Municipal Board, and approved with modifications by OMB Order dated June 26th, 2006.

Including Official Plan Amendment No. 44 (Reiter) approved and in effect as of February 1, 2005.

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

Including Official Plan Amendment No. 46 (Cameron/Debogorski) approved, with modifications and in effect as of December 1, 2005.

Including Official Plan Amendment No. 47 (Island Size) approved and in effect as of December 9th, 2005.

Including Official Plan Amendment No. 48 (Rathlyn Island) as approved, with modifications, by Ontario Municipal Board Order dated October 7th, 2008.

Including Official Plan Amendment No. 49 (Harmonization of Planning) approved and in effect as of June 21st, 2006.

Including Official Plan Amendment No. 50 (Sleeping Cabins) approved and in effect as of December 2, 2008.

Including Official Plan Amendment No. 51 (Crane Lake Discovery Camp) approved and in effect as of September 4th, 2008.

Including Official Plan Amendment No. 52 (Water Access) approved and in effect as of December 2, 2008.

Including Official Plan Amendment No. 54 (Loewen/Cheslock et al) approved and in effect as of November 6, 2009

Including Official Plan Amendment No. 56 (Foster) approved and in effect as of September 14, 2010

Including Official Plan Amendment No. 59 (Boyne River Cottagers Association) approved and in effect as of May 21, 2015

**The following Official Plan Amendments have been adopted by the Township, but to date, have not been approved by the Ministry of Municipal Affairs and Housing:**

Official Plan Amendment No. 63 (Logan/Kingissepp) – adopted by Council September 18, 2015

**The following Official Plan Amendments have been proposed by the Township, but to date, have not been adopted by Council:**

Official Plan Amendment No. 61 (5-Year Official Plan Review)

Official Plan Amendment No. 64 (Creen/Cherepa – Healey Lake)

**The following Official Plan Amendments were abandoned, withdrawn or were not adopted by Council:**

Official Plan Amendment No. 8 (Aga Ming) - Not Adopted

Official Plan Amendment No. 10 (condominiums) – Abandoned

Official Plan Amendment No. 11 (Sandy Island) – Withdrawn

Official Plan Amendment No. 20 (Veach) – Abandoned

Official Plan Amendment No. 26 (Access Facilities) – Abandoned

Official Plan Amendment No. 27 (Natural State Conservancy) – Abandoned

Official Plan Amendment No. 35 (Hoes) – Not Adopted

Official Plan Amendment No. 36 (Skerryvore Access) - Abandoned

Official Plan Amendment No. 53 (Alternative Energy) – Abandoned

Official Plan Amendment No. 55 (Development Permitting System) – Abandoned

Official Plan Amendment No. 57 (Block 17, Plan M-544, Conger) – will be repealed by Council as part of the Township's Official Plan Review

Official Plan Amendment No. 58 (Dion) – Withdrawn

Official Plan Amendment No. 60 (Lindsay) – Not Adopted (appealed to OMB)

**TOWNSHIP OF THE ARCHIPELAGO**

**OFFICIAL PLAN**

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# THE OFFICIAL PLAN

# OF THE

# TOWNSHIP OF THE ARCHIPELAGO PLANNING AREA

## SECTION 1 - TITLE AND COMPONENTS OF THE PLAN

This Plan, when approved by the Minister of Municipal Affairs and Housing, will be known as the:

**"Official Plan of THE TOWNSHIP OF THE ARCHIPELAGO PLANNING AREA".**

The Plan applies to all of the lands and islands making up The Township of The Archipelago which was formed on April 1st, 1980 by Ministerial Order pursuant to the District of Parry Sound Local Government Act.

## SECTION 2 - PURPOSE OF THE PLAN

The Township of The Archipelago is comprised of all of the former unorganized geographic Township of Cowper and parts of the unorganized geographic Townships of Conger, Harrison and Shawanaga.

Prior to January 1st, 1980 the majority of the lands making up The Archipelago were subject to no land use controls while the Georgian Bay shoreline and islands were affected by a Minister's Order pursuant to The Public Lands Act.

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

## SECTION 3 – GOAL

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

## SECTION 4 – OBJECTIVES

The objectives necessary to fulfil the Official Plan Goal include:

**Primary Objective:**

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

**Secondary Objectives:**

2. Responding appropriately to the inevitable social and economic changes that will affect the demand for recreation in its many forms while maintaining a status quo philosophy in regard to the character of the present land use base;

3. Conserving the non-renewable resources such as fossil fuels and minerals where they exist;

4. Encouraging the continued supply of renewable resources by preventing their over-use;

5. Ensuring the compatibility of land and water usage;

6. Providing a limited, but efficient and convenient system of services designed and implemented for the distinctive water-based needs of The Archipelago Community;

7. Supporting those economic pursuits that are both complementary and necessary for the proper functioning of the recreational nature of the Municipality;

8. Preserving the natural landscapes of the Township by minimizing obtrusive building forms, particularly in areas where exposure is high because of topographic conditions and/or the absence of tree cover; and

9. Recognizing the specific interests and needs of some mainland areas relating to private roads, or access roads over Crown land, or extensions to existing roads, while respecting the above objectives.

## SECTION 5 – CONCEPT OF THE PLAN

### 5.1 Introduction

The Township of The Archipelago was created pursuant to The District of Parry Sound Local Government Act as a result of the Province's policy to extend, consolidate and strengthen local governments in the District of Parry Sound. The Municipality emerged from four previously unorganized townships on the east coast of Georgian Bay having a similar recreational land use character.

The Township consists of several thousand islands in Georgian Bay and a number of inland, freshwater lakes, all of which are used for recreational purposes either cottages or year-round residences. The lands in The Archipelago may be described as remote and sparsely populated. The essence of the Township is derived from its natural environment.

The local economy of the Township of The Archipelago results primarily from the natural resources of the area and the recreational base of the Municipality. Aside from those ancillary or incidental uses established in conjunction with the recreational nature of the Township, the true economic function relates to the passive recreational gains realized by the individual users of The Archipelago's environment.

The impetus for creating the Township of The Archipelago originated from a strong desire by its inhabitants and the Province to preserve its high quality recreational character and the natural environment. This Plan has been prepared within the context of the historical development of the area as well as its existing recreational development pattern.

### 5.2 Population Profile

The Township of The Archipelago consists of seasonal and year-round residents. The year-round residents comprise a small proportion (year 2003 – 512) of the total population (year 2003 – 12,800) of the Township and generally fulfil a service function to the recreational users of The Archipelago. The major concentrations of year-round residents occur in the communities of Pointe au Baril Station, Sans Souci and Woods Bay. The Municipality is to some extent dependent upon the district of West Parry Sound and Mactier for services, although they are located outside the Township.

In addition, there are a small number of year-round residents who make their living partly through the harvesting of natural resources such as fishing, trapping and timbering. It is not expected that this component of the year-round resident population will increase appreciably during the period of this Plan.

The year-round population is expected to remain stable or increase marginally, as servicing needs increase. There is an apparent modest increase in year-round residency expected for the community of Pointe au Baril Station, where there are seasonal shortages in the service sector of the local economy.

Such population increases as may occur in the year-round component of the Archipelago are likely to result from second generation residents wishing to maintain lifestyles similar to their parents. This Plan supports such development in response to both the needs and the desires of the year-round residents.

Improvements in technology, particularly in communications, are providing more individuals with the ability to live in remote areas. A number of year-round residents are currently operating professional businesses from dwellings originally used as cottages. It is expected that some growth in the year-round component of the population may be attributed to this phenomenon.

In 1990, there were approximately fifty additional residences in the Township of The Archipelago that were assessed on a year round basis in contrast to the decade before. By 2003, the number of assessed year round residences had increased by an additional 35. This additional year-round population is spread over a large number of neighbourhoods with the most significant increase occurring in the Pointe au Baril Station Neighbourhood.

A certain number of residents will continue to retire and become year-round residents in The Archipelago for the amenities it provides; some year-round residents may, in fact, convert to seasonal residency. In either case this number will be small and insignificant for the purposes of this Plan.

Regardless of the type of residential conversion that will occur, it will be impossible for the Municipality to know where and how often such conversions will take place.

The seasonal population of the Township is made up of two groups of cottagers. There is an original nucleus of adventuresome families who were augmented and succeeded by several subsequent generations. There are also the more recent families who represent a part of the "cottage boom" which took place in the 1950's and 1960's. Many of the latter, in this respect, may be considered as long term residents as well since some have been vacationing in the area for many years.

Short-term vacation use of the area is common and increasing, either for day-use or longer visits. This function is an important element in land-use planning in terms of the use or abuse of natural resources; the future of the service base; and in terms of privacy and quiet enjoyment for the residents. It is a legitimate function that must be handled so as to prevent land use conflicts and analyzed so that the capability of the area is defined and properly used.

There is a significant amount of boat traffic of a cruiser type in The Archipelago. These transient users of the land and water in the Township have an impact on all components of the environment. The presence of the transient boat traffic in growing numbers contributes to the increasing pollution of the water, the cost of waste disposal, and impacts upon private and Crown land. The impact of transient boat traffic requires that properly coordinated management plans be developed. Meeting this need is complicated by the fact that jurisdiction over Great Lakes waters is federal.

Despite the varying types of seasonal or cottage vacationers in The Archipelago, their expectations and pursuits are similar. This is a group of persons all seeking recreation of one form or another of a semi-wilderness variety on the numerous inland lakes or Georgian Bay.

### 5.2.1 Changes in Regional Economic Role

The Township has a substantial and increasing assessment base relative to most of the other municipalities in the District of Parry Sound. The Township is therefore a significant source of financial support at the local level for regional services and facilities including provincial services like District Social Services Assistance Board, health care and education. In spite of this, the Township makes minimal demands upon these regional services.

This pattern is expected to continue and intensify in the future. The Township of The Archipelago is therefore an important member of and it has a significant interest in the District of Parry Sound.

## 5.3 Current Pressures

Pressure for increased recreational use of the lands and waters of The Archipelago is inevitable. As leisure time increases and as urban living becomes the norm for greater proportions of the population, more people will seek recreational experiences in natural settings outside the cities.

Despite the increased costs associated with recreation in cottage areas, it is believed that the perceived benefits of this type of recreation will continue to outweigh the actual costs for some time to come (for some people). In addition, either despite these increasing costs or because of them, there will also be increased recreational use of the day-use facilities, lodges and Crown land in The Archipelago.

Demand for the use of Archipelago lands for recreational purposes will occur in the form of new lot creation on privately held land and the increased use of Crown land for public purposes. The goals and objectives of the Official Plan

should not be compromised to respond to these pressures. However, both patented and Crown lands must attempt to provide adequate opportunities to meet these demands. This Official Plan provides the appropriate policy to meet these needs during the period of the Official Plan.

Evidence of the demand for increased cottage use in The Archipelago occurs in the form of the number of applications for new lot creation and of applications for building permits for new development. These applications by themselves, however, are not good indications of the actual demand for the whole of the Township since other factors, including economic conditions, real estate market trends, individual preference and local amenities complicate the measurement of demand for new cottage lots.

During the past two decades, changes in the way some residents gain access to their properties have been identified. Different neighbourhoods may require individual solutions to their changing needs in response to a number of social, economic, physical and demographic conditions.

### 5.3.1 Development Background

The history of construction and the emergent patterns of development have been a major contributor to the appeal of the eastern Georgian Bay region. Building profiles have, for the most part, been low, building types have been modest and there has been extensive use of natural materials, allowing most construction to blend with the natural environment.

The natural environment is the predominant attraction of Georgian Bay cottaging and not the built form. Buildings merely facilitate an opportunity to appreciate the Bay for extended periods of time. The rudimentary buildings and shanties of a century ago stand witness to this phenomenon.

Minimizing building activity maximizes the “presence” of the natural landscapes.

The Georgian Bay recreational region is adjacent to the equally renowned Muskoka summer cottaging area. The tradition of Muskoka summer homes has evolved differently and contrasts significantly from that present in Georgian Bay. These differences relate to a large number of factors including access, history, isolation, climate, type of inhabitants, cottage function and building aspirations.

Muskoka cottage development is often characterized by much larger dwellings, more intensive use, the general availability of road access, the close proximity of adjoining lots, little Crown land, smaller lots, uniform tree canopies and full sized multi-purpose boathouses. Georgian Bay is a semi-wilderness region with a significant Crown land base. Buildings are generally small, dispersed and, for the most part, have modest profiles relative to the natural landscape. The

harsher climates and particularly ice environments make boathouse use less popular than on the Muskoka shoreline.

Second homeowners or cottagers in the Muskokas have traditionally emphasized social conveniences, allowing these cottage owners to enjoy a number of amenities also found in their urban environments. In contrast, the early cottager on the Bay was a heartier breed, often living in tents or shanties without plumbing, these cottagers sometimes took days to reach the Lake Huron cottage destination from Toronto, Collingwood or Penetang by steamer.

The “Bay” environment produced a cottage community with meagre expectations. Built form, by necessity, was limited and basic. The type of person that was attracted to the Bay was most interested in the natural splendours of the rugged outdoors and not the availability of services and modern living conveniences. Development activity on the Bay remained low to moderate for almost a century, catering to a special type of vacationer willing to sacrifice a great deal to be able to enjoy the Bay.

In the past thirty years, the heritage or tradition of Georgian Bay has been threatened by development pressures generated by an increase in the demand for second home communities close to the metropolitan areas. Further, increased leisure time, improved transportation technologies and significant rises in disposable incomes have created development pressures on areas of Georgian Bay for a new kind of building activity not seen before.

Some of the new development on Georgian Bay is characterized by those interested in maximizing building potential through the construction of thousands of square feet of living space, multi-storeyed dwellings architecturally designed to accent built form, at a level of opulence not seen before on the “Bay”. The shoreline of Georgian Bay risks being transformed into a conventional cottage community.

It is an accepted principle of the Georgian Bay community that the needs of the “built form” are basic and should be secondary to the preservation of the natural landscape of the area. To this end, rules and regulations have to be designed to properly reflect the heritage of what is the “Bay”. In particular, there are high impact areas where even more restrictions on the built form are necessary if they are to have any meaning in protecting this heritage.

The function of building restrictions in The Archipelago differs substantially from those in other municipalities. There is no attempt to achieve a uniform “streetscape” or promote homogeneous structural development. Rather, the emphasis is placed on protecting the environment and preserving the natural features of the area.

A regulatory system that is designed to minimize obtrusiveness, preserve the natural landscapes and respect environmental features must necessarily contain a high degree of restrictiveness. Although restrictions may inhibit specific forms of development or thwart certain people's development aspirations, they can, in a broader context, be considered an enlightened form of self-interest and a protection of private interests.

All of the interest groups that share the Bay, whether they be current landowners, visitors, aspiring cottagers and even the few development or realtor interests, share a common objective to preserve the distinct personality of the Georgian Bay. Development restrictions, therefore, are more readily accepted by the full spectrum of private and public interests. This concept of enlightened self-interest further distinguishes the Bay from other typical cottage areas.

There must be a strong recognition of the relationship between buildings and surrounding topography, exposure and vegetation.

No two properties in The Archipelago are alike. It is difficult to craft a regulatory regime to appropriately deal with all the combinations of building situations that may arise. The aim of the Official Plan must be to impose a reasonable set of controls which is sensitive to possible variations that are justified and necessary within predefined parameters.

Maintaining the Georgian Bay character is about limiting density as described in *Section 5.9* and limiting human activity. Density is not only measured in terms of the visual impact of built form, but it may also include the associated elements relating to social impacts: more people, more boats, more environmental consequences.

Height restrictions will assist in achieving harmony between buildings and the natural environment. Height restrictions are believed to be the principal tool for effectively mitigating the impact of new development. Height controls may be made more effective when supplemented with other planning tools including setbacks, lot coverage, and site plan requirements. In the first instance, height restrictions have been imposed and in the future, additional tools and procedures may be adopted to assist in achieving the goals and objectives of the Official Plan.

## 5.4 Land Tenure

The shoreline of the Georgian Bay in the Township of The Archipelago, the numerous islands in front thereof and the inland lakes provide a highly desirable recreational waterfront community. The scenic beauty of the natural landscapes generates a high level of appeal to both ratepayers and visitors to the area.

The majority of lands and islands that make up the Township of The Archipelago are held in the name of the Crown and are generally undeveloped. Appendix A to this Official Plan identifies the extent of the Crown land base within the Township of The Archipelago.

A significant contribution to this high level of appeal of the shoreline, island areas and inland lakes of the Township of The Archipelago is generated by the Crown land base that, for the most part, remains in its natural state. This creates a lower level of density or the perception of a lower level of density throughout much of the shoreline areas.

The single greatest concern of the ratepayers of the Township of The Archipelago is the potential for over development. Many ratepayers believe that many parts of the Township may already be overdeveloped.

There is a significant amount of developable land currently held under private ownership such that Council believes it will be adequate to respond to the pressures for new cottage development within the Township of The Archipelago over the period of this Official Plan.

It is understood that the present policy of the Ministry of Natural Resources, the agency responsible for administering Crown land, is not to dispose of any land in the District of Parry Sound for cottage development or recreational camps. Isolated dispositions for title corrections or for other purposes may be considered from time to time on the basis of individual merit.

It is further understood that local government land use planning documents are not binding on the Crown and the administration of its programs on Crown land. However, it is the position of the Ministry of Natural Resources that it will have regard for municipal planning policies as part of its program administration and program management.

To this end, The Archipelago would prefer to be more specific in its objectives on the future of the Crown land base on the shores of Georgian Bay within its jurisdiction. The Township feels that the maintenance of the Crown land base on Georgian Bay and on the inland lakes as undeveloped is essential to the preservation of the quality of the recreational experience in the community and the attainment of the Official Plan goal.

In the last several decades, there have been a number of significant changes and initiatives taking place on the Crown land base on the eastern shore of Georgian Bay. All of these initiatives recognize and contribute towards the management and conservation of the natural environment in response to the scenic beauty and recognized environmental sensitivity of this area.

These initiatives include the incorporation of previously unorganized territory into organized municipalities, the establishment of a Georgian Bay Recreational Reserve, the programs of the International Joint Commission, orders under the Public Lands Act regulating development on unincorporated portions of the eastern Georgian Bay shoreline, the Georgian Bay Land Trust Foundation Inc., the establishment of O'Donnell Point Provincial Park, Sturgeon Bay Provincial Park, French River Provincial Park, and The Massasauga Provincial Park, the establishment of Provincial management programs for certain Crown islands and shorelines, the heightened interest of ratepayer organizations and the umbrella organization along the Georgian Bay identified as the Georgian Bay Association and many advisory committees both formal and ad hoc to deal with the issues of navigation, environment, development and community concerns on the waters of Georgian Bay.

Although Crown owned land is unlikely to be developed for private recreational purposes there is little doubt that such land will continue to be used for public recreation purposes. Through local policies, the Municipality will need to influence the provision of facilities and the use of these public lands and waters in the interest of all recreational users.

## 5.5 Water Resources

The most vital element of the Township's character is the resource provided by the clean water of Georgian Bay and the numerous inland lakes. These waters provide the main source of drinking water for the Municipality; the recreational base which provides swimming, fishing, and boating; the primary transportation system; and are a major contributing factor to the aesthetic qualities of the region. The protection of the water resource is of paramount concern in The Archipelago since the quality of recreational life is directly related to the quality of this important resource.

The difficulty of accurately determining carrying capacities of waterbodies makes it impossible to predict the threshold levels of pollution related to development applicable to any given lake or area of Georgian Bay. This exercise is particularly elusive when one attempts to incorporate considerations for the more subjective aesthetic limits of an area. This Official Plan, despite the absence of absolute and clear cut technical data, must provide policy that safeguards the water resource as far as possible in light of its importance to the Township of The Archipelago. To this end, the Official Plan has no alternative but to use careful and tight controls and constant monitoring to measure cause-effect relationships.

There is known water quality deterioration caused by phosphorus and nitrate loading into lakes. While some of this polluting occurs naturally, various forms of development and water use contribute to the amount of nitrates and phosphates entering a waterbody. This Official Plan recognizes this relationship and

prescribes the appropriate development standards and policy that will minimize or eliminate man-made pollution.

There are three types of waterbodies in The Archipelago; the inland lakes, the waters of Georgian Bay and the rivers that flow between. While these three types of waterbodies have similar functions, their characters vary and will require somewhat different policy approaches. Georgian Bay lands are more remote and have a harsher climate. The inland lakes are characterized as being generally more accessible, having greater soil depths and providing a finite and confined area for which development capacities may be determined. The Official Plan, therefore, directs different policies to these distinctive areas.

## 5.6 Neighbourhoods

The Township of The Archipelago consists of approximately 100,000 hectares of land and an equal area of water within its boundaries. It is in this respect the largest municipality in the District of Parry Sound. It is seventy-five kilometres from the most southerly part of the Township to the most northerly. With the exception of Pointe au Baril Station, Skerryvore and certain sections of the inland lakes and parts of the Georgian Bay shoreline, the whole of the Township of The Archipelago is waterbased in the sense that access has customarily been by water.

Thus, the formation of the Township of The Archipelago has united a series of predominantly water-based neighbourhoods, all with similar physical characteristics and yet each having its own distinct activity patterns. These area features, whether found on the islands of Georgian Bay or on the inland lakes, require that individual attention be applied to the respective neighbourhoods in order to respond to individual density concerns and to support the provision of a minimal level of services for defined communities of interest. This, by necessity, is a central component of the Plan.

The Plan is interested in the existing development pattern of each neighbourhood to assist in determining the appropriate policy provisions for that neighbourhood in addition to considering water quality data, expressions of local preferences and development standards.

New development will be judged on the maintenance of the character of an area or, where possible, the rehabilitation of an area's character by prohibiting further development.

The generalized neighbourhood concept may be further refined to identify local or smaller neighbourhoods within each neighbourhood where patterns of development vary or where ecological concerns have greater significance on a micro level. Detailed development review must consider the potential

environmental and physical impact on the immediate area as well as on the generalized neighbourhood.

In addition to distinct density patterns, some individuals have evolving access needs and expectations. Some neighbourhoods have experienced pressure from these individuals to allow private roads, or access roads over Crown land, or extensions to existing roads within the community as a means of access to their property. Accordingly, procedures for dealing with applications for private roads, or access roads over Crown land, or extensions to existing roads and specific access policies for each neighbourhood have been included as part of this Plan to clarify the existing municipal policy with respect to access by private roads and access roads over Crown land.

## 5.7 Historical Development

The first settlers in the area of The Archipelago were interested in fur trading, lumbering and commercial fishing. Once these resources were substantially exhausted there was little remaining from which to make a living since agriculture was not practical and communications were poor.

During the latter part of the 19th Century sportsmen began to hear about the excellent fishing and hunting in the area and gradually a few camps and lodges were built. Generally these buildings were of simple wooden construction. There was almost no building of cottages during this period except on the islands in the vicinity of Pointe au Baril Station. The South Channel from Rose Point to Sans Souci was entirely wild and in the Sans Souci and Woods Bay Neighbourhoods there were almost no cottages. The principal recreations were fishing, hunting and enjoyment of the natural wild beauty of the area by camping and boating.

After 1900, with the coming of improved railway and steamship services, more cottages were built in the Pointe au Baril Neighbourhood and a number were built in the Sans Souci and Woods Bay Neighbourhoods. The pace of construction was relatively slow on comparatively large acreages. The cottages were constructed of local lumber and were for the most part simple in design and suitable for an informal lifestyle. The cottages varied in size but many were small. A substantial number of cottagers were Americans. All construction stopped during the First World War and did not resume until the 1930's and even then development was rather slow. After the Second World War, with the development of the reliable high speed outboard motor and the extensive improvement of provincial highways, the rate of cottage development greatly increased.

Around the turn of the 20$^{th}$ century Crown land in the Archipelago could be purchased from the Province at $10.00 per acre. There was no limit as to the number of acres one could acquire, and there were no conditions as to building

or the purpose of the purchase. Timber and mineral rights generally were reserved by the Crown and an area one chain in depth along the shoreline was frequently reserved for “fishery purposes”. On some of the larger parcels, shore road allowances were reserved. In due course the amount of Crown land which could be acquired by one person was limited to one island, and a condition requiring that a cottage be constructed on the property was imposed. The price of island and mainland property in the open market remained relatively low for a long time. About 25 years ago a major increase in price began and has greatly accelerated in the past 15 years. In 1963 the Province stopped the sale of all Crown land on the Great Lakes because of the danger of pollution from excessive development in the area and in order to stop uncontrolled speculation with property.

In 1972 the sale of Crown land for cottage lots, ceased also in the inland areas of the District of Parry Sound. This was done for a number of reasons. The passage of The Environmental Protection Act and the regulations made under its authority introduced development standards that made further recreational development on Crown land uneconomic. There was, as well, opposition to further Crown land development by private land developers. Finally, the information obtained from newly initiated lake planning studies indicated a need to limit development, and the completion of the cottage lot creation programme for the District of Parry Sound led the Province to formulate an official policy discontinuing the sale of all Crown land in the District of Parry Sound as stated in the Parry Sound District Land Use Guidelines approved in 1983.

The Archipelago’s Official Plan integrates a consideration for new development on the basis of historical ownership patterns. In Ontario all land subdivision is subject to Provincial land use controls under The Planning Act. The Archipelago Official Plan establishes a basic land use policy and a basic policy governing land severances, to preserve the fundamental character of this unique area.

## 5.8 Boating

Travel by boat in The Archipelago is the most common type of transportation. In addition to being a necessity, boating in a natural environment setting is also the major recreational pursuit. Boating in this context refers to the use of power boats, sail craft, canoes or kayaks. This characteristic of the Municipality is the factor that is responsible for establishing the truly water-based nature of The Archipelago. Waterways in The Archipelago are, in fact, its roads.

Jurisdiction over water use and regulation of navigation falls under the authority of the Federal and Provincial governments. The Municipality has little control over this fundamental feature of its character. Nonetheless, while the Provincial and Federal levels of government must take primary responsibility over water matters, it is expected that they work closely with area municipalities to

accomplish effective protection and management in the Georgian Bay archipelago. This Official Plan recognizes that relationship in its policy statements.

The use of Archipelago waterways by increasing numbers of boats originating inside and outside the Township is evident. The Municipality will be interested in ensuring the availability of services for watercraft for the convenience, safety, health and welfare of all residents and water users. In particular the Municipality is concerned about the increasing abuse of the waterways and will work closely with senior levels of government to maintain a high level of safety and environmental protection. This latter concern also relates to the increasing use of waterways by aircraft and land use problems related to that use.

The Municipality is becoming increasingly concerned over the large number of transient boaters who, because they become docked or anchored for long periods of time without adequate provision for waste disposal or other services, present potential land use planning problems. In order to effectively control these water users, the Township will assist the Provincial and Federal governments in whatever ways are at its disposal to ensure compliance with all boating regulations.

## 5.9 Density

Density, as a measurement of scale or degree of development as traditionally understood, has little meaning in The Archipelago. Nonetheless, the sparse amount or small scale of development in The Archipelago is its most unique and appealing characteristic.

One major way an impression of The Archipelago is formed is by boating excursions along the various waterways. A measure of density is obtained by the frequency with which one encounters human activity (cottages) or visual impact along the way. In this sense, waterways present an important element in the consideration of density control.

Along with the above approach for the consideration of appropriate densities, one must also have regard for physical suitability, vistas, degree of privacy and the scale of development in a particular area. This Official Plan thus provides a unique approach to the control of density.

## 5.10 Public Services

Because of the character of the Municipality, a limited number of services will be required to provide adequately for the ratepayers. This limiting of services not only has obvious financial benefits; it also preserves the character of the

Township. The Municipality need not fall into the trap of requiring more and more assessment to offset increased demand for additional services.

General economic prosperity following the recessions of 1980, 1982 and the minor one of the early 1990's, the effects of continued inflation and increasing demand have resulted in the phenomenon of a rapid increase in the assessment base and virtually automatic increases in levies for external regional services. These external forces increase the pressures on taxation within the Township, essentially to subsidize areas beyond it. In spite of these trends the Township wishes to adhere to its planning philosophy. The Township recognizes that if additional commercial or industrial assessment is pursued it could result in a permanent change to and deterioration of the environment.

Given the recreational nature of the Township, the existing level of services has proven to be satisfactory and few major extensions are likely to be required. This concept of the Municipality will be strongly adhered to in order to fulfil the goal and objectives of the Plan. The type and location of development expected in the Township will generally not demand increased public services and associated costs except in the Pointe au Baril Station Neighbourhood, where certain services may be provided in conformity with the Community Improvement Policies of this Plan.

All water supplies and sewage disposal systems within The Archipelago are presently privately owned. Adequate facilities are provided by the private sector to install and maintain these private systems. All future development should proceed by private systems and development standards will be governed accordingly.

There are a number of services provided by government agencies other than the Township. These include emergency services, navigational aid services, environmental protection services, education services and natural resources services. The Municipality recognizes the importance of these services and supports their continuation. It is understood that these agencies will continue with their programs for the benefit of all Canadians and Ontarians.

## 5.11 Natural Resources

The Archipelago is a showcase for the Precambrian Shield, having an area of rocky shores, islands, shoals, varying depths of water, large clean inland lakes and a vast amount of undeveloped and inaccessible land. The land, where soil exists, is heavily treed by mixed forests with a moderately broken topography all of which results in one of the most beautiful areas of the Province.

This land, however, can be considered extremely fragile with respect to its ability to withstand development. The shallow soils or barren rock provide little buffer from nutrient loading to the numerous waterbodies. Because this constraint upon development is so severe, it becomes a major consideration for the Township, notwithstanding the Provincial government's jurisdiction over the environment.

Because of the large amount of wilderness in The Archipelago, the Ministry of Natural Resources plays a primary role in local land use planning through its regional planning program. This Official Plan is consistent with resource-related Provincial Policy Statements; it also makes use of information from the Ministry of Natural Resources regarding resource production, provincial recreational, fish and wildlife management and land and water management. The Township will work closely with the Ministry of Natural Resources during its planning process to ensure that policy objectives are not working at cross purposes with Municipal policy objectives.

Despite the large amount of rural area that makes up The Archipelago there is very little active farming. The terrain and soil conditions render most farming impractical and it is unlikely that this primary economic pursuit will expand in The Archipelago Township. Agriculture will not be discouraged in the Municipality; however, it is recognized that any farming would be subordinate to the primary recreational nature of the Township. Therefore, agriculture will not be encouraged. The resources to be protected include water, forests, recreational lands, fish and wildlife, minerals and aggregates.

## 5.12 Transportation

Access to The Archipelago is obtained from Trans Canada Highway No. 69/400 that is generally located outside the Municipality. This Plan will promote safe travelling to and from this main corridor. These same objectives will apply to the Municipality's network of public roads.

The marine highways of The Archipelago are every bit as important as the road system. Primary, secondary and local channels are used for travel to and within the municipality. The principles that apply to development along major Township roads will be relevant in the case of marine highways.

The Township recognizes the important role that water access facilities such as marinas, resorts, and private land and public water access areas provide for residents of the Township. These areas are important ‘nodes’ and transportation interchanges which require careful consideration by this Official Plan and in municipal decisions.

This Plan contemplates no further extension to the Township's road network except for improvements and minor new road construction in the Pointe au Baril area. This coincides with the Municipality's servicing objectives and maintains the essence of the character of the Township. Since the Municipality will not be contemplating the provision of road access to cottages, it will be extremely important to maintain assured water access points.

The Plan recognizes that pressure will come for new roads to provide access to mainland properties. A steadfast policy against new roads will be devised to safeguard the above principles. Continued marina and public access will generate substantially fewer public sector costs from a financial, environmental and social point of view.

This Plan acknowledges the presence of private roads, or access roads over Crown land, or extensions to existing roads within the Township. In keeping with the water-based character of the Township, however, the Official Plan will not permit new private roads, or access roads over Crown land, or extensions to existing roads in their various forms, except as provided for in this Plan.

The creation of new private roads, or access roads over Crown land, or extensions to existing roads or extensions to same is not permitted except as provided for in this Plan. If applications for new private roads, or access roads over Crown land, or extensions to existing roads are made, this Plan includes policies that enable the Township to evaluate the appropriateness of any such applications.

## 5.13 Pointe au Baril Station

The community of Pointe au Baril Station is the principal concentration of year-round residents in the whole of The Archipelago. It serves as an area tourist service centre and is maintaining a stable or slightly increasing population base.

A number of principles characterizing The Archipelago are not likely to apply to the Pointe au Baril Station area. The year-round residents have more traditional community ambitions in contrast to the general recreational philosophy of the Township. The community wishes to promote environmentally sustainable development.

The concept of this Plan provides for Pointe au Baril Station as a special policy area because of its contrasting needs with the balance of The Archipelago. The policy addresses the special servicing function of the community regarding land use, the need for increased residential opportunities to meet growth demands, additional servicing needs for the primarily year-round population and protection of the natural environment, which has substantially greater strains imposed upon it by density of the Pointe au Baril Station population.

## 5.14 Skerryvore

Skerryvore is an area that has been developed along Shawanaga Bay with a large number of small back lots that were created by reference plans prior to subdivision control. Special policies are required to recognize unique history and planning issues associated with Skerryvore.

The potential density of Skerryvore, now only partly developed, may result in environmental problems, which may be partially mitigated through the use of planning policy and other tools. This Plan addresses these possible solutions for the protection of residents inside and outside the Skerryvore community.

## 5.15 The Eastern Georgian Bay Coast

Character

5.15.1 The Eastern Georgian Bay Coast is a unique area extending from Port Severn in the south to the French River in the north. It is an area in delicate balance, where special features of rock and water combine to create an extraordinary wilderness environment. This environment has led to a cottaging experience that contrasts significantly with the cottage experience associated with inland lakes. This difference in character is related to a number of factors such as the predominance of water access, history, isolation, climate, cottage function and built form. Unlike traditional areas, planning along the Coast tends to look away from the land base to the water.

The Eastern Georgian Bay Coast is part of a large open water system and an international waterbody. It is a water based community that crosses numerous municipal boundaries. All of the municipalities that share in the Eastern Georgian Bay Coast recognize the importance of the Coast and share a common vision for the Coast wherein the unique character of the Coast is preserved while recognizing its opportunities for growth and development that will continue to contribute to the high quality of life within the Eastern Georgian Bay Coast community.

Guiding Principle

5.15.2 The Eastern Georgian Bay Coast is an excellent ecological and cultural landscape that should be maintained, enhanced and restored, where necessary. The Coast incorporates important ecological values, supports vibrant seasonal and year round communities, provides excellent tourism/recreation opportunities, and fosters unique and valuable economies. The future for the Coast depends on careful integration of protection of ecological resources with maintenance and desirable development of communities and local economies.

Coordination and cooperation among municipal, provincial and federal governments and First Nations is essential. For this to be successful best practices and highest quality information for planning and management must be adopted and utilized, data and information sharing must occur openly and freely, and appropriate public processes must be encouraged.

Goal and Objectives

5.15.3 The goal of the Township of The Archipelago is the harmonization of planning policies along the Eastern Georgian Bay Coast and the realization of a single vision for the Coast wherein its unique character is preserved and development is appropriately managed and limited within the Township's portion of the Coast.

5.15.4 The Township of The Archipelago recognizes the Eastern Georgian Bay Coast as a single unique entity and commits to working with its partner municipalities along the Coast to ensure that a holistic approach to issues associated with the Coast is undertaken.

5.15.5 The Township supports the coordination of governments, agencies and organizations including First Nations to ensure that the best information is applied for responding to solutions and management practices along the Coast.

5.15.6 The Township is committed to addressing the complex, multi-jurisdictional issues of the Coast that relate to water use, water quality, water quantity, navigation and boating.

5.15.7 The Township will protect, preserve and enhance, wherever possible, the natural beauty, wilderness landscapes, sensitive ecosystems and important heritage and cultural resources along the Coast.

Protection of Coastal Values

5.15.8 The coast of Georgian Bay is an important ecological resource and provides essential ecological values that will be protected and enhanced.

5.15.9 The linked integrity of coastal terrestrial and aquatic ecosystems is recognized, and will be maintained, restored, and enhanced, where possible.

5.15.10 Cultural heritage values are an important component of the coastline and areas possessing or encompassing such values will be protected from incompatible uses or activities.

5.15.11 The aesthetic qualities and scenic features that define the cultural heritage landscape of the Coast will be identified and preserved.

5.15.12 Water quality is important for maintaining functioning ecosystems and for protecting human health; water quality will be maintained at a high level and improved where possible. The cross-jurisdictional nature of the watershed will be recognized in the formulation of water quality programs and in evaluating development or works for potential adverse impacts to water quality.

5.15.13 Efforts will be made through Coastal initiatives with other governments to preserve water quantity in terms of natural cycles.

5.15.14 The protection of night skies will be a priority along the Coast.

Community and Economic Development

5.15.15 The Eastern Georgian Bay Coast is a multi-function area highlighted by a diversity of users and interests. Planning will occur in a way that recognizes this multi-functionality within ecological and social capacities.

5.15.16 The Eastern Georgian Bay Coast crosses several municipal jurisdictions; any new uses will be compatible with surrounding uses and the broader vision for the Eastern Georgian Bay Coast and will adopt sustainable practices.

5.15.17 Access to coastal waterways is recognized as an important community and economic value that will be supported.

5.15.18 Marinas and marine service establishments are recognized for their essential role in the provision of access and other services to the area's residents and visitors and for their important contribution to local economies. These services will be preserved and encouraged, where possible.

5.15.19 Boating is a significant and essential component to the Eastern Georgian Bay Coast experience. Discussions with senior levels of governments will be encouraged and pursued to address issues of congestion, speed, pollution, noise and use.

5.15.20 A traditional mix of uses along the Eastern Georgian Bay Coast should continue.

5.15.21 Settlement areas along the Coast, such as Pointe au Baril, provide important functions and services to the surrounding waterfront and rural areas and will be recognized for their function, continued growth, higher densities, employment areas, and their evolving character as service, tourism, and business centres.

5.15.22 Settlement areas provide an efficient land use for such services amongst others as education, affordable housing, employment, and health care. Therefore settlement areas will be the focus of community growth and their viability promoted due to their importance to the goals and objectives for the Coast.

5.15.23 Outdoor recreation and tourism opportunities along the Coast can contribute to stronger, year-round, more diversified economies within coastal communities, and should be promoted within ecological and community capabilities.

5.15.24 Settlement area growth may be linked, where possible, to provision of municipal services, as well as character, function, location, heritage and other factors.

Implementation

5.15.25 The policies of this section shall be implemented through the combined actions of public and private interests.

5.15.26 The Township of The Archipelago will consult with the numerous organizations in addition to political jurisdictions that have an interest in coastal-wide issues including ratepayer organizations, land trusts, research councils, watershed planners/councils, joint commissions, education institutions and any other environmental or economic bodies having an interest in the Coast.

5.15.27 The Township of The Archipelago will continue to communicate with the Province on the Eastern Georgian Bay Coast to ensure that the Province's and the municipalities' vision and policies for the Coast remain in harmony with one another and to ensure that the appropriate mechanisms are in place to implement and enforce these Coastal protection policies.

5.15.28 The Township is committed to continuing to meet with its municipal partners and interest groups to monitor the success of the Guiding Principles for the Eastern Georgian Bay Coast and to review shared issues, problems and/or concerns facing the Coast.

## 5.16 2003/2004 Five Year Review

The Council of the Township of The Archipelago commenced its latest five year review of the Official Plan in the spring of 2003. This review includes an examination of current issues, problems and concerns related to the planning documents in the present planning framework for Ontario including the application of relevant Provincial Policy Statements.

In March, 2003, a questionnaire was circulated to all of the land owners in The Archipelago. There was a significant response rate of 45% or 1525 returned questionnaires.

From the responses of the property owners, the Township and the Official Plan appear to be strongly on the right track and in tune with the priorities of residents. There is strong support for the Official Plan goals, approaches, and core policies. There are no major areas of discontent that demand reform or "fixing". These findings suggest a high level of satisfaction with life in the current state of The Archipelago.

In general terms residents enjoy and are attracted to the relative peace-and-quiet, nature ("green"), aesthetical, and recreational cottage-getaway Quality Of Life attributes of The Archipelago.

The property owners' top priorities are preserving these attributes and placing restrictions on activities that do/might threaten them – especially residential/commercial/industrial development, density, and (often watercraft-based) disturbances to the idyllic setting described above.

The general consensus of the respondents is that the Township has struck the right balance with its density regulations – which are considered appropriate by a clear majority. The respondents felt that if these policies are revised, they should err on the side of stricter rather than more lenient specifications.

Overall, residents are supportive of the tested shoreline structures policies – consistent with their stated Quality Of Life priorities and an understanding of Archipelago life.

## SECTION 6 – LAND USE POLICY

### General

6.1 The following land use policies apply to all of the lands and water within the Township of The Archipelago with the exception of areas designated Environmentally Sensitive on Schedule “F”. In addition to the general land use policies contained in this section of the Plan, there are a number of general and specific policies affecting the use of land in the Planning Area as a whole.

6.2 The uses permitted within The Archipelago are those relating to water-oriented recreation including single detached cottages, single detached year round residences, existing recreational commercial and light industrial uses incidental or complementary to the recreational nature of the Township, and those uses associated with and necessary for the proper functioning of the recreational community of The Archipelago. In addition, resource-based uses including agriculture, lumbering, trapping, fishing and hunting and new pits and quarries including wayside pits and quarries are permitted.

Notwithstanding the above permitted uses, existing single detached dwellings in the Pointe au Baril Station Neighbourhood may be converted to allow accessory apartments subject to complying with the provisions of the Comprehensive Zoning By-law and obtaining the necessary approvals from provincial agencies. Accessory apartments will also be permitted within existing lawful commercial uses subject to satisfactory servicing.

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

### Residential Policies

6.4 This Plan makes no distinction between cottages and year-round residences for the purpose of regulating land use. While residential conversions from seasonal to year-round use or vice versa are permitted in The Archipelago, they are subject to all other policies of this Plan. The provision of municipal services will not be affected by the conversion of residential use from seasonal to year-round. Municipal services are generally limited to those being provided at the date of Council adoption of this Plan. Without limiting the application of a relevant section of the Official Plan, municipal servicing policies are specifically addressed in *Section 11*.

This limited-service policy allows the Township to have an open or unrestrictive cottage conversion policy. The Township is isolated from major urban or employment centres and the absence of year-round-oriented services preserves the natural seasonal character of the Township.

6.5 Home occupations may be a permitted use subject to the provision of the Zoning By-law implementing this Plan. Home occupations will include trapping. The principal use of any lands qualifying for home occupation use must be residential.

6.6 The permitted residential uses are to be restricted to single detached dwellings with some provision for isolated accessory apartments in Pointe au Baril Station. The planning approach in the Township has evolved in recognition of the extremely sensitive water and land based environments. The development of more intensive forms of residential recreational uses, including multiple-unit buildings and structures often associated with condominium and time-share facilities, is inconsistent with this fundamental planning principle and therefore, such uses are prohibited.

## Commercial Policies

6.7 Existing commercial uses are recognized as permitted uses and as providing necessary and essential services to the inhabitants of the Planning Area. These commercial facilities represent a variety of types and intensities of land use. The number of existing commercial facilities has been deemed to be adequate for the present level of development in the Township. The need for commercial services, however, is likely to increase in response to further cottage development or extensions to existing tourist commercial establishments. In the meantime, the survival of these existing commercial facilities is vital to the proper servicing of the present residents and Council will support the continued existence of these facilities so long as the goals and objectives of The Archipelago's Official Plan are met.

Existing commercial and private club uses are those zoned in an approved zoning by-law implementing the policies of this Plan and that have operated on an ongoing basis since the incorporation of the Township.

6.8 In accordance with *Section 6.7* above, there may be enlargements or extensions to existing commercial or private club operations provided that the basic purpose of the establishment does not change. However, no alteration in the type of commercial use is permitted without an amendment to the Zoning By-law.

Further, the high level of concern for the environment and the desire to maintain the local character of various neighbourhoods require that there be a limited amount of expansion or increase permitted at existing commercial or private club operations. Therefore there will be no increase in density, intensity or amount of

commercial or private club use within any commercial or private club zone beyond the level set out in the Comprehensive Zoning By-law as of the date of Council's adoption of this Official Plan Amendment as measured by such factors as land area, number of units, size of structures and/or the number of persons that can be accommodated. This policy of limiting commercial expansion will not apply to the Pointe au Baril Station Neighbourhood.

6.9 New commercial facilities that are proposed by amendment to this plan must be ancillary, subordinate and complementary to the primary water-based recreational function of the Township.

6.10 The establishment of new commercial uses is restricted within The Township.

Official Plan policies recognize however, that commercial marinas on Georgian Bay and larger inland lakes are needed to meet the water access needs of the residents of The Township.

An Official Plan Amendment, with all necessary supporting studies and reports, is required for the establishment of a new commercial marina, to demonstrate whether the proposal is necessary and appropriate. If an application of a proposed marina development or the expansion of an existing marina is made by a private citizen, the necessary supporting studies and reports would have to demonstrate, but are not limited, to the following:

- that the primary function of the commercial marina is to cater to the water-access needs of the residents of The Archipelago; and
- through assurances, that the commercial marina would not be converted to other commercial uses; and
- that there are no adverse impacts on the lands and waters through an environmental and planning study and/or report; and
- that there is a need for the new or expanded facility, through a compulsory market study; and
- that proper zoning is in place for the commercial marina, through a zoning by-law amendment; and
- that appropriate development standards are met, through the registration on title of a site plan agreement between the property owner and Council.

6.11 A zoning by-law amendment, with all necessary supporting studies and reports, is required for a major expansion to an existing commercial marina. A major expansion shall constitute any addition which would incorporate adjacent residential lands, Crown lands, and/or commercial lands not zoned for marina uses. If an application for an expansion is made to the Township, the planning review shall include, but not be limited to, the following:

- that the primary function of the commercial marina is to cater to the water-access needs of the residents of the Archipelago; and
- through assurances, that the commercial marina would be the primary commercial use and not be converted to other commercial uses; and
- that there is a need for the new or expanded facility;
- that there are no adverse impacts on the subject and adjacent lands and waters; and
- that appropriate development standards are met through the registration on title of a site plan agreement between the property owner and Council.

Council may require that the above issues be addressed through an appropriate study such as, but not limited to, an environmental study, a planning study and/or a marketing study.

6.12 Notwithstanding *Section 6.9*, there are a number of large-scale commercial recreational facilities that are deemed not to be appropriate, given the nature of The Archipelago. These include those types of establishments that do not depend solely upon the amenities of the natural environment or the provision of necessary services but are oriented toward facility-type tourist resorts.

For the purpose of this Plan, a facility-type tourist resort may include destination resorts, villas, timesharing facilities or any large-scale commercial complex that attracts its patrons on the basis of facilities provided rather than strictly on locational considerations.

6.13 Notwithstanding the commercial policies of this Plan, no new commercial tent and trailer facilities or the expansion of any such existing facilities will be permitted without an amendment to this Plan.

6.14 Notwithstanding the commercial policies of this Section, both the expansion of existing commercial development and the establishment of new commercial facilities in the Special Policy Area: Pointe au Baril Station will be subject to the policies set out in *Section 8*.

6.15 It was the policy of the Township that existing commercial operations be zoned for the commercial use specifically in existence on a property at the time of the formation of the Township on January 1, 1980.

Commercial properties were intended to be zoned in accordance with this existing use policy. However, there were a number of properties that had obtained commercial zonings on lands that were not actively used for commercial purposes. In addition, over the years a number of commercial uses ceased to operate or were abandoned as demand for services and market forces changed.

Development of these properties that were either pre-zoned for commercial use or that have had a former commercial use abandoned may present serious impacts upon a neighbourhood and could conflict with the goals and objectives of this Plan. In order to minimize these impacts and conflicts, commercially zoned properties will be carefully reviewed by the Township to determine the appropriate zoning in any updating of a Comprehensive Zoning By-law.

In general, lands currently zoned in a commercial zoning category in the Township's Zoning By-law and not currently used as part of an existing business operation at the time of passing of the Zoning By-law implementing this policy will have that commercial zoning removed and replaced with the appropriate zoning category or will be placed in a holding category in accordance with *Section 14* of this Plan.

Lands currently zoned in a commercial zoning category where the commercial use has been abandoned shall have the commercial zoning category removed and replaced with the appropriate residential zoning.

6.16 Notwithstanding *Section 6.15* above, the retention of the marine commercial land base in the Township, particularly on the inland lakes and the mainland shoreline of Georgian Bay, is important to the long term access needs of the residents of The Archipelago. Therefore, the rezoning of marine commercial land with significant shoreline on the mainland of Georgian Bay or the inland lakes will not be supported.

6.17 Further to Section 6.16, careful regard will be given to applications that seek to rezone waterfront commercial lands which would remove or restrict water access. Such a request must be submitted together with an appropriate planning report which must clearly demonstrate that the property is either unsuitable for the provision of water access or, if water access is provided, the applicants must demonstrate that access can be successfully gained elsewhere in the same area.

6.18 Commercial operations on inland lakes provide essential facilities for water-access properties. It is vital to the preservation of the character of the Township that these services be continued as an integral part of the inland lake neighbourhoods.

6.19 The Township prefers that existing commercial marina uses be the primary water access points. As such, if a property that is zoned in a commercial marina use ceases to operate its docking and parking facilities, the Township may seek means of having the operation continue.

6.20 Land division proposed on lands currently used and zoned for commercial purposes must be consistent with the neighbourhood land division policy set out in *Section 10*. In determining the density or nature of any land division of existing commercial lands Council will: evaluate the need for the change in land use;

determine the impact on adjoining lands and waters; and consult with local residents and organizations.

6.21 Throughout the Municipality there are a number of private clubs of varying sizes that approach commercial establishments in their scale and intensity of land use. This Plan recognizes and supports existing private clubs and lodges; however, no new facilities are contemplated or permitted without an amendment to this Plan.

Structural additions to existing private clubs may be permitted, subject to the limits set out in *Section 6.8* above, with the submission and approval of a site plan indicating the extent of the existing and proposed development on the lands controlled by the private club.

6.22 Notwithstanding Section 6.21 above to limit the creation of new private clubs, an exception may be made by Council for a group of residents to establish private water access facilities on inland lakes or Georgian Bay. Such a request must be made through an amendment to this Plan and should address the criteria established in Section 6.10 for new marina uses, but be adjusted in accordance with the scale of the proposal. Regardless, such applications should not be in conflict with or affect the viability of existing marina commercial uses in the area.

## SECTION 7 – ENVIRONMENTALLY SENSITIVE AREAS

### General

7.1 The natural features and ecological functions of the Township's natural environment, which contribute greatly to the Township's wilderness character, are paramount and will be protected.

7.2 Development within the Township will be encouraged to conform with the natural environment as opposed to the natural environment being altered to accommodate development.

7.3 The provisions of this Section of the Plan apply to specific environmentally sensitive lands, being those lands and waters consisting of wetlands, fish or wildlife habitats. The delineation of these sensitive areas has been identified from aerial photography, aerial shoreline videotapes, field inspections and Ministry of Natural Resources records. The environmentally sensitive areas identified to date are illustrated on Schedule "F".

7.4 This Section of the Plan will also include cultural heritage features which also contribute to the sense of character of the Township.

7.5 The identification of environmentally sensitive areas on Schedule "F" may be further refined, expanded or modified without formal amendment of the Plan as additional information becomes available, upon site inspection of individual properties or through supporting documentation submitted.

7.6 Council recognizes the importance and value of the environmentally sensitive areas and cultural heritage areas of the Township and supports the protection of these areas. In addition to these general policies, certain specific policies have been provided to address the specific types of environmentally sensitive areas.

### Wetlands

7.7 Wetlands within the Township have been identified as having provincial significance, local significance, or other minor wetlands and where evaluated, are generally identified on Schedule "F".

7.8 The following provincially significant wetlands have been identified through a specific evaluation procedure established and confirmed by the Province of Ontario. These provincially significant wetlands are identified on Schedule 'F' – Environmentally Sensitive Areas.

i) Sandy Island Wetland
ii) Naiscoot River Wetland

7.9 Locally significant wetlands may be identified through a municipal program, the development review process or by other means.

7.10 Other wetlands, not identified as provincially or locally significant, are also considered to have functional benefits and represent a constraint to development.

7.11 Prior to a development proposal proceeding, the Township may require that a wetland be evaluated in accordance with provincial evaluation procedures to determine its significance. Once the significance of the wetland has been confirmed, the applicable policies of this Plan will be applied.

7.12 Within identified provincially significant wetlands, the following development shall be prohibited: the subdivision of land, a change in land use, construction of buildings or structures, alteration of the water table, and the placing or removing of fill whether originating on the site or elsewhere. Uses and activities which benefit wetland features and functions, such as nesting platforms, would be permitted.

7.13 Prior to development or site alteration occurring on lands within 120 metres (400 feet) of a provincially significant wetland, a satisfactory site evaluation report shall be submitted demonstrating that there will be no negative impacts on the natural features or the ecological functions of the wetland.

7.14 Development may be permitted within a locally significant wetland or on lands within 120 metres (400 feet) of a locally significant wetland, subject to the submission of a satisfactory site evaluation report demonstrating that there will be no negative impact on the wetland's natural features or ecological functions.

7.15 Development may be permitted within other wetland areas, provided that Council is satisfied that the constraints associated with the wetland can be overcome without negatively impacting the integrity of the wetland. Council may require the submission of a satisfactory site evaluation report.

## Fish Habitat

7.16 The Ministry of Natural Resources has undertaken Fish Habitat Classification Mapping identifying locations of the following types of fish habitat:

Critical Habitats (Type 1) are those, which have high productive capacity, are rare, highly sensitive to development, or have a critical role in sustaining fisheries (e.g. spawning and nursery areas for some species, and ground water discharge areas).

Important Habitats (Type 2) are moderately sensitive to development and although important to the fish populations, are not considered critical (e.g. feeding areas and open water habitats of lakes).

Marginal Areas (Type 3) have low productive capability or are highly degraded, and do not currently contribute directly to fish productivity, such as a channelized stream that has been highly altered.

Unknown Habitat refers to areas where no information currently exists. Until specific information is generated, these areas should be treated in the same manner as Critical Habitats (Type 1).

7.17 A fish habitat assessment may be required by the Township prior to the consideration of a planning application, to confirm the actual location, extent and/or significance of the habitat for a specific area.

7.18 Fish habitat will be protected to ensure the long-term health of the Township's fisheries resource.

7.19 New lot creation or zoning applications to increase development rights will be considered only where at least 15 metres of the shoreline of the resulting lot or of the lot subject to the rezoning would not abut fish habitat that has been confirmed to be Type 1.

7.20 Development of existing lots whose entire shoreline abuts Type 1 fish habitat will only be permitted through authorization by the approval authority. Prior to any approvals, studies may be required to determine potential negative impacts of the development of such lots and potential mitigating measures to facilitate the development.

7.21 In order to protect fish habitat, setbacks for new development will be a minimum of 15 metres from Georgian Bay and warm water fish habitat and a minimum of 30 metres from cool or cold water fish habitat (Blackstone Lake, Crane Lake, Three Legged Lake, Spider Lake and Forget Lake).

If the subject lot has been evaluated and it has been demonstrated that there will be no negative impacts on the habitat, a reduced setback may be warranted.

7.22 Where Type 1 fish habitat abuts a portion of the shoreline of a lot, shoreline structures must be located outside of that habitat area. If, through a satisfactory fisheries habitat assessment, it can be demonstrated that there will be no negative impact on the habitat and the location is authorized by the approval authority, shoreline structures may be located in proximity to the habitat area and under direction of the approval authority.

7.23 The following lakes have been identified by the Ministry of Natural Resources as sensitive coldwater lake trout lakes:

- Blackstone Lake
- Crane Lake
- Forget Lake
- Three-Legged Lake
- the southern portions of Spider Lake, including those portions outside of The Massassauga Provincial Park that are at capacity.

7.24 New shoreline development will generally not be approved within 300 m of Forget Lake; the northern and southern basins of Three Legged Lake; and, those portions of Spider Lake outside of Massassauga Provincial Park, except under the following extenuating circumstances:

- all new tile fields are set back at least 300 metres from the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake;
- all new tile fields are located such that they would drain into the drainage basin of another waterbody, which is not at capacity; or,
- to separate existing, occupied dwellings, each having a separate septic system, provided that the land use would not change.

7.25 Increasing fishing pressures upon a finite resource and the potential habitat deterioration resulting from development will require Council to support the Ministry of Natural Resources in the management and maintenance of a viable fishery in The Archipelago. To this end, the Municipality has recognized that waterbodies have a limited capacity to sustain development and has therefore designed development standards that protect fishery habitats.

7.26 The Municipality endorses an inquiry into the relative benefits of the sports fishing industry and the commercial fishing industry and the adoption of appropriate regulations in accordance with the goals and objectives of this Plan and provincial programmes to improve sport fishing.

## Wildlife Habitat and Threatened and Endangered Species

7.27 In the Township of The Archipelago, there is habitat of endangered and threatened species and three known types of significant wildlife habitats: deer wintering habitat; habitats of species of special concern; and, habitats of species of conservation concern (including significant flora). The known locations of habitat of endangered and threatened species, and significant wildlife habitat are illustrated on Appendix E – Deer Wintering Areas.

It should be noted that due to the sensitive nature of most of these habitats (except deer wintering habitat), their detailed location and identification of the species remains confidential in order to protect the species.

7.28 A wildlife habitat assessment may be required by the Township prior to the consideration of a planning application, to confirm the actual location, extent and/or significance of the habitat for a specific area.

7.29 An identified significant wildlife habitat will be preserved and protected from incompatible development. In addition, the Township supports the preservation and protection of not only the habitat but also the wildlife species themselves.

New lot creation may only be permitted on lands adjacent to identified significant wildlife habitat where it has been demonstrated through a site evaluation report that there will be not negative impact on that habitat.

Where a minor variance application may be required for uses legally existing on the date of adoption of this Plan, a site evaluation report will not be necessary.

7.30 Development will not be permitted within significant portions of the habitat of endangered or threatened species and may only be permitted in the adjacent area where it has been demonstrated through a site evaluation report that there will be no negative impact on that habitat.

7.31 Council recognizes the importance of deer wintering areas within the Township. Special restrictions, such as larger lot size and restrictions on the removal of vegetation may be placed on new development within identified deer wintering areas.

New lot creation in deer habitat areas will only occur if each proposed lot has a minimum lot size of 90 metres wide by 90 metres deep. Where deer wintering habitat is restricted to a narrow fringe along the lakeshore, a minimum of 120 metres frontage is appropriate for new shoreline lots. In both of these areas, vegetation removal should be minimized.

A wildlife habitat assessment may be required to properly locate new development and site alteration to ensure that no negative impacts occur.

Should the area identified as a deer wintering habitat consist of legally existing residential built form, minor new development (driveways, sheds, garages, etc.), additions, or expansions may occur without the need of a wildlife habitat assessment.

Alternate lot sizes may be appropriate if an evaluation prepared by a qualified specialist has indicated that winter deer habitat does not exist and no limitations in this regard will be imposed on building locations or sizes.

7.32 The Township will seek the assistance of the Ministry of Natural Resources to properly manage Municipally owned lands where such lands have been identified as having significant wildlife habitat.

## Cultural Heritage

7.33 Cultural heritage areas refers to buildings, structures, shipwrecks, features, archaeological sites, remains and artifacts which have contributed to the historical development of the area and/or are culturally significant.

7.34 The conservation of cultural heritage areas, particularly built heritage and archaeological values, within the Township will be encouraged. Such conservation may include stewardship, education, or the use of the provisions of the Ontario Heritage Act.

7.35 Council recognizes that there may be areas containing archaeological potential within the boundaries of the Township. Archaeological potential areas are determined through the use of provincial screening criteria, or master plan mapping developed based on the known archaeological record and physiographical features within the Township. Such criteria include features such as proximity to water such as current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

7.36 Due to the water-based nature of the Township, archaeological remains of historic or prehistoric habitation may exist within the Township. Any significant archaeological resource or site identified may be preserved on site, to ensure that the integrity of the resource is maintained, or it may be systematically removed and documented through excavation only by licensed archaeologists.

7.37 The Township shall require archaeological impact assessments by archaeologists licensed under the Heritage Act, as a condition of development where development is proposed in the following areas within Township boundaries: In areas where there are known archaeological heritage resources; in areas within close proximity to an identified archaeological or heritage site; and/or in areas exhibiting archaeological potential. Section 48 of the Ontario Heritage Act will be complied with, regarding any alterations to known archaeological sites, that shall only be performed by licensed archaeologists. All assessments shall be undertaken and implemented to the satisfaction of the Province of Ontario.

7.38 Where a marked or unmarked cemetery is impacted by development, the appropriate ministries will be consulted and the provisions of the Ontario Heritage and Cemeteries Acts will apply.

7.39 The municipality shall have regard for the conservation of all significant cultural heritage resources during the undertaking of municipal public works or environmental assessment projects. When necessary, satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservation policies contained within this Plan.

**Site Evaluation and Implementation**

7.40 The extent of issues to be addressed within individual site evaluation reports may include some or all of the following, depending on the specific circumstances:

i) site specific information, such as a description of the lands, location, topographical features, drainage features and vegetation;

ii) description of the regional context of the site, including the surrounding land uses and environment;

iii) identification and analysis of the significant natural features, being wetlands, fish and wildlife habitat, and any other environmentally sensitive areas that should be preserved;

iv) identification and analysis of the environmentally sensitive feature for which the area has been identified;

v) description of the proposal, including:

- the extend of the proposal;
- compliance with the zoning by-law requirements;
- location and type of sewage disposal to service the proposal;
- location and extent of shoreline structures; and,
- provision of access;

vi) comments concerning the appropriateness of the site to accommodate the proposed development;

vii) identification of the potential impacts of the proposed development on the environmentally sensitive area and recommendations as to how such impacts can be avoided;

viii) identification of appropriate mitigation measures to be implemented; and,

ix) any other information, which may be necessary, in order to evaluate the proposal in such a way as to ensure that the environmentally sensitive area is preserved.

7.41 Appropriate planning tools will be used to ensure that the integrity of the Township's environmentally sensitive areas is protected and to implement the recommendations of site evaluation reports. This, amongst other approaches, may include:

i) increasing lot size requirements at the lot creation stage or through zoning requirements;

ii) requiring increased building setbacks through zoning;

iii) utilizing site plan control to specifically site buildings and structures, septic systems and access routes on a lot; and,

iv) requiring the retention of vegetation, where possible, in site plan or other agreements.

## SECTION 8 – SPECIAL POLICY AREA: POINTE AU BARIL STATION

### Location

8.1 *Section 8* applies to the entire area identified as Pointe au Baril Station on Schedule 'B'.

### Character

8.2 Pointe au Baril Station is the area within the Township of The Archipelago (Township) that contains the highest concentration of year-round population and, with its urban-like character, the community of Pointe au Baril Station is distinct from the balance of the Township of The Archipelago. Pointe au Baril Station functions as a service centre for the seasonal and year-round population in the northern part of the Township.

The village of Pointe au Baril Station has a rich history and a strong sense of community. It also provides essential services to the northern Archipelago-centred region including water access facilities, marine services, grocery stores, churches, medical facilities, a library, a community centre, a Chamber of Commerce, recreational facilities, retail services and other important community functions and services.

### Goals and Objectives

8.3 The goal for Pointe au Baril Station is to be the focal point of a beautiful community with a healthy natural environment and a sustainable local economy.

8.4 The following objectives are intended to be met in support of this goal:

- To protect the natural environment.
- To provide certainty to residents and investors regarding the planned land use structure of the Station.
- To provide opportunities for new businesses and employment in the Station.
- To provide additional mainland housing opportunities.
- To provide a detailed framework for land use in the areas identified for progressive change in Pointe au Baril Station.

### Environmental Management

8.5 The water quality of Sturgeon Bay has experienced increased eutrophication due to natural factors and human impacts. The entire community of Pointe au Baril agrees that water quality is key to sustaining the local economy and quality of life in Pointe au Baril Station. All new development, redevelopment or use of land will

have regard to the environment and will not adversely impact water quality in Sturgeon Bay.

8.6 No new development application shall be approved unless it is demonstrated that development can occur with no unacceptable impacts on groundwater and surface water quality or quantity. Council may require the demonstration of the following requirements in one or more reports that shall be completed by qualified professionals:

a. Suitability of the site for on-site sewage disposal including topographical and soil conditions and lot size and configuration;
b. Location of septic system and potential impacts on adjacent properties according to applicable Provincial policies;
c. Assessment of impacts on the water quality of Sturgeon Bay, including a quantification of nutrient loading into the Bay;
d. Measures for erosion and sediment control;
e. A hydrogeological report may be required to demonstrate to the satisfaction of Council safe access to potable water. This requirement generally applies to non-waterfront developments that will create five (5) or more lots.

8.7 Development applications for lands in Pointe au Baril may be required to be accompanied by a stormwater management study that identifies measures for stormwater quality control and erosion and sedimentation control and addresses the impact of the development on surface water quality. Development shall not be permitted where there are unacceptable impacts on surface water quality, in accordance with the Stormwater Quality Control Guidelines or other comparable Provincial policies. The stormwater management study shall be completed by a qualified professional.

8.8 All development applications, including those for expansion or redevelopment of existing properties, shall demonstrate a net gain in environmental protection. Examples of such gains include improved shoreline buffering, replacement of shorewalls, improved shoreline substrate and improved landscaping.

8.9 The Township will facilitate the development of a Lake Capacity Model within a Remedial Action Plan for Sturgeon Bay in concert with other agencies and in accordance with the recommendations of the Pointe au Baril Strategic Development Plan and Our Sturgeon Bay Pointe au Baril Lake Plan. This Action Plan will identify the means required to improve water quality in Sturgeon Bay, including development standards, public education, remediation of existing pollution sources and environmental enhancement works.

8.10 The mouth of Sucker Creek and certain shoreline areas along Sturgeon Bay have been identified as valuable Type 1 Fish Habitat by the Ministry of Natural Resources. The ecological function of these natural features shall be preserved and enhanced, where possible.

8.11 All efforts shall be made to protect existing vegetation, waterbodies and watercourses at all times. No alterations to the natural streams and channels shall be permitted. Efforts will be made to maintain existing vegetation and/or natural features between the waterbodies and/or watercourses during any development or redevelopment of the site. Rehabilitation, reclamation, and replanting of natural features should be required between waterbodies and/or watercourses after any development or redevelopment of the site.

## Tourist and Water Oriented Commercial

8.12 A number of marinas and resort commercial establishments are located within Pointe au Baril Station. Because of their singular nature, these uses have not been specifically identified within their own land use designation.

8.13 The marinas and resort commercial operations in Pointe au Baril Station are important to the heritage and character of the community and their continued operation, enhancement and, where appropriate, expansion will be encouraged.

8.14 The expansion of an existing or development of new marinas and resort commercial operation is encouraged in Pointe au Baril Station, provided it can be demonstrated that:

- The operation is compatible with adjacent land uses and appropriate buffers are provided;
- The proposed development fulfills the environmental and servicing requirements of this Plan;
- The proposed development meets all of the requirements of *Section 17*;
- If located within the vicinity of the Community Core, the design of the proposed development has regard to *Section 8*.

8.15 Opportunities for eco-tourism development that promote the passive enjoyment of nature shall be encouraged and facilitated in the Station.

## General Policies

8.16 Given the existing development pattern and the policies of the Township with respect to future development, Pointe au Baril Station will continue to have the highest concentration of year-round residents in the Township as well as the highest concentration of commercial activity. It is expected that growth in Pointe au Baril Station will continue as both the population and demand for services

increase. The level of this growth is not expected to be so great as to create physical, financial, social or environmental concerns within the Township. The growth level needs to be accommodated within the terms of the Remedial Action Plan.

8.17 All land use designations include lands currently owned by the Crown. Where it is determined that Crown land is required for suitable development, the Township may pursue the acquisition of this land from the Crown. However, it is not Council's intent to pursue the acquisition of land for new waterfront residential development in accordance with *Section 12*.

8.18 Development of any obnoxious uses in Pointe au Baril Station shall not be permitted, as defined in the Township's Zoning By-law.

8.19 The creation of new residential lots will proceed on the basis of:

- consents on public roads;
- consents on private roads when the lot fronts on a recreational waterbody;
- plans of subdivision; and
- consents on waterfront lands with water access.

8.20 The general lot requirements for new residential properties set out in the Zoning By-law implementing this Plan may provide for smaller lot sizes for Pointe au Baril Station in consideration of the need to allow infilling, and may provide for some relief in development standards subject to the adequacy of buffering from adjacent uses and the servicing policies of the Plan.

8.21 All applications for non-residential development along existing Highway 69 will require an access permit from the Ministry of Transportation until such time as existing Highway 69 is no longer a restricted access highway.

New residential development will not generally be permitted along existing Highway 69 until it is no longer a restricted access highway. Until this time, residential development will be considered for only applications that propose the conversion of existing buildings to residential uses, subject to the demonstration of adequate water and servicing capability and land use compatibility.

8.22 Council supports additional road development within Pointe au Baril Station. Any new municipal road must be constructed to the Township's standards prior to assumption.

8.23 The maintenance of the night sky is a priority to the community of Pointe au Baril Station. Council will ensure through public investment in lighting and the review of development applications that light pollution is minimized.

8.24 The Township of The Archipelago is conscious of the need for affordable housing. The Township supports the creation of new non-waterfront residential lots in order to help address this need.

8.25 Council will encourage applications for non-waterfront lifestyle accommodations to meet the housing needs of Pointe au Baril Station.

8.26 Development of a recreational trail system for non-motorized use in Pointe au Baril Station will be accepted. In order to enhance the potential for a network of linked trails throughout Pointe au Baril Station, regard will be had for the development and preservation of such a network when evaluating development proposals.

8.27 Council will encourage the responsible winter use of snowmobile trails and the development of linkages with other snowmobile trails.

## Land Use Policies

8.28 To direct the land uses in Pointe au Baril Station, a Land Use Schedule has been developed to show the general pattern of land use. All development in Pointe au Baril Station is to take place in accordance with Schedule B.

8.29 The following land use designations are identified on Schedule B:

a. Community Core;
b. Mixed Use;
c. Employment;
d. Residential Infill; and
e. Stable Area.

## Community Core

8.30 The intent of the Community Core land use designation is to recognize the existing character of the area as the focus of activity in the community, while promoting the development of a mixture of uses within the area. It is intended that this area will receive the greatest proportion of public investment for beautification, improvements to public spaces, and infrastructure improvements. The Community Core will integrate public uses and facilities with complementary private uses.

8.31 The uses permitted in the Community Core area include:

a. Single detached residential;
b. Medium density residential;
c. Accessory apartments associated with a residential use;

d. Accessory apartments associated with a compatible commercial use;
e. Retail, personal service, service commercial and restaurant uses;
f. Home occupations;
g. Bed and breakfast establishments;
h. Hotels and motels;
i. Offices; and
j. Community facilities.

8.32 Given the concerns regarding nutrient levels in Sturgeon Bay, medium density residential development shall generally be directed away from the waterfront to sites of adequate size and with appropriate conditions for in-ground sewage disposal.

8.33 New development shall promote the creation of pedestrian-friendly streetscapes and design that reflects the public nature of the area. As such, development applications shall reflect the following:

a. That the massing, scale and design of buildings should reflect the small village atmosphere of the area;
b. That buildings be positioned to address the street and should be placed in close proximity to the street;
c. That lots adjacent to public roads have a landscaped buffer adjacent to parking areas;
d. That vehicular accesses to the site be a maximum of 8.0 m in width;
e. That adequate parking be provided in keeping with the provisions of the zoning by-law; and
f. That parking areas be to the side or at the rear of buildings.

8.34 The southern extent of the Community Core land use designation along existing Highway 69 will become a well-defined gateway to Pointe au Baril Station from the south. This gateway will be supported by public investment in landscaping and private sector undertakings identified through the review of development applications.

**Mixed Use**

8.35 The intent of the Mixed Use land use designation is to promote a mixture of commercial and residential uses and contribute to an intensification of the existing Highway 69 corridor that will act as a well defined gateway to Pointe au Baril Station.

8.36 The uses permitted in the Mixed Use land use designation include:

a. Single detached residential;
b. Medium density residential;
c. Accessory apartments associated with a residential use;

d. Accessory apartments associated with a compatible commercial use;
e. Retail, personal service, service commercial, offices, and restaurant uses;
f. Home occupations;
g. Bed and breakfast establishments;
h. Hotels and motels; and
i. Community facilities.

8.37 New development shall foster the creation of a pedestrian-friendly streetscape. As such, development applications shall reflect the following:

a. That the massing, scale and design of buildings reflect the small village atmosphere of the area;
b. That buildings be positioned to address the street and should be placed in close proximity to the street;
c. That lots adjacent to public roads have a landscaped buffer adjacent to public areas;
d. That vehicular accesses to the site be a maximum of 8.0 m in width;
e. That adequate parking be provided in keeping with the provisions of the zoning by-law; and
f. That parking areas be to the side or at the rear of buildings.

8.38 The northern extent of the Mixed Use land use designation along existing Highway 69 will become a well defined gateway to Pointe au Baril Station from the north. This gateway will be supported by public investment in landscaping and private sector undertakings identified through the review of development applications.

**Employment**

8.39 The intent of the Employment land use designation is to provide for a range of compatible employment opportunities along the existing Highway 69 corridor.

8.40 The uses permitted in the Employment land use designation include:

a) Light industrial uses;
b) Industrial service or storage uses;
c) Highway commercial uses;
d) Restaurant uses;
e) Community facilities;
f) Existing residential uses.

8.41 One accessory residential dwelling unit may be permitted in association with a permitted Employment use, provided impacts are minimal and future expansion of adjacent uses are not restricted.

8.42 Development in the Employment land use designation shall minimize noise, traffic, dust, pollution and other related nuisances and hazards. Development applications shall reflect the following:

a) That the massing, scale and design of buildings be compatible with adjacent land uses;

b) That lots adjacent to public roads be screened by a landscape buffer strip across the frontage of the property;

c) That outside storage not be permitted in the Employment designation, unless it can be demonstrated to the satisfaction of Council that the storage can be screened from view from the existing Highway 69 corridor;
d) That adequate parking be provided in keeping with the provisions of the zoning by-law; and
e) That parking areas have surfaces that minimize dust.

8.43 Industrial uses shall be limited to types that do not consume water for any industrial-related processing, cooling or washing functions. No on-site waste disposal except for the disposal of domestic wastes shall be permitted.

**Residential Infill**

8.44 The intent of the Residential Infill land use designation is to accommodate primarily low density residential development on large, vacant land parcels.

8.45 The uses permitted in the Residential Infill land use designation generally include:

a. Single detached residential;
b. Medium density residential;
c. Accessory apartments associated with a residential use;
d. Bed and breakfast establishments; and
e. Home occupations.

**Stable Area**

8.46 Lands within the Stable Area land use designation are intended to be largely waterfront residential in character. Other uses shall be permitted only where they legally exist, or for Tourist and Water Oriented Commercial uses in accordance with *Sections 8.12 to 8.15*.

8.47 It is recognized that some existing uses in Pointe au Baril Station are in areas that are not identified for significant change. The intent of the Stable Area land use designation is to acknowledge that these areas are of the fabric of the Pointe au Baril community.

## Special Study Area

8.48 An area to the south of South Shore Road and west of the railway tracks is identified as a Special Study Area on Schedule B. This designation recognizes the potential of this area for future road extensions and community expansion.

8.49 Council will investigate the feasibility of expansion of Pointe au Baril Station in this general area, including a future road extension that connects South Shore Road and existing Highway 69 through the Special Study Area and the potential for additional residential and/or commercial development. Until such time as a study has been completed by the Township and an Official Plan Amendment is approved by the Township to apply new policies to this area, the policies of the Stable Area designation shall apply.

## Community Improvement Policies

8.50 It is the goal of the Township of The Archipelago to facilitate the residents' ability to maintain and improve the physical living environment presently provided in Pointe au Baril Station in order to ensure the enhanced viability of the community.

8.51 The objectives of the Township are to:

a. upgrade the present municipal services and facilities in the community as the need arises;
b. encourage the upgrading of existing properties in the area, thereby preserving the amenities, safety and environment of the community; and
c. undertake a program of physical improvements which reflect sound fiscal policies.

8.52 To achieve the community improvement objectives of this Plan, the designation of any improvement area will be based upon one or more of the following criteria:

a. the deficiencies or inadequacies of recreational services and facilities;
b. access to area waterbodies for recreational purposes;
c. the deficiencies or inadequacies of solid waste disposal systems;
d. the condition of roads;
e. the absence of street lighting in the built-up areas;
f. the deficiencies or inadequacies of sewage disposal systems;
g. traffic safety in terms of access onto or off the major roads;

h. the physical condition and age of the buildings and structures;
i. land use compatibility; and
j. stormwater and surface drainage.

8.53 The area outlined on Schedule 'B' being Pointe au Baril Station will also be known as the Pointe au Baril Community Improvement Area.

8.54 In order to implement the Community Improvement Policies, the following activities and programs (amongst others) may be employed:

a. the use of Section 28(2) of the *Planning Act*;
b. the enforcement of *Section 7 – Property Standards* through a property standards by-law;
c. supporting the participation of Pointe au Baril residents in revitalization programs;
d. participating in Provincial and Federal redevelopment programs;
e. petitioning the relevant Provincial agencies to apply for special assistance for those projects and programs for which there has been an identified need; and
f. participating in local improvements in accordance with the *Municipal Act* and the *Local Improvement Act*.

**Implementation**

8.55 The policies of this section shall be implemented through the combined actions of public and private interests associated with development, redevelopment and the environment in Pointe au Baril Station. Co-operation of all public and private interests is essential for the implementation of these policies.

8.56 The Township's Comprehensive Zoning By-Law shall be utilized to implement the policies of this Plan.

8.57 All public works and improvements in Pointe au Baril Station shall be undertaken in conformity with the policies of *Section 8*.

**Interpretation**

8.58 The land use schedule, Schedule B, establishes a general development pattern for the area. The boundaries of land use designations are flexible and subject to minor variations without amendment to the Official Plan. These designations should be interpreted in light of related policies and statements of intent contained in the policy sections.

## SECTION 9 – SPECIAL POLICY AREA: SKERRYVORE

### Location

9.1 The provisions of this Section of the Plan will apply to the lands known as Skerryvore as identified on Schedule "A" to this Plan being Lots 32 and 33 in Concessions 8 and 9, in the geographic Township of Shawanaga. All other policies in this Plan continue to apply to Skerryvore. These lands were the subject of a series of Reference Plans which the owner “checkerboarded” prior to subdivision control.

### Backlot Development

9.2 Skerryvore is the only area in the Township outside Pointe au Baril Station where there are a number of lots that do not have frontage on the water. Many of the lots in Skerryvore that do not have direct frontage are small in size, have poor physical conditions and have not been developed. Council may enact holding by-laws restricting development of these backlots until it has been demonstrated that the lot is suitable for on-site sewage disposal, has a potable water supply and is generally suitable for development.

9.3 Many of the constraints to development for the backlots in Skerryvore result from the small size of the lots, often less than one acre. Where lots have merged because of common ownership, this Plan will not permit a reseparation of such parcels.

9.4 A number of backlots in Skerryvore have serious constraints to development including rough, rocky terrain, steep slopes or wetlands that are environmentally sensitive. These lands may be considered unsuitable for development until a site evaluation report is completed demonstrating that the lot(s) is(are) capable of being developed with services without adversely impacting the environment. These lands will be placed in a holding zone until the site evaluation report is prepared to the satisfaction of Council.

### Water Access

9.5 The development of backlots or lots that have no direct frontage on water did not adequately provide for access to Georgian Bay. As more backlots are developed, there will be increased pressure for access to the Bay. Council will support local initiatives relating to upgrading of present points of access for boating or swimming, depending on site conditions, such that minimal disruption will occur to property owners adjoining these points of access.

9.6 Notwithstanding the policies allowing the sale of original shore road allowances contained in this Plan, it may be necessary to retain some of the shore road allowances in Skerryvore as public lands for access to Georgian Bay or to retain an easement, where access is currently being obtained, over shore road allowances prior to their being stopped up. Such lands are shown on Schedule “D” to this Plan.

## SECTION 10 – NEIGHBOURHOOD GROWTH POLICIES

### General Application – Definition and Location

10.1 This section of the Plan applies to a number of specific areas referred to as Neighbourhoods in The Archipelago as named and defined on Schedule "A" and listed below. The boundaries between the various Neighbourhoods of The Archipelago are, in some cases, approximate and more detailed local evaluation may be required to determine the governing policy which applies in any given instance.

NEIGHBOURHOOD

1. Bayfield-Nares
2. Pointe au Baril Islands
3. Sturgeon Bay
4. Manitou
5. Sandy and Martyr Islands
6. Long Sault – Amanda
7. Five Mile Bay
8. Sans Souci – Copperhead
9. North Moon Channel
10. Woods Bay
11. Blackstone Lake
12. Crane Lake
13. Healey Lake
14. Kapikog Lake
15. Naiscoot Lake
16. Rock Island Lake
17. Three Legged Lake

The rationale for the configuration of the neighbourhoods is based upon marina-centred communities of interest in the case of Georgian Bay and the individual inland lakes.

### Growth Policies for Neighbourhoods

10.2 The Neighbourhood Growth policies in this plan are effectively land division policies for the various areas in the Township. The policies have been based on the principle of preserving the existing character of each of the Neighbourhoods. In addition, there are some site-specific development policies for certain neighbourhoods.

In addition to preserving existing densities for the various neighbourhoods, land division policy is also based upon boat traffic, size of private land holdings, water quality, environmental features, existing development patterns, Crown land, development pressures and recreational capabilities.

Where the words "no further development" are used in the Neighbourhood policy areas below, it will be interpreted to prohibit all land division applications which may result in the creation of a separate, legally conveyable residential lot.

10.3 Sequential severances will not be permitted. A sequential severance is an attempt to create a lot by consent from a lot that was itself created by consent subsequent to the adoption by Council of the Official Plan. For the purposes of this section, both the severed and retained portions of any consent may be deemed to be created by consent. This policy is intended to prevent the circumvention of the land division policies prescribed for the various neighbourhoods. Any property eligible for multiple lot creation may permit allowable lots in a phased manner without violating the spirit and intent of the neighbourhood policy.

10.4 Exceptions to the severance policies set out in this Section may be given consideration in cases where deed or title correction is required.

**Bayfield-Nares**

10.5 There are a few undeveloped parcels of privately owned land in Bayfield-Nares. There are only isolated instances of undeveloped small islands and a very few areas where the balance of partly developed large parcels of privately owned land will provide additional development potential.

Generally one would characterize Bayfield-Nares as being heavily developed. Outer islands are greatly influenced by exposure and a lack of vegetation.

10.6 Further land division in Bayfield-Nares is not to be encouraged. Plans of subdivision will not be permitted. Generally, only lots of record may be considered for additional building, however, an isolated consent resulting in the creation of one new lot may be suitable on parcels with sufficient area and which meet all of the requirements in *Section 14 – Development Procedures and Standards* and any other applicable policies.

10.7 A Provincially Significant Wetland, Naiscoot River Wetland, has been identified within the Bayfield-Nares Neighbourhood. Any building within 120 metres of this wetland will be subject to the environmentally sensitive policies located within this Official Plan and must be consistent with the Provincial Policy Statement.

## Pointe au Baril Islands

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

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

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

This Plan recognizes, however, that there are several large land holdings that may have considerably greater development potential without seriously jeopardizing the intent of the Pointe au Baril Island Neighbourhood policy. It is the policy of this plan, therefore to allow the consideration of land division creating up to two new lots on land holdings greater than ten hectares, three new lots on land holdings greater than fifteen hectares, and four new lots on land holdings greater than twenty hectares, subject to *Section 14 – Development Procedures and Standards* and any other applicable policies.

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

10.11 Land division of the McCoy Island Group in the southwest area of Pointe au Baril Neighbourhood (consisting of Island Nos. B895, B896, B898, B901) is not permitted.

## Sturgeon Bay

10.12 Sturgeon Bay has been identified as a body of water with poor water quality relative to other areas of The Archipelago. The lack of circulation of the water in this shallow bay and existing development has reduced Sturgeon Bay to a point where water quality is of serious concern.

10.13 No further development, excepting infilling of existing lots of record, will be permitted in Sturgeon Bay subject to the policies of *Section 14 – Development Procedures and Standards* and any other applicable policies.

10.14 All development applications, including those for expansion or redevelopment of existing properties, shall demonstrate a net gain in environmental protection. Examples of such gains include improved shoreline buffering, replacement of shorewalls, improved shoreline substrate and improved landscaping.

10.15 All efforts shall be made to protect existing vegetation, waterbodies and watercourses at all times. No alterations to the natural streams and channels shall be permitted. Efforts will be made to maintain existing vegetation and/or natural features between the waterbodies and/or watercourses during any development or redevelopment of the site. Rehabilitation, reclamation and replanting of natural features should be required between waterbodies and/or watercourses after any development or redevelopment of the site.

10.16 New building on Sturgeon Bay will be subject to site plan control. The emphasis of site plan control measures will be to reduce, minimize or eliminate the influx of any man-made nutrients into Sturgeon Bay.

10.17 The Township will facilitate the development of a Lake Capacity Model within a Remedial Action Plan for Sturgeon Bay in concert with other agencies. This Plan will identify the means required to improve water quality in Sturgeon Bay, including development standards, public education, remediation of existing pollution sources and environmental enhancement works.

**Manitou**

10.18 The Manitou Neighbourhood is located at the southwest corner of the southern portion of the Township of The Archipelago. The Manitou Neighbourhood is heavily travelled by recreational boaters. The area represents a highly concentrated population of island residents with little additional land division or development potential. It is the objective of the Manitou Neighbourhood policy to maintain the status quo of the community as far as possible.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

10.19 Further land division in the Manitou Neighbourhood is to be discouraged. A consent involving the creation of one new lot per land holding, where the land holding is greater than 5 hectares, may be considered subject to *Section 14 - Development Procedures and Standards*.

## Sandy and Martyr Islands

10.20 Sandy and Martyr Islands is an area which provides an important habitat for fish and wildlife. There have been two subdivisions on Sandy and Martyr Islands, however, no additional land division will be permitted.

10.21 No further development excepting the infilling of existing lots of record will be permitted in the Sandy and Martyr Islands Neighbourhood subject to the policies of *Section 14 - Development Procedures and Standards* and any other applicable policies.

10.22 Sandy and Martyr Islands are recognized as a valuable environmental habitat for fish and wildlife. All necessary steps will be taken to protect the area from any negative impacts created as a result of new construction on lots of record.

10.23 Sandy Island has been evaluated and it has been determined that there is a Provincially Significant Wetland on and adjacent to the island. Any building within 120 metres of this wetland will be subject to the environmentally sensitive policies located within this Official Plan and must be consistent with the Provincial Policy Statement.

## Long Sault – Amanda

10.24 The area referred to as Long Sault - Amanda has numerous small, medium and large sized islands, most of which are privately-owned. Three major channels traverse the area.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

10.25 Further land division in the Long Sault – Amanda Neighbourhood is to be discouraged. Consents involving the creation of up to two new lots per land holding may be considered by the Township, subject to the policies of *Section 14 - Development Procedures and Standards* and any other applicable policies.

10.26 Notwithstanding the above, there are several large islands in the Long Sault - Amanda Neighbourhood (greater than ten hectares) where land division resulting in the creation of three new lots per land holding may be permitted subject to *Section 14 – Development Procedures and Standards* and any other applicable policies.

## Five Mile Bay

10.27 Five Mile Bay has experienced heavy development in some areas in the past and since no further private land is available for additional development, there is not expected to be any further development except of an infilling nature.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

10.28 No further development, excepting the infilling of existing lots of record, will be permitted in the Five Mile Bay Neighbourhood subject to the policies of *Section 14 – Development Procedures and Standards* and any other applicable policies.

## Sans Souci – Copperhead

10.29 Sans Souci – Copperhead Neighbourhood contains one of the most heavily travelled waterways in The Archipelago. Development is either concentrated in pockets such as Sans Souci or is sparse in other areas and the status quo should be maintained as far as possible to preserve the rich heritage of this area.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

There are several large land holdings that may be considered for development so long as strict controls are applied to promote conservation in this area.

10.30 Further land division in the Sans Souci Copperhead Neighbourhood is to be discouraged. A consent involving the creation one new lot per land holding greater than five hectares may be considered subject to *Section 14 – Development Procedures and Standards*. Consents involving the creation of up to two new lots per land holding may be considered by the Township on parcels greater than ten hectares subject to *Section 14 – Development Procedures and Standards*. Land holdings greater than fifteen and twenty hectares may qualify for land division resulting in the creation of up to three or four new lots per land holding respectively subject to *Section 14 - Development Procedures and Standards* and any other applicable policies.

## North Moon Channel

10.31 With the exception of one large parcel, most of the undeveloped land in the North Moon Channel area is Crown land. Since this area forms the heart of The Massasauga Provincial Park, it is likely to remain sparsely developed.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

10.32 No further development, excepting the infilling of existing lots of record, will be permitted in the North Moon Channel Neighbourhood area subject to the policies of *Section 14 - Development Procedures and Standards* and any other applicable policies.

## Woods Bay

10.33 Woods Bay is a large shallow bay at the mouth of the Moon River. The east shore of Woods Bay is heavily developed.

This neighbourhood is heavily influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

There are several local tourist operations providing services to inhabitants of the immediate area and visitors to the Moon River Basin.

Woods Bay and the Moon River Basin are part of an internationally renowned landscape that generates significant attraction and appeal both within and outside of the Township. The Woods Bay Neighbourhood is extremely sensitive to additional development or increased traffic both on water and land.

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

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

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

**Blackstone Lake**

10.37 Blackstone Lake is an inland lake neighbourhood with a number of important qualities. The lake is characterized by high water quality, moderate densities of development and low boat traffic. The lake is an important sports fishery maintained by the Ministry of Natural Resources for lake trout, small mouth bass, large mouth bass, pickerel, muskelunge, northern pike and ciscoe. In order to maintain the high quality natural environment and the character of the neighbourhood, further development will be discouraged in the Blackstone Lake Neighbourhood. The Ministry of Natural Resources has identified a limited capacity for new development on Blackstone Lake in order to sustain the cold water fishery. Only limited new development can be supported on the lake.

This neighbourhood is influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

10.38 A consent resulting in the creation of up to three new lots per holding may be considered subject to *Section 14 – Development Procedures and Standards* and any other applicable policies.

10.39 Certain shoreline areas of Blackstone Lake have significant constraints to development due to steep slopes or sensitive fish and wildlife habitat features. These lands will be placed or included in a non-development zoning category in the Township's Zoning By-law, so that the natural state of these lands is maintained.

10.40 The south shore of Blackstone Lake was the subject of an Ontario Municipal Board hearing including an Official Plan and draft plan of subdivision referral. The Board approved a 30 lot subdivision; a subsequent consent creating one additional lot was also approved by the Ontario Municipal Board. It is the position of this Plan that the balance of the lands included in the earlier Municipal Board referrals is not suitable or available for future additional development. These lands will be included in a non-development zone in the Township's Zoning By-law so that the natural state of these lands is maintained.

## Crane Lake

10.41 The Crane Lake Neighbourhood has little privately-owned land remaining which has not been subdivided. Most of the land division which has occurred on Crane Lake besides Crown subdivisions took place before subdivision control and resulted in the creation of many lots which would be considered below minimum lot sizes by today's standards. There are presently in excess of two hundred cottages on Crane Lake.

This neighbourhood is influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

Further subdivision of Crown land is not permitted under the Ministry of Natural Resources District Land Use Guidelines. The west end of the Lake is predominantly undeveloped and will serve as a natural buffer between existing cottages and The Massasauga Provincial Park.

10.42 No further development, excepting the infilling of existing lots of record, is permitted in the Crane Lake Neighbourhood subject to *Section 14 – Development Procedures and Standards* and any other applicable policies of this Plan.

## Healey Lake

10.43 The Healey Lake Neighbourhood has no large parcels of privately owned land which are capable of being subdivided further into cottage lots. Most of the development on Healey Lake has resulted from Crown land development by subdivision or by the Crown release of individual parcels.

This neighbourhood is influenced by the presence of The Massasauga Provincial Park. In recognition of the Park extra care will be taken by the Township in its review of building and development applications.

There are in excess of three hundred existing cottage properties on Healey Lake. Much of the undeveloped portion of the Lake is characterized by excellent habitat for fish and fowl and should be protected as far as possible.

10.44 No further development, excepting the infilling of existing lots of record, is permitted in the Healey Lake Neighbourhood subject to *Section 14 – Development Procedures and Standards* and any other applicable policies of this Plan.

## Kapikog Lake

10.45 Kapikog Lake was developed entirely by Crown land subdivisions and no privately owned land is available on the Lake for further land development. Since the development of the Lake was planned using a comprehensive lake planning approach by the Province, it is not expect that further Crown land will be set aside for development.

10.46 No further development, excepting the infilling of existing lots of record, is permitted in the Kapikog Lake Neighbourhood subject to *Section 14 - Development Procedures and Standards* and any other applicable policies of this Plan.

## Naiscoot Lake

10.47 The Naiscoot Lake Neighbourhood has little privately owned land remaining for development excepting lots of record where no construction has occurred. The balance of the shoreline of Naiscoot Lake is Crown land that supports a great deal of aquatic vegetation.
Much of the undeveloped Crown land in the Naiscoot Lake Neighbourhood serves an important role in the Province's management programmes for resource production and wildlife.

10.48 No further development, excepting the infilling of existing lots of record, is permitted in the Naiscoot Lake Neighbourhood subject to *Section 14 - Development Procedures and Standards* and any other applicable policies of this Plan.

## Rock Island Lake

10.49 The Rock Island Lake Neighbourhood has little privately owned land that is capable of further land division. The majority of the shoreline of Rock Island Lake is Crown land and no further Crown land is expected to be released under present Provincial policy.

10.50 No further development, excepting the infilling of existing lots of record, is permitted in the Rock Island Lake Neighbourhood subject to *Section 14 - Development Procedures and Standards* and any other applicable policies of this Plan.

## Three Legged Lake

10.51 The land within the Three Legged Lake Neighbourhood is almost entirely Crown-owned. Three Legged Lake forms the eastern boundary of The Massasauga Provincial Park.

Three Legged Lake is a cold water fishery. There are no privately owned lands on Three Legged Lake that would be capable of further development.

10.52 No further development, excepting the infilling of existing lots of record, is permitted in the Three Legged Lake Neighbourhood subject to *Section 14 – Development Procedures and Standards* and any other applicable policies of this Plan.

## Rural Areas

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

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

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

## SECTION 11 – SERVICES

### General

11.1 The provisions of this part of the Plan will apply to all lands in the Township of The Archipelago.

11.2 Development shall not be permitted where it would contribute to the demand for public services that are uneconomic to provide, improve or maintain. Development shall be permitted in locations where demands on public services will be minimized, and where such development will most effectively utilize or help pay for existing services.

As a Township with a high proportion of second home or cottage population, a principle was established that public services and, therefore, public expenses be kept to a minimum. In a survey of Township residents conducted in 2003, 93 percent of the respondents confirmed their support for this limited service philosophy of the Township. This limited service philosophy includes a complementary principle that any costs for increased services be borne by the beneficiaries of those services so as to recognize a user pay approach.

### Private Water Systems and Sewage Disposal Systems

11.3 All development is to proceed on the basis of private individual water and sewage disposal systems, constructed and maintained in accordance with the applicable legislation.

11.4 Private individual water and sewage disposal systems will not generally provide service to more than one (1) lot legally capable of being conveyed.

11.5 A hydrogeological assessment may be required by the Township to be submitted in support of a development proposal for more than five residential lots, or for any high water and/or high effluent producing commercial use in accordance with applicable Ministry of Environment D-Series Guidelines.

11.6 The Municipality will support the continued monitoring and upgrading of existing sewage disposal systems in accordance with the applicable legislation.

11.7 Council may require that existing sewage disposal systems be upgraded to current standards of the applicable legislation prior to or as a condition of approval of a development application.

11.8 As all development in the Township is serviced by private individual sewage disposal systems, the Township supports and encourages the development of new septic technology that will reduce impacts associated with nutrient enrichment of the Township's waterbodies.

**Energy and Communications Utilities**

11.9 Existing energy and communication facilities and the development of new facilities will be permitted without amendment to this Plan, provided that the development satisfies the provisions of the Environmental Assessment Act and other relevant statutes, and is carried out having regard to the provisions of this Plan.

11.10 Where energy or communication facilities are proposed, they will be designed and located so as to avoid potential adverse environmental, social, health and aesthetic impacts. In this regard, the following should be considered:

i) the co-location of facilities, where possible, to reduce overall numbers;
ii) locating facilities within or along existing utility or transportation corridors;
iii) setback from waterbodies and the impact of the structure on the lake horizon;
iv) construction of towers and antennas to heights below those requiring lighting devices in order to help preserve the night sky; and,
v) the impact on natural areas including fish and wildlife habitat and wetlands.

11.11 Alternative energy forms, such as solar energy, will be encouraged within the Township provided they do not cause a negative impact visually or audibly or have a negative impact on the environment.

11.12 Proponents of energy and communication facilities shall consult with the Township regarding the location of new facilities and may be requested to consult with the public.

11.13 It is the Township's position that the impacts of the establishment of new electric power generating stations could be substantial and could threaten the nature of The Archipelago and the well being of its residents and therefore, it will be the Township's policy to ensure, under the provisions of The Environmental Assessment Act, R.S.O. 1990, that the spirit and intent of the local Official Plan is maintained.

## Solid Waste

11.14 The Township is responsible for the maintenance and operation of waste disposal sites within its boundaries. The Township will continue to provide a network of waste disposal facilities to its ratepayers so as to protect the environment as far as possible while maintaining realistic public sector costs.

11.15 The Township will continue to co-operate with the Ministry of the Environment by making gradual improvements to its waste disposal operations and adopting a long term operational plan for the suitable disposal of solid wastes.

All existing operational and future sites are to be located where no residential development is permitted to occur. Therefore no conflict is anticipated between these land uses.

11.16 New public transfer stations or public sanitary land fill sites will be permitted by this Plan, however, an amendment to the Zoning By-law will be required.

## Emergency Services

11.17 Because of the nature and the geography of the Township, the provision of certain emergency services is limited and may prove to be cost prohibitive in some instances.

11.18 The provision of such services to specific properties may be difficult and is neither the responsibility nor liability of the Municipality.

11.19 The provision of traditional fire protection services is not possible in the Township, and the fire protection services that are available are provided for on a volunteer basis such as by the local ratepayers' associations. Council will continue to encourage this means of fire protection so that a suitable level of fire protection is afforded to the ratepayers.

11.20 Council will continue to make arrangements with the Ministry of Natural Resources by agreement to ensure fire protection services on the vast amount of undeveloped rural area.

11.21 Other emergency services including ambulance, search and rescue and police are currently provided by agreements with adjacent municipalities or Provincial or Federal government agencies. The Municipality supports the continued provision of these services by these means and deems their level of service as adequate.

## Recreational Services

11.22 With the exception of Pointe au Baril Station, it is not expected that the Township will provide additional recreational services.

11.23 A number of recreational services, including picnic sites, harbourages, access points and campsites have been provided by the Ministry of Natural Resources in the past. The Township recognizes these facilities and supports their continued existence and will consider such co-operation as is necessary to maintain a minimum level of these services to ensure orderly and regulated use of the lands and waters of The Archipelago. To this end, the Municipality may enter into agreements to participate in supervision of such recreational services.

## SECTION 12 – NATURAL RESOURCES

### General

12.1 In addition to administering the largest amount of land within The Archipelago, the Ministry of Natural Resources is responsible for managing the resources of the Township. As a part of this Plan, this section outlined provisions that will respond to the natural resources needs of the Municipality as expressed by the Provincial and Local governments.

The provisions of this part of the Plan will apply to all lands within The Archipelago.

The Ministry of Natural Resources groups its three major management programmes into resource products, outdoor recreation and land and water management. This Section of the Plan has been devised with the guidelines of the Province in regard to the three functional programme areas to apply to all of the Township of The Archipelago in accordance with its goals and objectives.

In many instances, the following policies do not provide detailed criteria which would assist in the determination of the affect of such provisions on particular land holdings because of the absence of this information in combination with the vastness of the Township. Until such time as detailed criteria may be available for inclusion into this Plan, the Township will rely on the development review process of consent, subdivision and building permits to evaluate the appropriateness of any particular development.

### Resource Production

Forestry

12.2 Forestry and forestry related activities are permitted in The Archipelago subject to the following policy.

12.3 The Municipality supports the Ministry of Natural Resources programme with respect to primary forestry resource areas and discourages further development in these areas, subject to the other policies of this Plan. Since the primary forestry resource areas are located in the rural area of the Township away from recreational waterbodies where development is generally not permitted, no conflict of land use is expected.

12.4 The Municipality will require adequate setbacks for forestry uses away from recreational areas and from waterbodies to minimize environmental impact and disruption to existing recreational land uses.

12.5 No clear cutting of the forests will be permitted in The Archipelago unless approved in Timber Management Plans prepared by the Ministry of Natural Resources in consultation with Council.

12.6 No cutting of live timber is permitted on the islands or coastal lands of Georgian Bay. Salvage operations may be permitted in areas affected by insect damage. Council may pass tree-cutting by-laws to further control timber operations.

Mineral Extraction

12.7 It is the opinion of the Township Council that the mineral potential of the lands in The Archipelago is low. Numerous investigations by both the private and public sectors have determined that little, if any, capability exists for productive mineral extraction in The Archipelago. Given this fact and the potential detrimental impact on the primary recreational character of The Archipelago, mineral extraction will not be encouraged, but will be considered by amendment to this Plan.

12.8 Development will be restricted within 1,000 metres of an abandoned mine site. Prior to significant development proceeding in such buffer area, an evaluation to determine the severity of the mine site constraint will be undertaken to the satisfaction of the Ministry of Northern Development and Mines.

Sand and Gravel Extraction

12.9 The extraction of sand and gravel in The Archipelago is recognized as an important use in connection with its recreational nature for the purpose of constructing sewage disposal systems. Unfortunately, the Township has scarce sand and gravel reserves. Deposits of sand and gravel will be protected wherever possible, subject to the paramount concern of environmental impact and protection of that recreational land use base along waterbodies.

12.10 The creation of new pits and quarries in the Township will not require an amendment to this Plan however an amendment to the Zoning By-law will be required.

12.11 Pits and quarries will be required to be set back from waterbodies and recreational areas a distance determined by Council in consultation with the Ministry of Natural Resources.

12.12 The Township will enact a By-law pursuant to The Municipal Act to regulate the operation of pits and quarries.

12.13 All pits and quarries will require rehabilitation.

12.14 Wayside pits or quarries are permitted in the Township without an amendment to this Plan or Zoning By-law except where they may have a negative impact upon a recreational waterbody or where environmental problems may occur.

Aquaculture

12.15 It is the opinion of the Township Council that, given the potential detrimental impact on the environment and recreational water quality of The Archipelago, cage culture aquaculture within The Archipelago will be strongly discouraged.

12.16 It is recognized that the policies of the Official Plan may not be binding on operations undertaken on a waterbody if not connected to the land base. Nevertheless, the Township will endeavour to comment to the Ministry of Natural Resources, or any other appropriate agency, on any such proposed operations as part of the Ministry's review process. In this regard, the following should be considered:

a) Potential water quality impacts and the requirement for adequate water quality monitoring and the provision of a satisfactory remedial action plan;
b) Compatibility with adjacent uses;
c) Impact on all navigation channels, specifically respecting those local channels and/or routes used by residents of the Township;
d) Potential impact on native fish species through spread of fish disease, degradation of habitat, and large scale escapes of aquaculture fish; and,
e) Monitoring programs should be reviewed by all stakeholders. In particular, requirements for a monitoring program should include, at a minimum, a monthly water quality monitoring program which is acceptable to the Township, its residents, and its advisors.

12.17 Notwithstanding the policies of Section 12.26 respecting the alienation and disposition of Crown lands, the Township recognizes that there may be specific Township residents' needs, such as the provision of new water access, where the disposition of Crown lands for private or public ownership may prove necessary to meet Township residents' needs. Recognizing and approving of the policy of the Ministry of Natural Resources to not alienate further Crown lands, the Township may work with the appropriate Provincial agencies to make Crown lands available where it is for the general public good. In such a case, the relevant policies of Section 6 and Section 12.29 would apply to any proposed use of available Crown lands.

## Outdoor Recreation

12.18 The Municipality generally supports the Ministry of Natural Resources management programme relating to outdoor recreation.

### Provincial Park Management

12.19 The Township of The Archipelago presently has two provincial parks within its municipal boundary: the Massassauga Provincial Park, which is classified as a Natural Environment Park and Sturgeon Bay Provincial Park, which is classified as a Recreation Park.

12.20 The Township supports the continued outdoor recreation opportunities provided by the existing provincial parks in The Archipelago.

12.21 New provincial park facilities will be permitted in The Archipelago provided the water-based nature and character of the Township is maintained. To this end, when such proposals are made, Council will participate in the Master Planning process and will encourage the Ministry of Natural Resources to develop only water access park facilities rather than traditional tent and trailer development accessed by roads.

12.22 The Council of the Township of The Archipelago supports the interim management plan for the Massasauga Provincial Park. The Township will support those final management plan policies that:

a) maintain the water access basis of the Township;
b) maintain the wilderness character of the area;
c) provide for only the amount of promotion that respects the environmental sensitivity of the region;
d) recognize the higher level of care on Crown and private lands adjoining the park boundary;
e) recognize the overriding water access theme by maintaining the existing level of access with no additional road access points;
f) incorporate appropriate boat cruising management techniques that reduce overuse of certain natural harbours and facilities;
g) permit appropriate snowmobile trails in the Park; and
h) recognize the importance of land use planning and program co-ordination with the Township of The Archipelago.

General Recreation Policy

12.23 The Municipality will support the continued general recreational use of the lands and water in The Archipelago in accordance with the policies of the Ministry of Natural Resources subject to all other polices of this Plan.

12.24 Where special recreational uses and events on Crown land require a permit from the Province, the Township shall provide comments to the Province to ensure that conformity to the Township's Official Plan is considered during the review of such an application.

## Land and Water Management Programme

12.25 The Municipality generally supports the Ministry of Natural Resources' Land and Water Management Program.

Crown Land Disposition

12.26 The Municipality supports the policy of the Ministry of Natural Resources not to alienate further Crown land for private recreational use.

It is recognized that the policies of the Official Plan are not binding on the Crown and its administration of its programs on Crown land. However, it is further understood that the Ministry of Natural Resources will have regard for municipal policy statements contained in the Township's Official Plan as part of its program administration.

The permitted uses for Crown lands will include those traditionally associated with Crown land management including forestry, recreation, fish and wildlife management, mineral aggregate extraction, mineral exploration and development, other conservation uses and associated buildings and structures as required.

Because of the vast area of Crown land within the large area of jurisdiction of The Archipelago, the Crown lands are not identified separately on Schedule 'A' attached hereto. Crown lands designated in the Environmentally Sensitive category may be subject to the policies of this designation.

Should any Crown land cease to be Crown by way of alienation or disposition by the Province, then the policies of this Plan will be binding on said lands.

The Crown land base in the Township of The Archipelago contributes significantly to the wilderness character of the Township. It will be the policy of the Municipality that this Crown land base remain in its natural state to preserve this contribution to the wilderness character of the Township. Exceptions to this

policy include those set out in the above described permitted uses for Crown lands within the Township of The Archipelago.
Any proposed land use policy changes adjacent to or those that may impact upon Crown land will be circulated to the Ministry of Natural Resources for review and comment.

The Crown land base in The Archipelago will be placed in non-development zone in the Township's Comprehensive Zoning By-law to reinforce the maintenance of the natural state of Crown lands and to preserve the character of the Township.

12.27 Notwithstanding the above policies, the Township will support the sale of Crown land to an adjoining residential property owner by way of a lot addition if the lot addition is:

a) to convey a Crown reserve along the shoreline between the Crown lake bed and the patented property, except where the reserve is required for public access, travel, environmental protection or portage purposes. Land owners adjoining a Crown reserve that is proposed to be added to a lot should be notified of the proposed lot addition;
b) to correct the encroachment of a building, structure, service or improvement that existed prior to the adoption of this Plan so that the purpose of the Crown lot addition is to regularize the ownership of the lot with the improvements located thereon; or
c) to provide necessary lot area required for the installation of a private subsurface sewage treatment system.

In addition, the Township will support the sale of Crown land to an adjoining residential property by way of a lot addition subject to the following criteria where applicable.

a) There should be no opportunity for increased density in terms of creating an additional lot.
b) The lot addition must be consistent with Official Plan Goals and Objectives.
c) The proponent is able to justify or provide rationale for the lot addition.
d) The lot addition is consistent with the pattern of existing development.
e) It can be demonstrated that the Crown land better serves the public and general ecological interest as part of a private land holding in contrast to being managed as Crown land.
f) The lot addition will assist in the settling of an existing land use issue.
g) Property owners adjacent to the Crown or recipient land must be consulted in respect of the proposed lot addition.
h) The lot addition is necessary to avoid potential land use conflicts between private and adjoining Crown land use activities.

i) The lot addition should involve land that is suitable for the purpose for which it is being acquired.
j) Any Crown land to be added to an abutting parcel will be placed in a non-development zone and no further lot coverage will be available as a result of the Crown lot addition.
k) The lot addition proposal may require circulation to determine the potential impact on neighbours or neighbour support.

The lands must be immediately abutting, and merged in title with, the lot owned by the applicant so that a separate, conveyable parcel does not result from the transaction.

12.28 The Township will only support the acquisition of Crown land adjoining an existing commercial operation subject to the following conditions:

1. The applicant must be able to demonstrate and justify some purpose or need for the lands proposed to be acquired.

2. The lands that are proposed to be acquired from the Crown shall be rezoned to the appropriate Commercial zone, and the use shall be limited to original purpose set out in the application.

3. A report prepared by a qualified environmental consultant be submitted to the Township setting out:

   a) the application,
   b) the physical circumstances,
   c) projected environmental and human impacts on adjoining lands, and
   d) how the addition of the Crown land complies with the spirit and intent of the Official Plan land use policies,

4. It can be demonstrated to the satisfaction of Council and the Ministry of Natural Resources that, although there is no limit on the size of any particular Crown lot addition, that there is a need for the size of land being acquired and that the disposition of the Crown land for commercial use will not negatively impact the remaining adjoining Crown land.

5. That any Crown lot addition remain with the commercial operation to which it is being added and any future severance of the lands shall not be permitted.

12.29 It is recognized that the review of any Crown land acquisition application will include any relevant First Nation land claim as well as any relevant Aboriginal interest.

12.30 The Municipality will support the occupation of the Crown lake bed for existing commercial operations and all private wharves and docks provided that no environmental degradation results and subject to an application acquiring all of the necessary approvals from the Provincial and Federal governments.

Landscape and Waterscape Alteration

12.31 The conservation of the overall natural landscape and waterscape will be encouraged in an effort to preserve the natural appearance, character and aesthetics of the Township.

12.32 Development within the Township will be encouraged to conform with the natural environment as opposed to the natural environment being altered to accommodate development.

12.33 Significant site alteration shall be discouraged and the Township may enact a By-law pursuant to the Municipal Act to regulate site alteration.

Exceptions may be made for such purposes as the placement of fill for tile fields, rehabilitating previously disturbed areas, road construction, and minimal site preparation for buildings and structures.

12.34 Where site alteration is proposed, Council may require the submission of a site evaluation report in order to address issues such as potential impacts on wildlife habitat, water quality, adjacent properties and aesthetics, and to identify any mitigating measures which must be implemented.

12.35 Site alteration will not be permitted in areas where it would result in highly visible development that would not be in character with the surrounding area.

12.36 Building sites and surrounding area shall be rehabilitated upon completion of construction.

12.37 The removal of vegetation along water courses and wetland areas will be prohibited except where approvals for improvements have been obtained in consultation with Council.

12.38 Dredging, filling and blasting of waterbodies, including wetland areas, will not be supported by Council. Only when it can be clearly demonstrated that the request is in the public interest, and when there is evidence that there will be no negative impact on the natural environment, and when all other relevant policies of the Official Plan are in conformity, applications may be considered by Council for the following:

1. Marinas;
2. Existing commercial facilities;
3. Minor improvements for wharves for recreational development;
4. Channelization for public utility purposes;
5. Aggregates for tile fields; and,
6. Existing water access routes to existing developed properties, where no alternative access route is available.

For the purposes of this Plan, policy discouraging dredging and filling of waterbodies will be applied more strongly to inland lakes in contrast to Georgian Bay due to the greater fluctuation of water levels on Georgian Bay and the greater sensitivity of inland lakes.

12.39 Prior to the alteration of any shoreline or waterbody, the necessary approvals shall be obtained from the appropriate authority in consultation with Council.

12.40 Any artificial water frontage or lot area created by dredging or filling will not be used in the determination of development rights related to the calculation of minimum lot frontage and area.

12.41 Dredging, filling or the alteration of the shoreline or banks of any waterbody or watercourse will not be permitted where such activity would affect fish habitat as determined by Council in consultation with the appropriate authority.

12.42 Council will generally recommend against any diversion, channelization or other modification of water courses during the review of such proposals by the Ministry of Natural Resources in accordance with The Lakes and Rivers Improvement Act, R.S.O. 1980.

12.43 Prior to commenting to the Ministry of Natural Resources on a dredging, blasting or filling proposal, Council may require the submission of a site evaluation report in order to evaluate issues such as potential impacts on fish and wildlife habitat, water quality, impact on adjacent properties and aesthetics, and to identify any mitigating measures which must be implemented.

Georgian Bay Shoreline Hazard

12.44 It is recognized that Georgian Bay is subject to periodic water level fluctuations that may result in the loss of life or significant property damage if adequate protection measures are not established. In order to minimize flood risk, no residential structures will be constructed below a 585 foot (178.3 metre) elevation on Georgian Bay except where acceptable flood damage reduction measures, designed to good engineering practices, are incorporated into the building design as a part of the site plan approval procedure.

This elevation may be calculated using the figure of 8.358 feet above the chart datum of 576.8 International Great Lake Datum (I.G.L.D.) as shown on the navigational charts produced by the Canadian Hydrographic Services for the Georgian Bay.

12.45 Development may be permitted below the design elevation to the 1:100 year flood level where it can be demonstrated that wave uprush is not a necessary consideration.

12.46 Accessory buildings (e.g. docks and boathouses) may be permitted below the design elevation.

12.47 Council will:

a) require, in the consideration of applications for the division of land or the issuance of building permits for all residential structures excepting accessory structure noted above, a survey plan identifying the location of the 585 foot (178.3 metre) elevation, G.S.C. datum, on Georgian Bay and will ensure that development does not occur below this elevation. This information will form part of the site plan that may be required by Council before any development proceeds. The requirement for a survey plan identifying the flood elevation may not be necessary for properties with an abrupt shoreline. The need for this requirement will be determined by Council in consultation with the Ministry of Natural Resources.
b) identify the 585 foot (178.3 metre) elevation G.S.C. datum on Georgian Bay as the minimum building elevation in the zoning by-law; and
c) require that all proposals to develop below this elevation proceed by amendment to the by-law.

Hazard Lands

12.48 The Municipality has reviewed patented lands with respect to hazardous conditions including flood susceptibility, erosion susceptibility, or any other physical condition which is severe enough to cause property damage and/or potential loss of life were such lands to be developed. The investigation to identify hazard lands was carried out by a combination of air photo interpretation and field examination. Very few hazardous lands exist inland of the Georgian Bay and consequently, detailed mapping and policies are not required at this time. Council accepts the general principle that development should not occur in hazardous areas and will consider this aspect of land management when reviewing specific development proposals.

Stormwater Control Management

12.49 Stormwater management involves controlling the surface water flow that results from a storm event. This includes the use of measures to treat the quality and quantity of stormwater on a comprehensive and on an individual property basis before it reaches any surface body of water. Such measures are designed to detain stormwater and reduce peak run off rates as well as to reduce the transport of suspended solids and erosion. The goal of stormwater management is to minimize the off-site impacts of stormwater flows as a result of development.

12.50 Stormwater management and construction mitigation plans should be required by the Township for commercial and other significant development proposals. The recommendations of such plans will be implemented through site plan, consent or other agreements.

12.51 Stormwater management and construction mitigation measures will be encouraged on individual residential lots and implemented through appropriate agreements.

Agriculture

12.52 While there are no prime agricultural lands in the municipality and limited legally existing farm operations and related uses, only those agricultural operations such as tree and peat farming and cranberry harvesting may be permitted only when deemed appropriate by Council through an Official Plan Amendment and Zoning By-law Amendment.

12.53 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province, as amended from time to time.

## SECTION 13 – ROADS AND TRANSPORTATION

### General

13.1 The Township supports watercraft as the primary mode of transportation. The Federal government is responsible for the maintenance of navigable waterways in the Township, and Council supports the Federal Ministry of Transport as far as possible to maintain safe, convenient and orderly travel through The Archipelago.

13.2 In a water-based Township, the waterways function as public roadways for navigation. Where possible, development should be directed away from navigation channels to protect the access function of the channel as well as to preserve the character of the waterway.

13.3 The Township supports water access facilities such as marinas and will work with business owners, local residents, and other levels of government such that water access points remain available to the residents of the Township.

The Township's preference is for the provision of water access through privately owned and publicly accessible commercial operations as these facilities are most able to provide a full range of services at one location. However, where commercial operations are limited, the Township may consider alternative means of providing access.

### Provincial Highways

13.4 There are a number of Provincial highways in the Township. Council supports the continued maintenance and upgrading of Highways 69, 400, 529, 529A and 644.

13.5 Any development adjacent to Provincial highways will be required to comply with the standards of, and obtain the necessary permits from the Provincial Ministry of Transportation.

13.6 Development proposals in close proximity to Highway 69 may be required to undertake a noise study and shall implement appropriate measures to mitigate any adverse effects.

13.7 The Township supports the extension of the four laning of Highway No. 69 north through the District of Parry Sound to promote safe travel into and through the region. The Township will only support a highway design that includes an interchange to access Pointe au Baril Station.

## Township Roads

13.8 The Township will not permit any further extension to its existing public road system as shown on Schedule “E”, with the exception of Pointe au Baril Station and existing public roads that may be impacted by the four laning of Highway 69. Realignments or minor upgrades to the existing public road system are permitted as part of this policy.

13.9 There are a number of circumstances in the Township where The Archipelago is not the registered owner of publicly maintained roads. The Township endorses a program of acquiring title to these roadways that are maintained by the Municipality. Road allowances transferred to the Township should have a minimum width of 20 metres whenever possible.

13.10 In keeping with the principle of limiting the level of local services, the Township endorses a minimal and basic road service. This basic road service is generally restricted to that level of service provided at the date of adoption of the Plan, except for the Pointe au Baril Station Neighbourhood.

Notwithstanding the above, The Township will only provide winter maintenance on Kapikog North Road, Munro Drive, Joyce Lane and Kapikog Dam Road in the Kapikog Lake Neighbourhood, where they are of an acceptable standard for snowploughing.

## Private Roads and Roads Over Crown Land

13.11 In keeping with the preservation of the water-based character of the Township, the development of private roads, or access roads over Crown land, or extensions to existing roads will be discouraged with the exception of those roads over Crown land used for resource access, and except as herein provided in this section. The Township will encourage all abandoned access roads to be returned to their natural state.

13.12 The importance of "Neighbourhood" character to the issue of private roads and access roads over Crown land is recognized.

13.13 No further private roads, or access roads over Crown land, or extensions to existing roads will be permitted in the following "Neighbourhoods":

i) Bayfield-Nares
ii) Pointe au Baril Islands
iii) Manitou
iv) Sandy and Martyr Islands
v) Long Sault – Amanda
vi) Five Mile Bay
vii) Sans Souci – Copperhead

viii) North Moon Channel
ix) Blackstone Lake
x) Portions of Sturgeon Bay – The western portion, extending south-westerly from the outlet of Cranberry Lake to Brignall Bank Narrows.
xi) Portions of Wood's Bay – The entire Wood's Bay Neighbourhood with the exception of the area extending southerly from Blackstone Harbour to Healey Lake Creek.
xii) Portions of Kapikog Lake, Healey Lake and Woods Bay at their junction.

13.13.1 Notwithstanding the provisions of *Subsection 13.13*, a site specific Official Plan amendment application to permit the development and/or extension of private roads, and/or access roads over Crown land, will be considered for the following lands:

a) in the Five Mile Bay Neighbourhood:
Lot 1, Concession 9, in the geographic Township of Cowper; and,
b) in the Blackstone Lake Neighbourhood:
Part of Lots 11 and 12, Concession 12, in the geographic Township of Conger, serving Parts 1 – 3 on Plan 42R-13756.

An application under this subsection shall be considered having regard to the policies in *Subsection 13.15*.

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

i) Pointe au Baril Station
ii) Skerryvore
iii) Crane Lake
iv) Healey Lake
v) Kapikog Lake
vi) Naiscoot Lake
vii) Rock Island Lake
viii) Three Legged Lake
ix) Portions of Sturgeon Bay – The eastern portion, extending south-easterly from the outlet of Cranberry Lake to the Pointe au Baril Station neighbourhood
x) Portions of Woods Bay – That area extending from Blackstone Harbour southerly to Healey Lake Creek.

13.15 In those neighbourhoods or parts of neighbourhoods where private roads, or access roads over Crown land, or extensions to existing roads may be considered, the following policies shall apply:

a) Where a road or part of a road crosses Crown land, the proponents must confirm that the Province has no objection to the road application.

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

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

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

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

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

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

g) Where a road or part of a road is located on a Municipal road allowance, the proponents may be required to apply for the stopping up, closing and purchase of that portion of the road allowance.

h) Any fees including legal, planning, engineering or environmental related to a road application, will be at the expense of the applicant(s).

13.16 In keeping with the principle of limiting the level of local service, it will be the Township's policy to not publicly assume, upgrade or maintain any private road or access road over Crown land.

13.17 Notwithstanding the policy discouraging new private roads above, a new private road may be established to serve property owners in Lot 41, Concession 3 in the geographic Township of Conger and identified as Parts 1, 2, 3 and 4 on Plan PSR-65 and Part 10 on Plan PSR-79 subject to the following conditions:

a) a work permit is issued by Ontario Ministry of Natural Resources;
b) the necessary legal easements are obtained by consent to ensure that the property owners have the required rights-of-way to access the affected properties;
b) All property owners that will use the road enter into an agreement with the Township, to be registered on the title of the lands of all of the road's users, to indemnify the Township and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the road.
d) that the Township receive a certificate from an Ontario Land Surveyor that the road, as constructed, is located within the easements provided.

13.18 Notwithstanding the policies contained in this Section, a new road over Crown land may be established to serve Lots 1 to 12 in Plan M161 in the geographic Township of Cowper provided that prior to the issuance of a work permit by the Ministry of Natural Resources the following conditions have been met:

a) The applicants demonstrate to the satisfaction of the Township and the Ministry of Natural Resources that there will be no adverse environmental impacts from the proposed construction that crosses the creek; and

b) The owners enter into an agreement with the Township that includes the following provisions:

i) The unopened road allowance along the route of the new road must be stopped up and conveyed to the proponents of the road (if legally conveyable to property owners not immediately adjacent to the road allowance) at their expense;
ii) All property owners that will use the road enter into an agreement with the Township, to be registered on the title of the lands of all of the road's users, to indemnify the Township and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the road.
iii) A survey be submitted to the Township from an Ontario Land Surveyor indicating the final location of the road; and

iv) The proponents of the road agree to obtain any required easements to ensure that all property owners have legal access over any portions of the road that traverses over private property as indicated on the survey to be submitted including the unopened road allowance that is to be stopped up and conveyed.

**Railways**

13.19 The Canadian Pacific Railway passes through the north part of the Township. The Township may require that development proposed adjacent to or in close proximity to the railway right-of-way undertake noise and vibration studies in accordance with the Ministry of Environment's publication *'Noise Assessment Criteria in Land Use Planning'* and its *D-Series Guidelines on Land use Compatibility*, and shall implement appropriate measures to mitigate against any adverse effects.

**Aircraft**

13.20 The Township recognizes that aeronautics are outside the jurisdiction of local governments. However, it is recognized that most aircraft have a high potential for interfering with the private enjoyment of waterfront properties and often create hazards to navigation. Whenever possible, the Township will recommend against structures and facilities that cater to the use of aircraft in the municipality.

**Recreational Trails**

13.21 The Township recognizes snowmobiling as an important winter transportation mode throughout the Township. Council will support the provision and maintenance of the snowmobile trails on private and Crown land by local clubs and ratepayers organizations. The establishment and maintenance of snowmobile trails is not considered to conflict with the Township's restrictive road policies.

13.22 The Township will not support the use or development of any trails, facilities, structures or organizations that encourage the use of ATV's with the exception of Council-supported and strategically planned approaches for Pointe au Baril Station.

## SECTION 14 – DEVELOPMENT PROCEDURES AND STANDARDS

### General Development Policies

14.1 The provisions of this part of the Plan will apply to all lands within The Archipelago.

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

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

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

14.5 All future development in The Archipelago including undeveloped existing lots of record and new lots created by consent or subdivision shall be considered for the purpose of this section to gain access from the lot's water frontage. The only exception to this section shall be for:

a) those lots where other policies apply as noted in *Section 14.4*;

b) a lot in public or private ownership that is specifically zoned for the purposes of providing marina facilities and/or multiple parking spaces.

Where a lot is a water access lot as defined above, the Municipality shall be satisfied that adequate long term parking, docking and boat launching facilities are made available for any proposed development. Such facilities may be provided by any of the following methods as determined by the Township and

as defined in the parking standards of the implementing Zoning By-law to this Plan:

a) private mainland parking; or
b) private marina facilities with the capacity to provide additional parking and docking facilities; or
c) public docking areas with the capacity to provide additional parking and docking.

Where existing or proposed public municipally owned lands providing docking, launching or parking facilities are determined by the Municipality to be required to provide water access services applicable to the proposed development, the Municipality may require a capital cost contribution towards the provision of parking for such a public municipal facility or facilities. This capital cost contribution may be required by the Municipality irrespective of any private access, or access over Crown land or access from unopened road allowances that is proposed or may exist directly to the proposed development over land.

Provision and operation of improvements and services to any public docking or parking area will be encouraged to be undertaken by the private sector.

It is Council's intent that revenue derived from the application of this policy will not be used to acquire existing operating privately owned commercial marinas. Council will generally use theses funds to acquire land where needed for water access or parking.

14.6 Development must be appropriate for an area in terms of its density or prematurity.

14.7 Development may be staged or phased as directed by Council to allow logical, progressive development which allows careful monitoring of portions of the development before maturity is reached.

14.8 Development may be considered by consent on small lakes where the waterbody is at least 50 hectares in lake surface area. Both the retained and severed lands are required to have a legal right-of-way or a legal right-of-way to the waterbody where access is obtained.

14.9 It is the policy of this Plan that only one dwelling is allowed on one parcel of land. However, a second dwelling is permitted on a lot where the lot is eligible for a land division provided that the resulting location of the second cottage would meet the criteria for severance at some future point including suitable location for docking facilities.

14.10 Sleeping or guest cabins are permitted accessory uses so long as they remain subordinate and incidental to the main dwelling subject to the requirements of the Zoning By-law implementing this Plan. The Zoning By-law will include regulations that ensure that sleeping cabins are:

a) subordinate in size to any residential use;
b) retained as an accessory function (i.e. no cooking facilities); and,
c) restricted in number so as to preserve the residential use.

These regulations may be neighbourhood-specific to respond to the varying circumstances that have evolved in different regions in the Township.

14.11 Sleeping cabins are an integral component of the seasonal residential land use within the Township. The historical development of Georgian Bay has typically seen the construction of a principal cottage with two or three sleeping cabins for the use of the extended family. This heritage component of the development of the islands is reflected in the Comprehensive Zoning By-law regulations.

Council is concerned that those undertaking new development or re-development of a property may seek to unduly exploit by-law regulations through a proliferation of minor variances to the sleeping cabin regulations. The result of a number of minor variances to sleeping cabin regulations could result in more obtrusive structures or a greater number of cabins than the intent of the by-law regulations.

Through the review of the Comprehensive Zoning By-law, sleeping cabin regulations were examined with a neighbourhood approach used as a solution to the number of cabins allowed, the individual cabin floor area and the total floor area of cabins permitted.

Section 5.37 of the Comprehensive Zoning By-law identifies in Wards 1, 2, 3, and 4:

i) the maximum total floor area is 50.16 $m^2$;
ii) the maximum number of cabins permitted on one lot is 3 cabins;
iii) the maximum total floor area of all sleeping cabins on a lot shall not collectively exceed 150.48 $m^2$.

Section 5.37 of the Comprehensive Zoning By-law identifies in Wards 5 and 6:

i) the maximum total floor area is 40 $m^2$;
ii) the maximum number of cabins permitted on one lot is 2 cabins;
iii) the maximum total floor area of all sleeping cabins on a lot shall not collectively exceed 80 $m^2$.

Site specific variations to the sleeping cabin regulations should generally proceed through a zoning by-law amendment process to properly assess the requested regulatory change. In some circumstances, a minor variance may be warranted to address minor regulatory changes for the site relating to sleeping cabins.

Council will have regard for the general impact of the requested amendment, assess the extent of the change to the regulation being varied from the adjacent waterbody, the impact on the neighbourhood because of the change, and the cumulative effect of variances for sleeping cabins to evaluate the appropriateness of the change from the intent of the regulations.

Sleeping cabins that are proposed to be:

i) larger than the regulated maximum total floor area for each sleeping cabin; or
ii) larger than the total floor area on a lot collectively; or
iii) greater in height than the regulated maximum height; or
iv) increased in the number of sleeping cabins for the site

will be assessed in accordance with the following criteria:

a) the size of the structure relative to the shoreline frontage and area of the property;
b) a demonstrated need for the regulation change;
c) the visibility of the structure from adjoining channels and properties;
d) the elevation of the sleeping cabins relative to existing landscaping and tree coverage to ensure buffering and screening from the waterways;
e) special design features or landscaping that can be implemented to reduce the visual impact of the larger structure and increased number of structures;
f) the location of existing structures relative to the proposed sleeping cabin and the ability of the existing structures to screen the visual impact from neighbours or boating channels;
g) the internal use of the sleeping cabin and the assurance that the cabin will not be used for anything other than what the by-law permits;
h) the conformity of the request with other by-law regulations or neighbourhood policies;
i) detailed drawings will accompany any application to clearly demonstrate mitigation measures to reduce the visible impact of the modified cabin.

14.12 Minimum lot size required for development of all existing lots of record with water frontage will be established in the implementing Zoning By-law.

Single islands in private ownership at the date of Council adoption of this Plan that are zoned ‘Natural State (NS)’ will be eligible to apply for a zoning by-law

amendment to rezone the island to a residential zone if the minimum area of the island is at least 8100 square metres in area above the “high water mark” (176.44 metres G.S.C. above sea level).

Certain exceptions to allow building permits for lots without water frontage are outlined in *Section 8 – Special Policy Area: Pointe au Baril Station*; *Section 9 – Special Policy Area: Skerryvore* and *Sections 10.53, 10.54 and 10.55*.

Any island sold subsequent to the date of Council adoption of the Plan, from a group of islands held in one private ownership, shall meet the applicable policies of the Plan and of the Zoning By-law prior to the issuance of any building permit.

14.13 Where lot creation, with private sewage systems, is proposed on waterbodies, approval of the development will be subject to a lake development capacity. Development capacity will be assessed based on available water quality data in consultation with the Ministry of the Environment and the Ministry of Natural Resources.

## Development Constraints

14.14 Development constraints are natural or man-made features that produce impediments to or limitations on development. It will be the policy of this Plan to impose whatever development controls are necessary to reflect any development constraints.

14.15 All development locations must be physically suitable in terms of services, building site, harbour and access. Lands with severe development constraints due to the steepness of their slopes, their susceptibility to flooding or erosion, their environmental sensitivity, or other special physical features, may be zoned in a non-development zone so as to maintain the natural state of these lands.

14.16 Development should not occur next to any major Township road or travelled right-of-way where a hazard may be created.

14.17 No development will be permitted on a portion of the shoreline of any lot which is located:

a) on any channel or course line shown as such on charts issued by the Canadian Hydrographic Services unless the actual course shown is a minimum of at least thirty metres from the highwater mark of the concerned shoreline;

b) on any customarily and regularly travelled channel or water course to which there is no convenient alternative where docks, wharves or other shoreline structures could be hazardous to navigation or where the passage of boats could be hazardous to the users of such shoreline facilities.

14.18 Development will only be permitted where the water frontage is deemed to be navigable. Navigability, in this context, refers to one's ability to gain convenient access to and from a proposed lot, based on a water elevation of 176.44 metres G.S.C. above sea level on Georgian Bay and the controlled water level of the inland lakes, without environmental degradation in an appropriate-sized runabout.

14.19 Access to and from certain existing lots of record may be gained by common dockage involving at least a right-of-way if suitable water access is not available.

14.20 All openings of habitable structures will be above the expected flood elevation level for a given waterbody.

**Aesthetics**

14.21 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.

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

14.23 The determination of height, when applied to residential structures, will be defined so that steeply pitched roof designs are discouraged.

14.24 New buildings on islands and mainland areas in all of Wards 2, 3 and 4 on Georgian Bay and those properties in Ward 1 fronting on Sturgeon Bay, excluding Pointe au Baril Station Neighbourhood, will be subject to a more stringent height restriction than the inland areas in Wards 1, 5 and 6. Wards 2, 3 and 4 will be subject to a height restriction that recognizes the objective of mitigating the impact of buildings and structures on the natural landscape.

14.25 Proposals to change the allowable height set out in the Zoning By-law on lands affected by the greater height restriction, will be primarily assessed from the water, in the case of mainland properties, and from all exposed directions from the water, in the case of islands and peninsulas; this will include an assessment of:

a) the anticipated impacts on neighbours as a result of the proposed increase in size or height;

b) the degree by which areas of natural vegetation help to buffer the building in the proposed location;

c) the nature of the relief being requested; e.g. is other relief being sought or is the proposed height within or does it exceed the former 9 metre height restriction;

d) the need for the increase in terms of whether there is any reasonable alternative construction;

e) the degree of hardship created by the greater height restrictions; and

f) detailed drawings showing plan, elevation and cross-sectional views depicting:

   i) how the building will relate to the exterior areas of the lot or island;

   ii) the areas of natural vegetation that are to be protected; and,

   iii) any proposed changes in grading or alteration in elevation or contour of the land, including the predevelopment grade, if the final grade is to be altered.

**Shoreline Structures**

14.26 Prior to development proceeding on or at the shoreline of properties, the necessary approvals shall be obtained from the appropriate authority.

14.27 Standards regulating shoreline structures, such as docks and boathouses, shall be detailed in the Comprehensive Zoning By-law.

14.28 The regulations contained within the Zoning By-law for shoreline structures shall be developed in order to maintain a balance of natural and built form.

14.29 Buildings, structures or works extending beyond the high water mark or located at the shoreline shall be designed and located in a suitable manner so as to have regard for:

a) critical fish and wildlife habitat;
b) navigation;
c) privacy;

d) aesthetics; and,
e) other shoreline and environmental policies.

14.30 The use of structures to store and/or moor boats along or at the shoreline of properties is a planning concern in The Archipelago, particularly where the said structures are large and/or obtrusive on the natural landscape. The Zoning By-law implementing this policy may provide for size limitations for such structures and appropriate setback and height regulations.

Docks, boathouses and boatports that exceed the regulations set out in the Zoning By-law will be reviewed and assessed in accordance with the following criteria:

a) the size of the structure relative to the shoreline frontage and area of the property;
b) the need for such a structure;
c) the visibility of the structure from adjoining channels and properties;
d) the public reaction to the oversized structure as determined in the processing of a planning application to allow for the structure;
e) the elevation of the boathouse and/or boatport and special design and locational features used to lessen its impact;
f) the location and size of the structure relative to existing buildings and structures on the adjoining land;
g) the proposed internal uses of the boathouse space; and,
h) the neighbourhood policies that may affect limits of shoreline structures.

All oversized boathouses will be subject to site plan control.

14.31 The Township of The Archipelago is aware that a number of land owners access their properties by seaplane. Any structures proposed to be built to house aircraft will be subject to the above criteria.

## Municipal and Original Shore Road Allowances

14.32 Development of any kind on a municipal road allowance will not be permitted without the approval of the municipality.

14.33 The occupation of a road allowance may be authorized for an abutting land owner, where the municipality does not have an immediate use for that road allowance and such occupation would not interfere with municipal or public use of the road allowance.

14.34 Road allowances which provide access to the water or are covered by water should be maintained in the Township's name.

14.35 Road allowances which lead to water or to original shore road allowances shall generally not be closed. Exceptions may be made where there is to be an exchange of lands or for a road allowance crossing a point of land with water on both ends of the road allowance or other similar circumstances.

14.36 Council will encourage the closing of original shore road allowances and transferring the title of this land to abutting owners except where the shore road allowance is required for public access, travel, environmental protection or portage purposes.

14.37 Only the portion of the shore road allowance above the controlled or normal highwater mark is to be sold to the abutting owner with the balance, if any, being retained by the Municipality.

**Implementation**

14.38 The goal, objectives and intent of this Plan will be implemented through a comprehensive zoning by-law and zoning by-law amendments, as well as through other municipal by-laws, lot creation, site plan control or municipal agreements.

14.39 The Township encourages the development of specific Bay or lake plans which build upon the policies of this Plan and further assist in its implementation.

14.40 Informal action initiated by the Township or the community will also assist in the implementation of this Plan. This may include the provision of public information, specific lake/Bay plans, amongst others.

14.41 An applicant proposing any development may be required to supply additional information on the proposal so that a proper evaluation may be made of the impact of the proposed development on adjacent lands and waters. Proposed development of a light industrial use must meet the requirements of the Ministry of the Environment with respect to any potential or existing emission from the facility to the air, water and/or land.

14.42 An impact assessment may be required in order to determine the impact of development on natural, environmental or cultural values, whether development is appropriate and to identify any necessary mitigation measures. Such assessments may be required to determine the impact of development on values or matters such as the following:

a) wetlands;
b) fisheries habitat;
c) wildlife habitat;
d) cultural heritage resources; or
e) ground and surface water resources.

14.43 Residential areas and other uses of similar sensitivity, such as the sites of hospitals, nursing homes, and homes for the aged, will be protected from situations of undesirable air quality and excessive noise/vibration through good land use planning and site plan control.

Developers may be required to carry out noise and/or vibration assessments and determine control measures which are satisfactory to the Ministry of the Environment and the Municipality in meeting the Ministry's recommended sound and vibration limits.

14.44 Sketches and plans accompanying planning applications may be required to be certified by an Ontario Land Surveyor so as to ensure accuracy.

14.45 Where a technical report or detailed impact assessment is required, such report shall be undertaken by one or more individuals who are qualified in assessing the value or matter of concern. Such report shall be:

a) prepared independently at the direction of the Township, on behalf of, and at the expense of, the applicant, unless otherwise agreed to by the Township; or,
b) where submitted by the applicant, subject to a peer review directed by the Township, and at the expense of the applicant, unless otherwise agreed to by the Township.

14.46 The Zoning By-law implementing this Plan will provide minimum lot sizes that are appropriate for The Archipelago given its generally low density, existing development standards and conservation oriented development philosophy. The minimum standards set out in the Zoning By-law will not necessarily be the maximum dimensions or areas of any lots proposed to be created and the Township will expect the lots to be designed with due regard for a high level of privacy, adequate water access, and all of the standards described in this section.

Wherever land division policies allow for consents for the creation of new lots in the various neighbourhoods (except for the Pointe au Baril Station Neighbourhood), and minimum lot standards are not identified, the minimum lot size will be 100 metres of water frontage and 1 hectare of lot area. These numerical figures are not absolute and may in appropriate circumstances be varied slightly to accommodate individual applications.

14.47 Minimum lot standards set out in the Zoning By-law implementing this Plan will recognize that islands are more appropriately controlled by lot areas while coastal areas are controlled by lot frontage standards. Peninsulas will be treated as islands which require a larger lot area than that required on mainland lots.

14.48 Wherever a use is permitted in this Plan it is intended that use, buildings or structures normally incidental and accessory or essential to that use may also be permitted.

14.49 All lands and waters located in the Township of The Archipelago are proposed Site Plan Control areas pursuant to Section 41(2) of the Planning Act, 1990.

Any lands that are made subject to site plan control are deemed to be areas where elevation drawings may be required, showing the relationship of the proposed building to the surrounding land and water and indicating the height of the building in contrast to any existing treeline and the predevelopment grades.

Lands that are subject to site plan control will be primarily assessed from the water, in the case of mainland properties, and from all exposed directions from the water, in the case of islands and peninsulas, and will be evaluated by taking into consideration the following criteria:

1. buildings should be located to minimize the disturbance of natural vegetation; and,
2. buildings should be located to minimize exposure to adjoining lands and waterways.

In addition to the plans required under Section 41(7)(a) of the Planning Act, Council may prior to such evaluation require drawings showing plan, elevation and cross sectional views for each building subject to site plan control, which may include:

a) building massing drawings, depicting how the building will relate to the exterior areas of the lot or island;

b) drawings showing the areas of natural vegetation that are to be protected; and,

c) any proposed changes in grading or alteration in the elevation or contour of the land, including the predevelopment grade, if the grade is to be altered.

14.50 Council may pass a by-law which incorporates the use of the holding provision with the symbol “H” in conjunction with any zone of a zoning by-law pursuant to the provisions of the Planning Act.

The purpose of the holding zone is to identify the ultimate use of land but prevent or limit the use until such time as Council is satisfied that further development can take place and the appropriate environmental studies and services have been reviewed and approved.

The objective of the holding symbol is to prevent or limit the use of land in order to achieve orderly, phased development, to ensure that servicing is available to the satisfaction of all government agencies and to allow for the implementation of special design criteria and policies.

Prior to the removal of the “H” symbol, Council may require that appropriate reports be submitted to the satisfaction of the Township.

14.51 The Township may enact a sign by-law to regulate the proliferation of signs which conflict with the natural environment of The Archipelago.

14.52 The Township may enact a by-law under The Municipal Act to control signs, identification markers on rocks or private buoys where safety factors and unsightliness are a concern.

14.53 The Township will take whatever measures are necessary to educate the public on the importance of the “dark sky” to the character of the Township and to restrict exterior lighting that may be hazardous to navigation of the waterways, the habitat of nocturnal animals, and privacy.

14.54 The Township may enact noise by-laws to control undesirable or nuisance causing noise levels.

14.55 The Township may enact by-laws to control derelict motor vehicles, derelict vessels and ensure that yards and vacant lands remain clean in appearance.

14.56 Notice for the purpose of informing the public in respect of a proposed official plan, community improvement plan or plan amendment shall be given in accordance with the Planning Act and any Ontario Regulation issued thereunder governing such notice requirements except that, provincial regulations notwithstanding, when such notice is given by personal service or prepaid first class mail, such notices shall be sent to every owner of land within 1000 metres of the area to which the proposed plan or plan amendment would apply.

Notice for the purpose of informing the public in respect of a proposed zoning by-law and notice of the passing of a zoning by-law shall be given in accordance with the Planning Act and any Ontario Regulation issued thereunder governing such notice requirements except that, provincial regulations notwithstanding, when such notices are given by personal service or prepaid first class mail, such notices shall be sent to every owner of land within 1000 metres of the area to which the by-law applies.

14.57 Council by resolution, may forego public notification and public meeting(s) in connection with official plan, community improvement plan and zoning by-law amendments if such amendments relate to matters which will not affect the

policies and intent of the official plan or community improvement plan, or the provisions of the zoning by-law in any material way, and will be restricted to the following matters:

i) deleting obsolete provisions;
ii) altering the number and arrangement of any provision;
iii) altering punctuation or language to obtain a uniform mode of expression;
iv) correcting clerical, grammatical or typographical errors;
v) inserting historical footnotes or similar annotations to indicate the original and approval of each provision;
vi) consolidating amendments;
vii) transferring official plan, community improvement plan and zoning by-law designations to new base maps such as new Ontario base maps or geographical information system mapping or other maps which might be prepared in conjunction with a specific study; and,
viii) adding technical information such as plans of subdivision, buildings, contours and elevations to base maps.

14.58 Wherever development proposals will affect lands abutting an adjoining municipality, Council will review the impact of said development proposals in the context of all land use planning programs in the affected municipality as well as those within The Archipelago. The Council of the Township of The Archipelago supports the adoption of similar approach by those municipalities sharing boundaries with the Township.

14.59 Where any Act or portion of an Act is referred to in this Plan, such reference shall be interpreted to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.

## SECTION 15 – PROPERTY STANDARDS

15.1 Council will enact by-laws prescribing the minimum standards of maintenance and occupancy of all types of property and their enforcement. To protect the amenities of the natural environment and existing and future development, a Property Standards By-law will contain requirements with respect to:

a) garbage disposal;
b) pest prevention;
c) structural maintenance of buildings;
d) building safety;
e) cleanliness of buildings;
f) plumbing, heating and electricity (where applicable);
g) keeping lands and particularly waterfront properties free from rubbish, debris, abandoned vehicles, trailers, boats or materials;
h) maintaining yards, lands, parking and storage areas;
i) maintaining fences, accessory buildings and signs; and
j) occupancy standards.

15.2 The Township will appoint a Property Standards Officer, who will be responsible for administering and enforcing the Property Standards By-law. Information concerning substandard housing conditions, overuse of existing buildings, neglected yards and other problems will also be collected by inspectors and other personnel in the Municipality.

The Township will appoint a Property Standards Committee as provided for in The Planning Act for the purpose of hearing appeals against an order of the Property Standards Officer. It is intended that a close liaison will be maintained between the Property Standards Committee, the Property Standards Officer and Council to ensure effective administration of the By-law.

15.3 Without sacrificing in any way the long term objective of the Property Standards policy, it is the policy of this Plan that the Property Standards By-law will be administered at all times to assist the citizens of the Township who have low or fixed incomes. Orders issued by the Property Standards Officer under the By-law will clearly be in the public interest.

15.4 As an integral part of the property standards policy, Council will support continued participation in any available home rehabilitation programmes to afford its residents the greatest opportunity possible to comply with property standards.

## SECTION 16 – SPECIAL PROVISIONS

16.1 Notwithstanding the provisions of *subsection 10.25, 14.2* and *14.48* of this Plan, the north half of Downward Island (No. B607) formerly in the Township of Cowper and now in the Township of The Archipelago and described as Parts 1, 2, 3 and 4 of Reference Plan No. 42R-7727 deposited in the Land Registry Office in Parry Sound may be the subject of a consent application creating four residential building lots.

16.2 Notwithstanding the provisions of *Section 14.4*, a consent may be given for one lot described as Part of Lot 17, Concession XII of the Township of The Archipelago (formerly the Township of Conger) designated as Parts 1, 3 and 5 on a plan of survey of record deposited in the Office of Land Titles at Parry Sound as 42R-7528. If this consent is not given prior to July 29, 1983 the Special Provisions of this *Section 16.2* will cease to apply.

16.3 Notwithstanding the provisions of *Section 10.28*, a consent may be given for one lot described as Part of Island B704, McLaren Island, in the Township of the Archipelago (formerly the Township of Conger), designated as Part 2 on a Plan of Survey of Record deposited in the Office of Land Titles at Parry Sound as 42R-7296. If this consent is not given prior to July 29, 1983, the Special Provisions of *Section 16.3* will cease to apply.

16.4 Notwithstanding the provisions of *Sections 10.2 and 14.53* of this Plan, the lands described as part of Island B320 and more particularly described as Parts 1 and 2 of Reference Plan No. 42R-6746 in front of the former geographic Township of Cowper and now in the Township of The Archipelago are deemed to be two existing lots or record which meet the lot area and frontage requirements of the Municipality and shall be zoned in the By-law implementing this Plan so that each lot may qualify for the applicable residential building permits.

16.5 Notwithstanding the provisions of *Section 10.12*, the lands described as Lot 33, Concession 4, in the former geographic Township of Harrison, now in the Township of The Archipelago, may be the subject of a consent application creating two residential building lots.

16.6 Notwithstanding the policies of this Plan, the lands described as Part of Lot 5, Concession I in the former Township of Conger and more particularly described as Part 1 on Reference Plan No. 42R-8713 may be the subject of a consent resulting in the creation of a single family dwelling lot.

16.7 Notwithstanding the policies of this Plan, the lands described as Part of Lot 19, Concession IX in the former Township of Conger and fronting on Crane Lake may be the subject of a consent creating a new residential lot provided that no further land division is to be permitted on these lands.

16.8 Notwithstanding the policies of this Plan, the lands described as Part of Lot 31, Concession 3 in the former Township of Conger and more particularly described as Part 1 on Reference Plan PSR-772 may be the subject of a consent resulting in the creation of a single family dwelling lot.

16.9 Notwithstanding the policies of this Plan, the lands described as Part of Lot 1, Concession 9, Township of Cowper and more particularly described on the field notes and plan of survey by J.T. Coltham dated August 20th, 1943 may be the subject of a consent resulting in the creation of one new single family dwelling lot.

16.11 Notwithstanding the policies of this Plan, the lands described as Part of Lot 22, Concession 5, geographic Township of Conger and more particularly described as Part 1 of Reference Plan No. PSR-1084 deposited in the Land Registry Office at the Town of Parry Sound may be the subject of a consent resulting in the creation of one new single family dwelling lot so that each of the existing family lots is separately conveyable.

16.12 Notwithstanding the policies of this Plan, the lands described as Part of Lot 18 and 19 in Concession 4, geographic Township of Conger and more particularly described as Part 1 (save and excepting Part 1 of Reference Plan No. 42R-6203), Parts 2, 4 and 7 of Reference Plan No. PSR-275 may be the subject of a consent resulting in the creation of two single family dwelling lots provided that abandoned sewage disposal systems or wells are properly decommissioned, and hazardous materials such as fuels left over from the marine operation be disposed of in a proper manner to the satisfaction of the Ministry of the Environment.

16.13 Notwithstanding the policies of this Plan, the lands described as part of Fryingpan Island No. B321 fronting the geographic Township of Cowper and more particularly described as Parts 1, 2 and 3 on Reference Plan No. 42R-2593 and a portion of the Crown lakebed in front thereof may be used for a licensed restaurant facility together with all relevant accessory uses and structures including storage buildings, accommodation for employees, and boat docking facilities up to 271 lineal metres in length within a waterlot licensed under the Public Lands Act by Provincial Ministry of Natural Resources and subject to all other relevant policies of this Plan and the implementing zoning by-law.

16.14 Notwithstanding the provisions of *Section 10.28*, the lands may be given for one lot described as part of Island No. B715, Dunroe Island, in the Township of The Archipelago, geographic Township of Cowper, as shown on a copy of a survey sketch attached to Letters of Patent No. 5031 in the Land Registry Office at the Town of Parry Sound may be the subject of a consent resulting in the creation of one new single family dwelling lot subject to complying with all other relevant policies of this Plan including those set out in *Section 14 -*

*Development Procedures and Standards*.

16.15 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 1738 P.S.N.S. in Part of Lot 31, Concession 1, in the geographic Township of Harrison, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.16 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 1891 P.S.S.S., Lot 34, Concession 9, in the geographic Township of Shawanaga, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.17 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 4038 P.S.S.S. in Lots 33 and 34, Concession 8, in the geographic Township of Shawanaga, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.18 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 1947 P.S.N.S. being Part of Island No. 78A, in front of the geographic Township of Harrison, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.19 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 1739 P.S.N.S. in Part of Lot 31, Concession 1, in the geographic Township of Harrison, now in the Township of The Archipelago, designated as Parts 1 and 2 on Plan 42R-8027 received and deposited in the Land Registry Office at Parry Sound. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.20 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to three new lots on the lands described as Parcel 7954 P.S.N.S. and Parcel 7957 P.S.N.S., being Part of Island 27A, in front of the geographic Township of Harrison, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.21 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to two new lots on the lands described as Parcel 9012 P.S.N.S. being the whole of Island No. 58A, in front of the geographic Township of Harrison, now in the Township of The Archipelago. If this consent is not given prior to December 31st, 1995, the Special Provisions of this Section will cease to apply.

16.22 Notwithstanding the provisions of this Plan, Portincross Estates Limited is an existing private club that was not recognized by the original comprehensive zoning by-law of the Township. The main developed property in the Portincross Estates Limited ownership is Island No. B601 (Good Cheer). Good Cheer Island is eligible for up to eight (8) dwellings together with the existing ancillary buildings and structures as a part of the private club recognized on the island.

16.23 Notwithstanding the provisions of this Plan, the lands described as Island No. 541A, being Parcel No. 1503 N.S. and Part of Lot 49, Concession 7, being Parcel No. 1802 N.S. and the original shore road allowance in front thereof, in the geographic Township of Harrison, will have the following land division policy contrary to *Section 10.6*:

a) Island No. 541A, being Parcel No. 1503 N.S. may be the subject of a consent resulting in the creation of two new lots; and

b) Part of Lot 49, Concession 7, being Parcel No. 1802 N.S. may not be the subject of any further land division, subject to complying with all other requirements of *Section 14 - Development Procedures and Standards* and any other applicable policies of this Plan. This special development policy is to accommodate the planning needs of the property owner without compromising the general objectives of the neighbourhood land division policies.

16.24 Notwithstanding the Neighbourhood Policies for Bayfield-Nares set out in *Section 10.6*, Cratloe Island No. 530A fronting the geographic Township of Harrison is subject to the following policies:

a) Part 1 and Part 4 of Reference Plan No. 42R-4962 may be used for single family dwellings and any permitted accessory uses or structures;

b) Part 3 of Reference Plan No. 42R-4962 and Part of Part 5 of Reference Plan No. 42R-4962 may be eligible for a consent creating one new single family dwelling lot subject to complying with *Section 14 - Development Procedures and Standards*;

c) Part 2 of Reference Plan No. 42R-4962 and Part of Part 5 of Reference Plan No. 42R-4962 may be used for up to 2 single family dwellings including accessory buildings or structures and not be eligible for consent; and

d) The interior of the island comprised of the reminder of Part 5 of Reference Plan No. 42R-4962 will be placed in a zone that allows for no further residential development and not be eligible for a consent since these development rights have been transferred to the above properties outlined in subparagraph (b) and (c).

16.26 Notwithstanding the provisions of the Official Plan for the Township of The Archipelago Planning Area as amended from time to time, the lands known as Lot 1 and Part of Block A of Plan M-251 located on part of Island 25A fronting the geographic Township of Harrison and adjoining areas owned by the Crown in Right of Ontario and identified as Crown Location CL 4548, Parts 1 and 2 and other adjoining Crown lands being part of the lakebed of Georgian Bay shall only be used for residential purposes alone or in combination with marina commercial uses to the extent only of those existing docks, storage building, parking areas, washrooms, satellite dish, fencing, shorewalling, and boat ramp as are shown on Schedule '1' to this amendment and associated use thereof as of the date of adoption of this amendment. Any additional marina commercial uses and any additional buildings, structures, parking or other facilities are not permitted and are not contemplated to be permitted in future under this Agreement.

16.27 Notwithstanding the provisions of the Official Plan for the Township of The Archipelago Planning Area as amended from time to time, a single family dwelling together with any permitted accessory uses and structures are permitted on two parcels of land identified as Parcels 5194 and 6339 P.S.S.S. being part of Island B686 fronting the geographic Township of Cowper.

16.29 The Township of The Archipelago has undertaken an Environmental Assessment Study to consider alternate access arrangements to the community of Skerryvore. This study may present solutions for a new public access road to be located in the Township. Notwithstanding the policies prohibiting or restricting new public roads contained herein, to the contrary, a new public road may be considered in that part of the Township located on the mainland of the geographic Townships of Shawanaga and Harrison west of Highway No. 69 and south of the South Shore Road subject to meeting the requirements of the Environmental Assessment Act.

16.30 Sandscliffe Resort Foundation is a non profit corporation that has been established to own and manage a family island in the Pointe au Baril Islands Neighbourhood. The land owned by Sandscliffe Resort Foundation comprises 16.5 of the 17.5 acres that make up Sandscliffe Island No. B912 in Frederic Inlet west of Shawanaga Inlet. The legal description of the property is identified as the remainder of Parcel No. 2284 PSSS in the geographic Township of Shawanaga.

There are presently six separate dwellings on the Sandscliffe Resort Foundation portion of Sandscliffe Island that have been shared by five generations of the same family since its original patent from the Crown. The owners wish to secure a legal conforming status for the recreational use of this family compound and to establish criteria that would allow for some minor additional construction on the island including the possible relocation(s) of existing cottages, notwithstanding the policy in the Township that recognizes a maximum of two separate dwellings on one parcel of land.

The Township of The Archipelago takes the position that no further individual dwelling units should be established on this part of Sandscliffe Island. However, it would seem reasonable to allow for the necessary renovations, repairs and modest enlargements to the existing residential construction on the island. The limits of any such construction should reflect the maximum amount of coverage that would otherwise be permitted in a conventional building arrangement on a single parcel of land. The following policy is specific to Sandscliffe Resort Foundation lands on Sandscliffe Island.

Notwithstanding the provisions of the Official Plan for the Township of The Archipelago Planning Area as amended from time to time, the lands described as Part of Sandscliffe Island No. B912 being the remainder of Parcel No. 2284 PSSS in front of the geographic Township of Shawanaga may be used for up to six dwelling units each on individual private sewage disposal systems together with any accessory uses, buildings and structures provided that all of the regulations set out in the By-law implementing this policy are met.

16.31 Notwithstanding the provisions of *Section 14.47*, the existing tourist commercial use located in Part of Lot 11, Concession 11 in the geographic Township of Conger on the shore of Blackstone Lake may be divided into two separate commercial uses. One will be for the marina use and the second will be for the rental cottage use. The conditions that will apply to the two separate parcels is as follows:

a) there shall be no change of use except for additions or enlargements that comply with the requirements of this Plan, the implementing zoning by-law and any other applicable law;
b) each parcel is to have a minimum lot size of 0.2 hectares; and
c) each parcel is to have a minimum shoreline frontage of 60 metres.

16.32 Notwithstanding the provisions of this Plan, Part of Lots 18 and 19, Concession 10, in the geographic Township of Conger may be used for up to two dwelling units together with any permitted accessory buildings and structures provided that the location of the dwellings are sufficiently separated and on independent services so that a consent for the subject lands could be approved severing one of the cottages and allowing it to comply with a minimum of 90 metres frontage, a minimum lot area of 1.0 hectares and provided that all other

applicable policies are met.

16.33 Notwithstanding the provisions of *Section 10.45* of this Plan, Parcel 8607 P.S.S.S., in Part of Lot 17, Concession 4, in the geographic Township of Conger, fronting on Healey Lake, may be the subject of a consent application resulting in the creation of one new residential waterfront lot subject to complying with all other relevant policies of this Plan. At this time, the back lands that would be naturally severed by the deeding of Earl's Marina Road and Healey Lake Road to the Township are not contemplated for development and will therefore be placed in a non-development zoning category in the implementing zoning by-law.

16.34 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create one new lot on the lands described as Parcel 24,471 in the Register for the District of Parry Sound South Section, in front of the geographic Township of Shawanaga namely Chippawa Island No. B895.

16.35 Notwithstanding the provisions of *subsection 10.9*, a consent may be given to create up to two new lots on the lands described as Parcel 17168 in the Register for the District of Parry Sound North Section, in front of the geographic Township of Harrison namely Olver Island No. 46A, and that the implementing zoning by-law recognize the existing development on the north end of the island including the second kitchen.

16.37 Notwithstanding the provisions of this Plan, the lands described as Island No. 235A, being Parcel No. 7030 P.S.N.S. and Island No. 238A, being Parcel 17390 P.S.N.S., in the geographic Township of Harrison, will have the following development policy:

a) Island No. 235A, being Parcel 7030 P.S.N.S. in the geographic Township of Harrison will be placed in a zone that does not allow for any residential development as the development rights of the island have been transferred to Island No. 238A, as set out in *Section 16.37 b)* below: and,
b) Island No. 238A, being Parcel 17390 P.S.N.S., in the geographic Township of Harrison, may be used for three single detached dwellings together with any permitted accessory uses or structures;

subject to complying with all other requirements of *Section 14 – Development Procedures and Standards* and any other applicable policies of this Plan.

16.38 Notwithstanding the provisions of this Plan, the lands described as Part of Lot 38 and Lot 39, Concession 3, being Parcel 4093 P.S.S.S. in the geographic Township of Conger, fronting on Healey Lake including the shore road allowance in front thereof, may be the subject of a consent resulting in the creation of two new residential waterfront lots subject to:

a) complying with relevant policies contained in *Section 14 – Development Procedures and Standards;*
b) the application of increased front yard requirements and setbacks from the adjacent environmentally sensitive features in the implementing zoning by-law.

No further lot division on these properties will be permitted.

16.39 Notwithstanding the provisions of this Plan, the lands described as Lot 44, Plan 197, being part of Island B717, in the geographic Township of Cowper, may be the subject of a consent application resulting in the creation of one new residential waterfront lot subject to complying with all other relevant policies of this Plan including *Section 14 – Development Procedures and Standards*. Applicable zoning implementing this Official Plan Amendment will have regard to neighbourhood character by restricting the number of sleeping cabins permitted on each property to one (1).

16.40 Notwithstanding the provisions of *Subsection 14.47* of this Plan, the lands described as Part Lot 2, Concession VIII, being Parts 1, 2 and 3 of Plan 42R-7188, the Remainder of Parcel 6160 P.S.S.S., in the geographic Township of Cowper, may be the subject of two consent applications resulting in the three residential waterfront lots subject to complying with all other relevant policies of this Plan including *Section 14 – Development Procedures and Standards*. Site Specific Zoning implementing this Official Plan Amendment shall also apply.

16.41 Notwithstanding the provisions of this Plan, the lands described as Parts 1 to 11 of Parcel 9157 P.S.N.S., Rathlyn Island (79A), in the geographic Township of Harrison, may be the subject of a Plan of Subdivision resulting in no more than seven water access residential lots, subject to complying with all other relevant policies of this Plan, including *Section 14 – Development Standards.* Rathlyn Island shall be subject to site plan control. Site specific zoning implementing this Official Plan Amendment shall also apply.

In order to establish baseline water quality for the waters surrounding Rathlyn Island, and thus evaluate the potential for the development to impact these waters, water quality data must be collected. Before a decision is made on draft approval for the subdivision, this water quality data must be collected and any water quality concerns arising from the proposed development be addressed to the satisfaction of the Ministry of the Environment.

As a condition of draft approval, and before final approval of the subdivision is given, a site assessment shall be carried out to identify significant habitat of endangered and threatened species and significant wildlife habitat. The site assessment shall take place within all proposed building envelopes and the lands adjacent to these envelopes to a distance of 50 metres. The proposed building envelopes are to be sufficiently large to accommodate all activity areas

associated with the proposed lots, including the septic system. Resulting acceptable building envelopes, as determined by the outcome of the site assessment, are to be defined in the site plan accompanying the site plan agreement that is to be registered on title. Site assessment should also take place in those additional areas (outside of the building envelope and 50 metre adjacent lands) identified by the Ministry of Natural Resources in their letter to the Township of March 23, 2006. Any significant habitat identified by the site assessments is to be zoned environmentally sensitive.

The zoning by-law amendment implementing this Official Plan Amendment shall also define the building envelopes.

Provisions within the Subdivision Agreement will direct that building permits will only be granted within the acceptable building envelopes as defined in the site plan, and not beyond, unless a further site assessment is undertaken and no significant habitat is identified.

As a condition of draft approval, and before final approval of the subdivision is given, a licensed archaeologist shall carry out a Stage 2 Archaeological Assessment focused on the proposed building envelopes and buffer, and completed to the satisfaction of the Ministry of Culture.

16.42 Notwithstanding the provisions of this Plan, the lands described as Parcel 25835 P.S.S.S., Lots 32 and 33, Concession 9, in the Crane Lake Neighbourhood shall be used for a wilderness camp facilitating a maximum of 36 campers at any one time. The subject property shall have a maximum of 4 tent sites with a maximum of 4 habitable tent structures in each tent site.

A wilderness camp is defined as: *"A recreational program based on activites and challenges associated with a wilderness experience. The setting is rustic with only temporary or minor accessory structures used for the use of the wilderness camp. The camping activities are to be isolated in a wooded and natural environment. Learning about the environment and wilderness experiences through low-impact recreational functions is the key, fundamental role of a wilderness camp."*

The property of 71 hectares presently contains: one single storey cottage, one two-storey residence (lodge) and four accessory structures (sheds).

The land fabric must be maintained as one parcel: no division of land is proposed, anticipated or supported by Official Plan policies.

A site specific zoning amendment will limit the use of the subject property to the following:

The property currently contains the following buildings:

a) a single, two storey residence (lodge) with 119 m² (1280 ft²) main floor;
b) a single storey cottage with 63 m² (680 ft²) main floor; and
c) four storage sheds (2 accessory sheds each with 9 m² ground floor area and 2 storeys, 1 accessory shed and 35 m² ground floor area, and 1 accessory shed with 19 m² ground floor area).

The following buildings and configurations of the wilderness camp:

a) one single storey storage shed with a maximum 540 m² (5812 ft²) total floor area;
b) one dining lodge, either as a two storey structure with a maximum 220 m² total ground floor area, or a 1 storey structure with a maximum 440 m² total floor area;
c) four different tent sites located over the entire subject property;
d) a maximum of sixteen wooden bottomed habitable tent structures located over the four different tent sites;
e) a maximum of four non-habitable accessory tent structures located over the four different tent sites;
f) dimensions and purposes of each of these structures will be specified in the site specific zoning amendment and site plan agreement.

The following are the details of each tent site:

a) each tent site will be comprised of 1 acre maximum area;
b) each tent site will contain a maximum of four habitable tent structures;
c) each tent site will contain a maximum of one non-habitable accessory tent structure;
d) each tent site will contain a maximum of 3 habitable tent structures for campers;
e) each tent site will contain a maximum of 1 habitable tent structure for counsellors;
f) the campers will utilize a maximum of twelve habitable tent structures over the entire property for a total of 36 campers on the entire property at one time;
g) the counsellors will utilize a maximum of 4 habitable tent structures over the entire subject property to a maximum of three counsellors per site.

Each tent structure will be comprised of the following:

a) each tent structure will accommodate a maximum of 3 campers up to a maximum of 9 campers per camp site, to a maximum of 36 campers on the subject property;
b) one habitable tent structure per site will accommodate a maximum of 3 counsellors per camp site, up to a maximum of 12 counsellors on the subject property;
c) each habitable tent structure (for either counsellors or campers) shall have a maximum floor area of 26.75 $m^2$ (290 $ft^2$);
d) each non-habitable accessory tent structure will have a maximum total floor area of 47.5 $m^2$ (511 $ft^2$);
e) each non-habitable accessory tent structure shall only be used for cooking/eating/storage purposes.

A site plan agreement registered on title will be required for the wilderness camp. The following information will be required as supporting documentation for the site plan agreement:

1) An Environmental Impact Assessment depicting the location of any significant wetlands, endangered or threatened species, habitat for endangered or threatened species, and any mitigation measures to be undertaken for the protection of these significant features;
2) A site plan drawing depicting the location of: all trails for the wilderness camp (service trails and walking trails); all structures for the wilderness camp; any existing structures; temporary structures; accessory structures; roads and access routes;
3) A location plan depicting any recreational activities and functions of the wilderness camp.

Provisions regarding the following will be included in the site plan agreement:

1) the extent of the land use proposed and a commitment that the subject property will be maintained as a wilderness camp only;
2) the land will remain as one parcel and the owners will not request the division of the subject property;
3) the wilderness camp will not be converted to a differed type of recreational camp;
4) the wilderness camp land use will not result in adverse impacts on the environment, on the lands or waters;
5) appropriate environmental protection measures are in place by the owner to protect any significant species, habitat or lands identified in the Environmental Impact Statement;
6) measures to ensure land use conflicts do not occur between the wilderness camp and the surrounding neighbourhood;

7) measures to ensure there are not visual impacts on the neighbourhood of any proposed structures;
8) the specific regulations to apply to the subject property to ensure the wilderness aspect of the camp is maintained;
9) wording to limit the use of motorized vehicles (ATV's, motorbikes and boat motors) to situations only for emergencies and will not be used for recreational purposes and trails will not be developed to promote or support this recreational activity;
10) a portage route identified on site plan drawing to the benefit of the public;
11) an access route between the dam and rock shelf to the benefit of the public;
12) specifications on the limited use of the shore land areas for access and activities that do not generate noise by the campers and employees and the prohibition of the storage of aquatic equipment;
13) site specific provisions identified in the agreement restricting the expansion of buildings and structures;
14) compliance with the site specific zoning requirements and the Ontario Building Code for existing and proposed structures and septic systems to accommodate the wilderness camp use;
15) provision to allow for inspections of the property by Township staff regarding site plan and zoning regulations;
16) provision that the agreement if to be registered on title and will be applicable to present and future land owners.

16.43 Notwithstanding the provisions of subsection 13.13 of this Plan, the lands described as Concession 12, Part Lot 11, Parcel 25480 PSSS (Loewen), zoned 'Natural State (NS)' and Concession 12, Part Lot 12, 42R-17199, Parts 1 and 4, Parcel 5664 PSSS (Foster), Concession 12, Part of Lot 12, 42R-17199, Pts 2 & 5, Parcel 28236 PSSS (Cheslock), Concession 12, Part Lot 12,42R17199 Parts 3 and 6, Parcel 28237 PSSS (Lanek Limited) zoned 'Inland Lakes Residential (IR)', located within the Blackstone Lake Neighbourhood may be permitted access by private road subject to the requirement that all of the owners enter into a site plan agreement.

The construction of the private road will be completed in accordance with Schedule "A" attached to and forming part of this amendment. The private road will have a width of no more than 4.5 m (15 feet) and service no more than the three residentially-zoned parcels subject to this amendment; the natural state zoned lot being used to gain access is to remain as a natural state lot and is not intended for development.

To indemnify the Municipality, acknowledge the municipality will not assume the private road and to protect the natural heritage values, a site plan development agreement will be entered into prior to construction of the road. The agreement will identify timing restrictions on construction, the method of

construction and mitigation strategies. The following additional site plan criteria will be applied to the three subject residential lots to help maintain the character of Blackstone Lake:

1. no roadways or driveways will be permitted in front of the rear wall on the main dwelling facing the shoreline;
2. no boat launches or access trails beyond walkways are permitted in the front yard;
3. shoreline areas will be maintained in their natural state, with the exception of access points to docking or beach areas and, if required, vegetation will be required to be planted to ensure an adequate vegetation buffer between the shoreline and adjacent residential development including parking areas and driveways; and,
4. vegetation plantings may be required along the roadway at the rear of the lot on the south edge of the road, where the road crosses the rear of the residential lots in the field.

Prior to the construction of the private road, the applicants will be responsible for:

i) entering into a site plan development agreement with the Township of The Archipelago.

ii) ensuring that all necessary approvals are secured from the required authorities, and that any direction provided in those approvals is followed;

iii) dedicating a one foot reserve to the Township along the entire length of the rear lot lines of all three residential properties, described as Concession 12, Part Lot 12, 42R-17199, Parts 1 and 4, Parcel 5664 PSSS (Foster), Concession 12, Part of Lot 12, 42R-17199, Pts 2 & 5, Parcel 28236 PSSS (Cheslock), Concession 12, Part Lot 12, 42R17199 Parts 3 and 6, Parcel 28237 PSSS (Lanek Limited)

No additional private roads will be permitted within the Blackstone Lake Neighbourhood. The justification for this Amendment is based upon the fact that this private road will not erode the predominant character of Blackstone Lake, which is water access. Furthermore, the majority of lands in proximity to the subject property possess road access and that there will be no negative impact on the environment. The majority of this private road will also follow an existing logging road on the subject lands

16.44 Notwithstanding the provisions of this Plan, the lands described as part of Island No. 100A, being Part 1 on Plan 42R-10465 and part of Island No. 30A, being Parcel 1753 P.S.N.S., in the geographic Township of Harrison, will have the following development policy:

a) Part of Island No. 30A, being Parcel 1753 P.S.N.S. in the geographic Township of Harrison, will be placed in a site specific zone restricting

development to a maximum of one single detached dwelling unit, one sleeping cabin and applicable accessory buildings.

b) Part of Island No. 100A, being Part 1 on Plan 42R-10465, in the geographic Township of Harrison, may be used for two single detached dwelling units and three sleeping cabins, subject to complying with all other requirements of “Section 14 – Development Standards” and any other applicable policies of this Plan. The Township shall ensure, due to any increase in the development potential, that the proponents provide proof of unreserved sewage capacity for the hauled sewage at a licensed facility and that a licensed hauler is available to transport the waste.

16.45 Notwithstanding the provisions of Section 13.13 of this Plan, the lands identified on Schedule “A” as being subject to Special Provision No. 16.45 and described below may be permitted access by private road subject to the following conditions:

The lands located in the Five Mile Bay Neighbourhood, described as Part of Lot 1, Concession 9, in the geographic Township of Cowper, being:

1. Parcel 7035 PSSS; Parcel 8031 PSSS, being Summer Resort Location CT118, Part 2 of 42R-8462; and Parts 1 and 3 of 42R-8462 (3 Georgian Bay Water);
2. Parcel 15024 PSSS; Part 1 of PSR-41 and Part 2 of 42R-9700 (5 Georgian Bay Water);
3. Parcel 8698 PSSS; Part 2 of PSR-42 and Part 1 of 42R-9700 (7 Georgian Bay Water);
4. Parcel 13268 PSSS being Part 3 of PSR-1194 (9 Georgian Bay Water);
5. Parcel 25729 PSSS; Part 1 of 42R-13712 (12 Georgian Bay Water);
6. Parcel 26156 PSSS; Parts 2, 3 and 4 of 42R-13712 (14 Georgian Bay Water);
7. Parcel 12610 PSSS; Part 1 of PSR-1000 (16 Georgian Bay Water);
8. Parcel 12611 PSSS; Part 2 of PSR-1000 and Part 4 of PSR-1562 (17 Georgian Bay Water);
9. Parcel 14677 PSSS; Parts 5 and 6 of PSR-1562 (19 Georgian Bay Water);
10. Parcel 14112 PSSS; Part 7 of PSR-1562 (21 Georgian Bay Water);
11. Parcel 14114 PSSS; Part 8 of PSR-1562 (23 Georgian Bay Water);

12. Parcel 7123 PSSS
    (25 Georgian Bay Water);
13. Parcel 6598 PSSS
    (31 Georgian Bay Water);
14. Parcel 6597 PSSS
    (35 Georgian Bay Water);
15. Parcel 6922 PSSS
    (37 Georgian Bay Water)

The construction of the private road is subject to the following conditions:

a) The construction of the private road will be completed in general accordance with Schedule “B” attached to and forming part of Official Plan Amendment No. 59.
b) The private road will have a width of no more than 4.5 m (15 feet) and service no more than the fifteen residentially zoned lots subject to this amendment.
c) A work permit is issued by Ontario Ministry of Natural Resources and Forestry (OMNRF), and that any direction provided in the work permit is followed;
d) All other necessary approvals are secured from the required authorities, and that any direction provided in those approvals is followed;
e) Confirmation that each of the lots benefitting from the proposed new private road has legal access over the existing Boyne River Road in Seguin Township.
f) The proponents of the road agree to obtain any required easements to ensure that all property owners have legal access over any portions of the road that traverse private property.
g) Each of the property owners obtaining an easement and/or granting an easement for the road shall enter into an agreement in accordance with Section 51(26) of the Planning Act with the Township to address the following, amongst other matters:

    a. the property owners agree to indemnify the Township from any responsible or liability in the use of the private road;
    b. the property owners acknowledge and agree that the road is a private road and assume all responsibility for its construction and maintenance;
    c. the property owners acknowledge and agree not to request the Township to assume or take over the private road as a public road;
    d. timing restrictions, method of construction and construction mitigation measures to ensure the natural heritage values and character of the area are protected;
    e. no roadways or driveways will be permitted in front of the rear wall on the main dwelling facing the shoreline on any of the lots;

f. no boat launches or access trails beyond walkways are permitted in the front yard of any of the lots;
g. shoreline areas will be maintained in their natural state, with the exception of access points to docking or beach areas and, if required, vegetation will be required to be planted to ensure an adequate vegetation buffer between the shoreline and adjacent residential development including parking areas and driveways; and,
h. the existing parking area, pedestrian bridge, and winter bridge will be removed and the subject lands will be remediated maintained in their natural state.
i. dedication of a one foot reserve to the Township along the entire length of the eastern and southern lot line of Parcel 6922 PSSS (37 Georgian Bay Water).

No additional private roads or extensions of existing private roads will be permitted within the Five Mile Bay Neighbourhood. The justification for this Amendment is based upon the fact that this private road will not erode the predominant character of the Five Mile Bay Neighbourhood, which is water access. The majority of this private road will follow an existing trail network road on the subject lands.

## SECTION 17 – WATERBODY USE POLICY

### General

17.1 The following waterbody use policies apply to all the navigable waters over: Crown lake beds; flooded or reclaimed lands; private or leased water lots all within the jurisdiction of The Township of The Archipelago. These policies are to be reviewed in conjunction with all other policies of this Plan and the implementing Zoning By-law. It is recognized that the attached policies are not binding on Crown land. However, the Crown will have regard for these established planning policies in its administration of Crown lands.

### Permitted Uses

17.2 Uses permitted in navigable waters of The Archipelago include docks, wharves or boat houses accessory to permitted onshore uses and dock facilities in connection with private marinas, provincial recreational management programs and federal government wharves. With the exception of private marinas or public docking facilities, all docking structures and uses must remain accessory, subordinate and ancillary to any permitted onshore uses.

17.3 The mooring of boats or structures to the lake bed or Crown islands for extended periods of time, without the approval of the appropriate authority, is not permitted within the Township.

### Marina Policy

17.4 The Township of The Archipelago recognizes the importance of marina facilities that cater to the water access needs within the Municipality. The Township will support the maintenance of marina facilities and their expansion so long as such expansions are consistent with the policies of this Plan, the implementing Zoning By-law and site plan requirements.

17.5 There are many water access properties within The Archipelago, particularly in the south, where marina facilities are located outside the jurisdiction of the Township. The Municipality will encourage the preservation of these facilities in adjoining municipalities and First Nations and co-operate in whatever manner possible to ensure the continued delivery of this service for the benefit of the inhabitants of all areas.

17.6 In the event that economic or development pressures lead to the elimination of a number of existing docking facilities, it may be necessary to take measures to ensure expanded marina and/or water access facilities are available within or outside the boundaries of the Municipality for the benefit of the inhabitants of the Municipality.

17.7 All commercially zoned lands and their dock areas will be subject to site plan control under The Planning Act. Expansion of marina facilities will be encouraged whenever such expansions are consistent with the objectives of this Plan and the private enjoyment interests of adjoining property owners.

17.8 In accordance with *Section 12*, the Township may support dredging or shoreline works for marinas that are necessary as a result of the fluctuating waters of Georgian Bay. The Township may apply controls to ensure that sedimentation disruption does not create a safety or environmental hazard.

17.9 The disposition of adjoining Crown land to facilitate the expansion of existing marina operations catering to the needs of The Archipelago may be supported by the Municipality, subject to the criteria set out in *Section 12*.

17.10 The Municipality will support the continued use of existing commercial marina facilities in accordance with *Section 6 - Land Use Policies*.

17.11 The Zoning By-law will set out criteria for the expansion of marine and tourist commercial uses that implement the waterbody use policies of this Plan including use restrictions, setbacks, lot coverage, car parking requirements and building heights.

**Inter-Jurisdictional Water Issues**

17.12 The Municipality will support and participate in any planning program with senior levels of government designed to manage the ever increasing transient boat or cruising traffic through and into The Archipelago. This may include support for the Crown land waters to be included within the boundaries of The Massasauga Provincial Park in the south area, input and assistance to the navigational publications including hydrographic strip charts, boating magazines and signage in adjoining jurisdictions.

The Township takes the view that the transient boating issue is large in scale and scope and must be properly planned and managed in conjunction with senior levels of government.

In the interim, it is the position of the Township that new facilities for the transient boating population, if any, should be introduced only after careful determination of where they should be provided, to what scale and how enforcement is to be carried out. On Crown lands, development of new facilities will be subject to a planning process which will include prior public consultation.

17.13 The municipality will continue to support the maintenance of existing public and private landings which are administered by various organizations and ratepayers agencies. No new landings are proposed and no new structures other than the maintenance and replacement of existing structures will be supported.

17.14 There are seven boating sites (formerly Ministry of Natural Resources' picnic sites) within the Municipality amongst the islands of Georgian Bay.

In the south, long term use of all four sites will be established through research and comprehensive planning studies which form the background to the Management Plan for The Massasauga Provincial Park, which will determine the appropriateness and location of this use.

In the north, there will be no new sites proposed without prior consultation with the Municipality.

**Waterlot Policy**

17.15 Given the water use activity associated with shoreline development, the water area adjacent to a waterfront lot should be protected from adverse impacts associated with structures and activities on adjacent shoreline lots. In this regard, appropriate setbacks for shoreline structures, taking into account the activity associated with the structure, should be maintained from the side lot lines and the projected extension of these lot lines out into the water. The extent of the projection of the side lot line will be dependent on the intensity of the use and the character of the waterbody.

17.16 It is the policy of this Plan to allow for the expansion of commercial or private club boat docking areas, structures and facilities provided that said facilities are located within an approved waterlot authorized under The Public Lands Act by the Provincial Ministry of Natural Resources and are in accordance with the other policies of this Plan.

17.17 It is the policy of the Municipality to support applications for new or expanded waterlot licenses subject to the following conditions:

a) approvals of relevant agencies including the Canadian Coast Guard and Ministry of Natural Resources;
b) ensuring that there is a buffer between the waterlot and any adjoining residential uses;
c) complying with any municipal standards governing setbacks from major or minor navigation channels;
d) where applicable, there is adequate car parking available to service boat docking rental customers and visitors;

e) the configuration and size of the waterlot has regard for orientation of adjoining property lines such that egress and ingress are considered and protected as far as possible;

f) the size of the waterlot does not exceed the size of the onshore lands including adjacent Crown reserves or shore road allowance excepting those areas within the commercial limits of Pointe au Baril Station;

g) there are adequate onshore services including sewage disposal, water treatment, hydro and solid waste disposal facilities to accommodate the use of the docking facility.

**Implementation**

17.18 All waterbody use policies contained in this Plan will apply to all navigable waterbodies within The Archipelago.

17.19 In addition to the Zoning By-law and site plan control, Council will implement waterbody use policies with other planning controls.

17.20 The Municipality may enact a holding provision by-law under Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to prevent the expansion of any docking facilities in any commercial zone to ensure that appropriate servicing for sewage disposal, water and other relevant services are available to the satisfaction of the Ministries of Environment, Health and Natural Resources or any other authority having jurisdiction.

The holding provision, when applied to a commercial docking area or zone, will be removed provided that the conditions set out in *Section 17.17* of the Official Plan and Zoning By-law requirements are met.

17.21 The Township encourages marinas to implement the practices of the Clean Marine program and will encourage the development of best management practices for all business along the waterfront.

## SECTION 18 – NEIGHBOURHOOD WATERBODY USE POLICY

### General

18.1 The following neighbourhood waterbody use policies should be read in conjunction with and are subject to those policies set out in *Section 17* regarding general waterbody use policies and all other policies of this Plan.

### Bayfield – Nares

18.2 The Bayfield - Nares Neighbourhood is serviced almost entirely by three existing marinas. These marinas will be encouraged to expand to facilitate the water access needs of islanders in the Bayfield - Nares Neighbourhood. There are few alternatives for the maintenance of water access facilities at Bayfield-Nares and therefore, the Council of the Township of The Archipelago will take whatever measures are necessary to support the ongoing provision of water access docking facilities at Bayfield-Nares.

### Sturgeon Bay

18.3 The east coast of Sturgeon Bay is an area that is primarily accessed by private road. There is an existing marina located on the north shore of Sturgeon Bay which provides the principal water access facility to this neighbourhood. There appears to be significant room for expansion at the existing marina facility in regard to the provision of additional docking facilities.

### Pointe au Baril Station

18.4 The marina sites at Pointe au Baril Station provide the sole access point for land owners in the Pointe au Baril Islands Neighbourhood. It is essential to maintain water access services at this location for the property owners in the Pointe au Baril Islands Neighbourhood.

The Municipality will support the expansion of existing marinas as far as possible in the Pointe au Baril Station Neighbourhood subject to the limitations set out in expansion criteria found in *Section 17* and the implementing Zoning By-law.

Notwithstanding *Section 17*, it may be necessary to consider the disposition of Crown land within the Pointe au Baril Station Neighbourhood for the relocation or the establishment of additional marina facilities for water access properties. When reviewing applications for acquiring Crown land for marina expansion or the establishment of additional marina facilities, the Ministry of Natural

Resources will take into account Ministry program interests, environmental constraints and any Municipal or public interest.

There is an increasing number of larger vessels in the Pointe au Baril Island Area either of a transient or local nature. Pump-out facilities for such vessels are available within the Pointe au Baril Station Area.

It will be the policy of the Council of the Township of The Archipelago to support the establishment and maintenance of, on an ongoing basis, a sewage pump-out facility within the Pointe au Baril Station area.

**Lake Neighbourhoods in the North**

18.5 Naiscoot and Rock Island Lakes are predominantly road access. Therefore, few marina facilities are available on these waterbodies. The Municipality has no objection to the enlargement of docking facilities within these inland Neighbourhoods subject to the policies set out in *Section 17*.

**Pointe au Baril Islands Neighbourhood**

18.6 The Pointe au Baril Island Community, unlike the communities in the south area of the Township of The Archipelago, has relatively few issues with respect to transient boating traffic. There are currently no major facilities for transient boaters either in the private or public sector in the Pointe au Baril Islands Neighbourhood. Until such time as the transient boating traffic population becomes a problem, conflicting with private land owners and taxing the environment, there will be no specific waterbody use policies affecting this matter in the Pointe au Baril Islands Neighbourhood. The Council of the Township of The Archipelago will support the ongoing provision of water access facilities in the Pointe au Baril Islands Neighbourhood.

**Five Mile Bay Neighbourhood**

18.7 The properties in the Five Mile Bay Neighbourhood all obtain access from marinas located either in the Town of Parry Sound or the Township of Seguin along Rose Point Road. The Municipality does not have jurisdiction over the access facilities but supports the continuation of these services that are vital to its area ratepayers. To this end, the Municipality may enter into negotiations with marina operators for the continuation of this vital service to its South Channel ratepayers.

**Long Sault – Amanda and Sandy and Martyr Islands Neighbourhoods**

18.8 With the exception of a Provincial government picnic site, the Long Sault Amanda, Sandy and Martyr Islands Neighbourhoods have no facilities for boat docking. All of the Islanders and water access property owners within these neighbourhoods obtain access from the marinas in the Parry Sound area or from the Oak Point Marina on Parry Island Indian Reserve. In this regard, the statements made in the Five Mile Bay Neighbourhood apply equally to the Long Sault-Amanda and Sandy and Martyr Islands Neighbourhoods.

**Sans Souci – Copperhead and Manitou Neighbourhoods**

18.9 The Sans Souci area, as indicated in the general land use neighbourhood policies, is an area that has traditionally been heavily used by transient boat traffic. The transient boat traffic in this area of the Municipality makes use of a number of natural harbours, provincial picnic sites, existing government and private commercial docking facilities.

The Ministry of Natural Resources is currently undertaking a management planning program for much of the Sans Souci area since it is within The Massasauga Provincial Park.

Water access facilities for the Sans Souci – Copperhead and Manitou Neighbourhoods are all located either outside the neighbourhoods or outside the boundaries of the Municipality. The Council of the Municipality will take whatever measures are necessary to support the ongoing provision of water access docking facilities to the residents of the Sans Souci - Copperhead and Manitou Neighbourhoods.

**North Moon Channel Neighbourhood**

18.10 The North Moon Channel Neighbourhood is located entirely within the boundaries of The Massasauga Provincial Park. There are currently only two commercial facilities in this neighbourhood consisting of a private club and diving outpost. It is not anticipated that there will be any boat docking expansion issues in regards to this neighbourhood.

**Woods Bay Neighbourhood**

18.11 As set out in *Section 17* of this Plan, Woods Bay is the only neighbourhood within the south part of the Township of The Archipelago where road access marinas are available. There is currently a limited supply of private docking facilities at existing commercial businesses that provide access to the

immediate Woods Bay area. Woods Bay is part of the Moon River basin of the Georgian Bay. This is a significant regional landscape in terms of its natural beauty and isolated pattern of human development. The area is sensitive to even moderate increases in development activity or boat traffic. It will be the policy of the Municipality to support the expansion of new docking facilities to accommodate the growing demand for boat docking facilities to service island properties only when all other water access facility alternatives have been exhausted.

Any extensive expansion of marina facilities should be accompanied by a planning report supporting the development and indicating how area concerns and environmental impact and Provincial Park concerns may be dealt with.

**Healey Lake Neighbourhood**

18.12 The Healey Lake Neighbourhood has a number of access arrangements for the residents of the area. There are three commercial marina locations, a number of public or Crown landings and a significant portion of the lake is accessed by private or Municipal road. The Township of The Archipelago will support the continued maintenance and expansion of the marina operations to respond to and complement the emphasis of a continued water access population for the lake.

**Crane Lake Neighbourhood**

18.13 There is currently one marina location on Crane Lake serving a large number of water access properties. There are few alternatives for the maintenance of water access facilities on Crane Lake and, therefore, the Council of the Township of The Archipelago will support the ongoing provision of water access docking facilities at Crane Lake.

**Kapikog Lake Neighbourhood**

18.14 Kapikog Lake is almost entirely serviced by Municipal or private road. However, there are a number of water access properties including islands that will always require an access facility. There is currently one commercial marina and one public access facility serving water access properties on Kapikog Lake. The Council of the Township of The Archipelago will support the ongoing provision of water access docking facilities at Kapikog Lake.

**Blackstone Lake Neighbourhood**

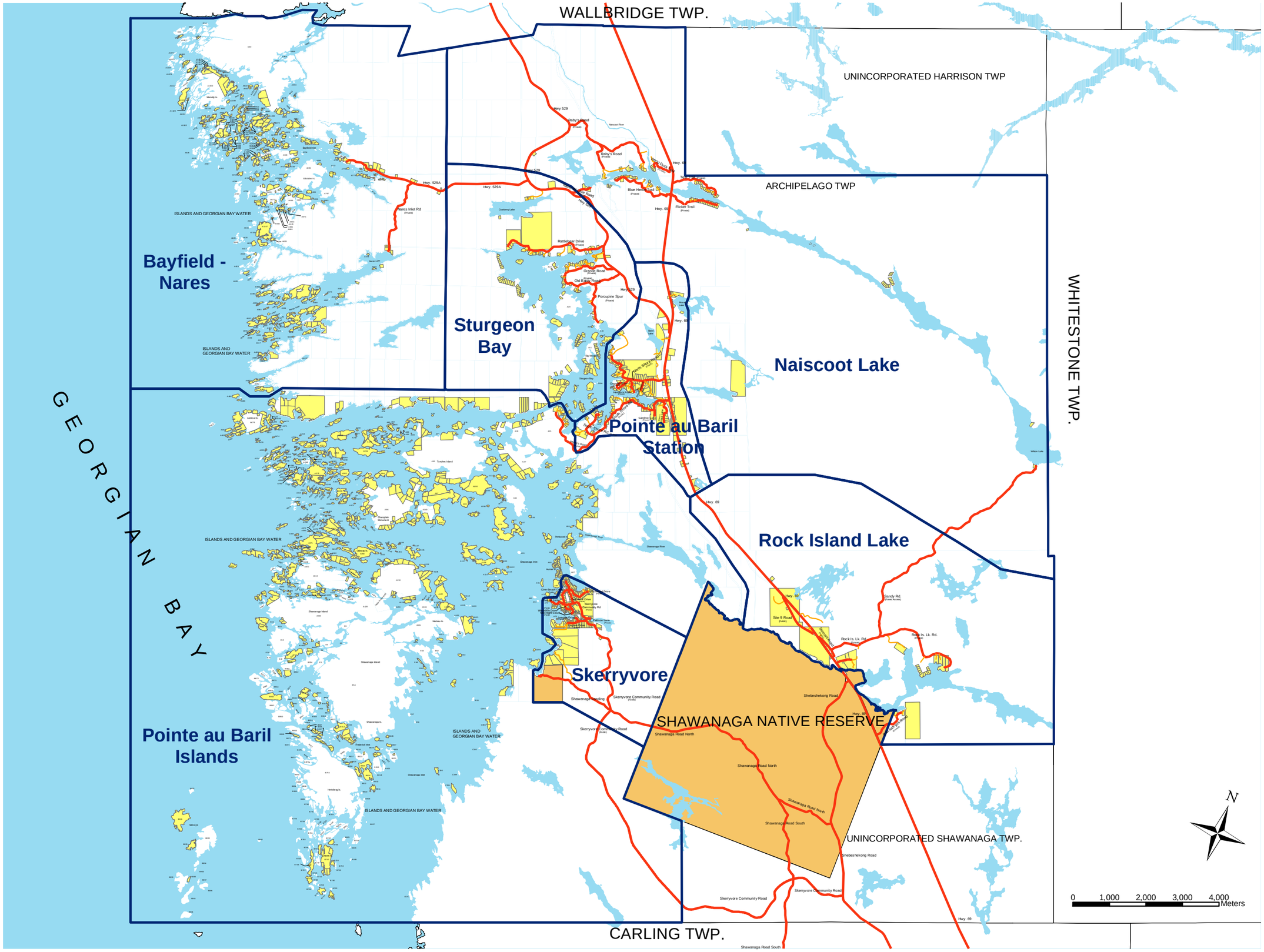
18.15 Blackstone Lake is a neighbourhood lake with the majority of property owners being water access.

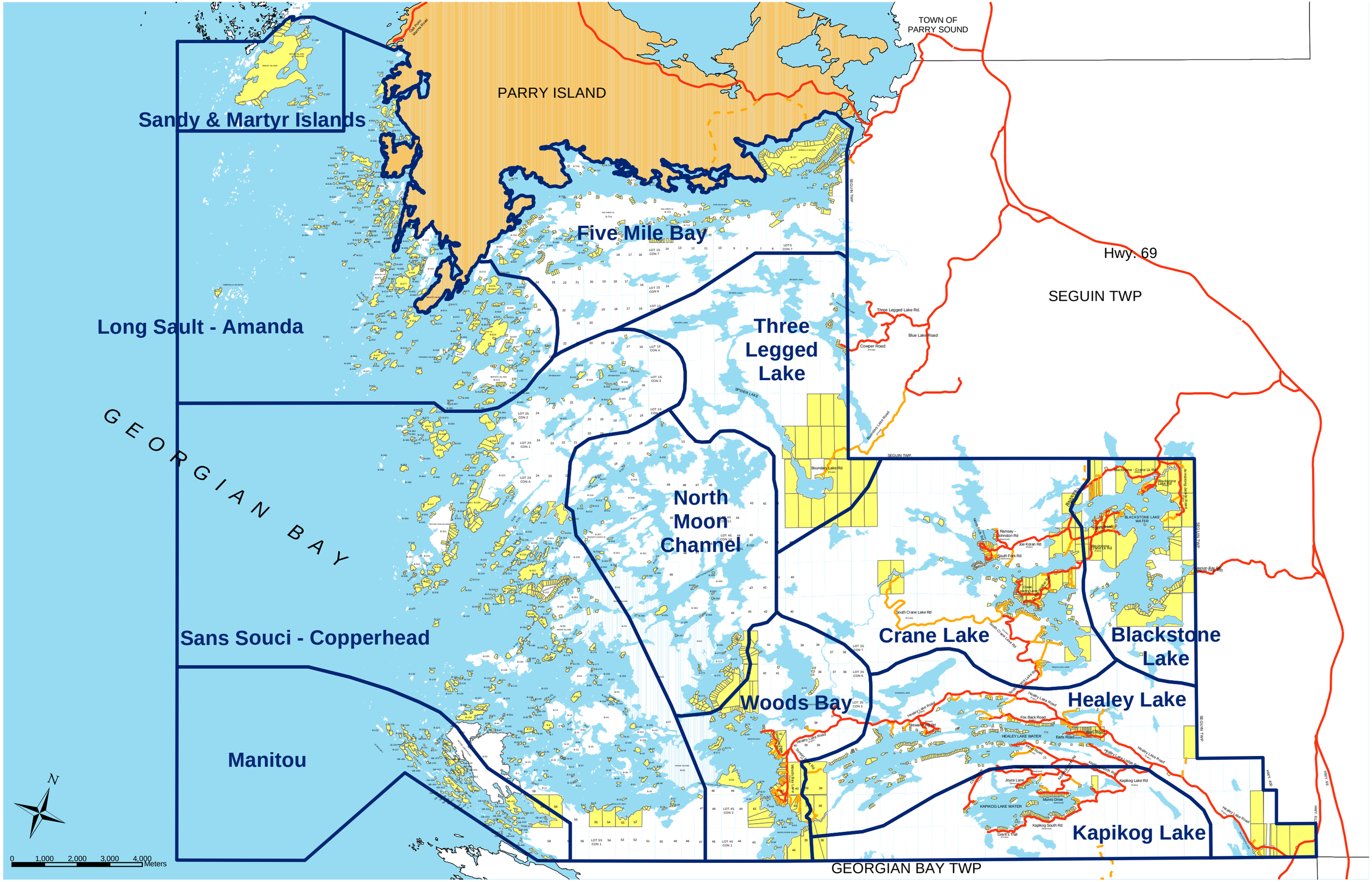
Access facilities are presently available from two small marinas which are associated with other commercial activities.

The Township of The Archipelago is committed to maintaining the water access character of the lake both for existing water access properties and for new development.

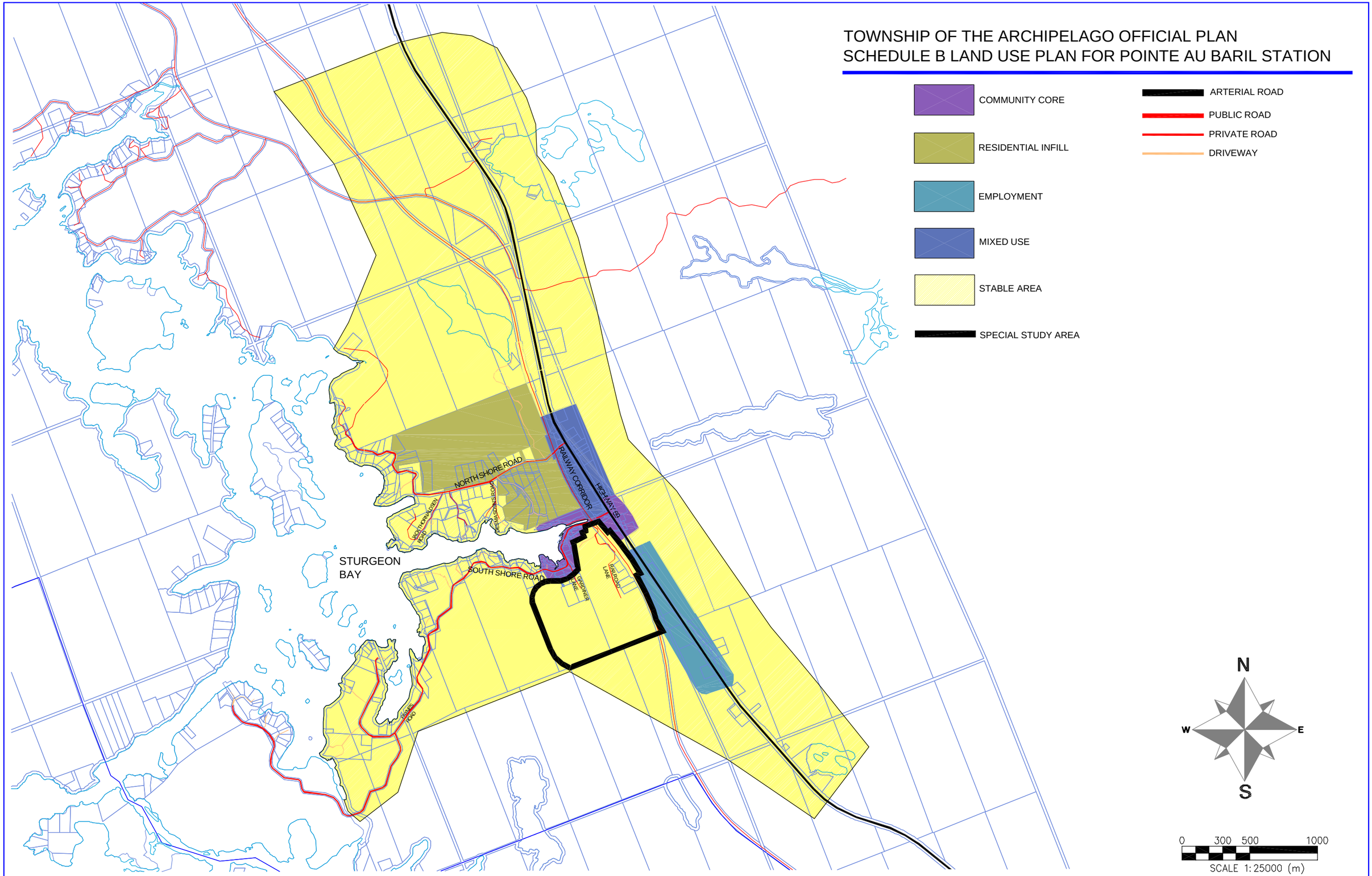
The Township of The Archipelago will take whatever measures are necessary to ensure maintenance or expansion of marina operations sufficient to support and complement the water access policy for the lake.

Such measures shall be consistent with the principles and policies set out in *Section 17*.


WALLBRIDGE TWP.
UNINCORPORATED HARRISON TWP
ARCHIPELAGO TWP
WHITESTONE TWP.
Bayfield - Nares
Sturgeon Bay
Naiscoot Lake
Pointe au Baril Station
Rock Island Lake
Skerryvore
SHAWANAGA NATIVE RESERVE
Pointe au Baril Islands
UNINCORPORATED SHAWANAGA TWP.
CARLING TWP.
GEORGIAN BAY
ISLANDS AND GEORGIAN BAY WATER
N
0 1,000 2,000 3,000 4,000 Meters


TOWN OF
PARRY SOUND
PARRY ISLAND
Sandy & Martyr Islands
Five Mile Bay
Long Sault - Amanda
Three
Legged
Lake
Hwy. 69
SEGUIN TWP
G E O R G I A N B A Y
North
Moon
Channel
Crane Lake
Blackstone
Lake
Sans Souci - Copperhead
Woods Bay
Healey Lake
Manitou
Kapikog Lake
GEORGIAN BAY TWP
N
0 1,000 2,000 3,000 4,000
Meters

# TOWNSHIP OF THE ARCHIPELAGO OFFICIAL PLAN
# SCHEDULE B LAND USE PLAN FOR POINTE AU BARIL STATION



**SCHEDULE 'C' – GLOSSARY**

Terms

1. Maintaining private enjoyment: means protecting, isolating or screening the features of residential property from adjoining commercial development, including mitigating against the impacts of noise, obtrusive structures, vehicular or boating traffic.

2. Private Club: means one or more of the recreational land uses which existed in the Township on January 1, 1980, having in excess of two owners, containing three or more self-contained cottages, a main lodge, common or shared outbuildings and facilities.

3. Recreational Waterbody: means a waterbody having a minimum surface area of 50 hectares of navigable water.

4. Social Development Criteria: means the consideration of the impact of a specific project within sight of the dwelling, deck or dock of a neighbouring property which is within one kilometre of the subject site.

5. Single family: means one or more persons living as a single housekeeping unit.

6. Private Road or Access Road: means any roadway or openway that allows for the passage of a conventional passenger vehicle, but does not include a public road or public highway as defined in the Municipal Act.

# SCHEDULE `D'

TO THE ARCHIPELAGO OFFICIAL PLAN

PLAN SHOWING DEVELOPMENT GROUPS IN

## SKERRYVORE

IN THE

TOWNSHIP OF THE ARCHIPELAGO

BEING PART OF

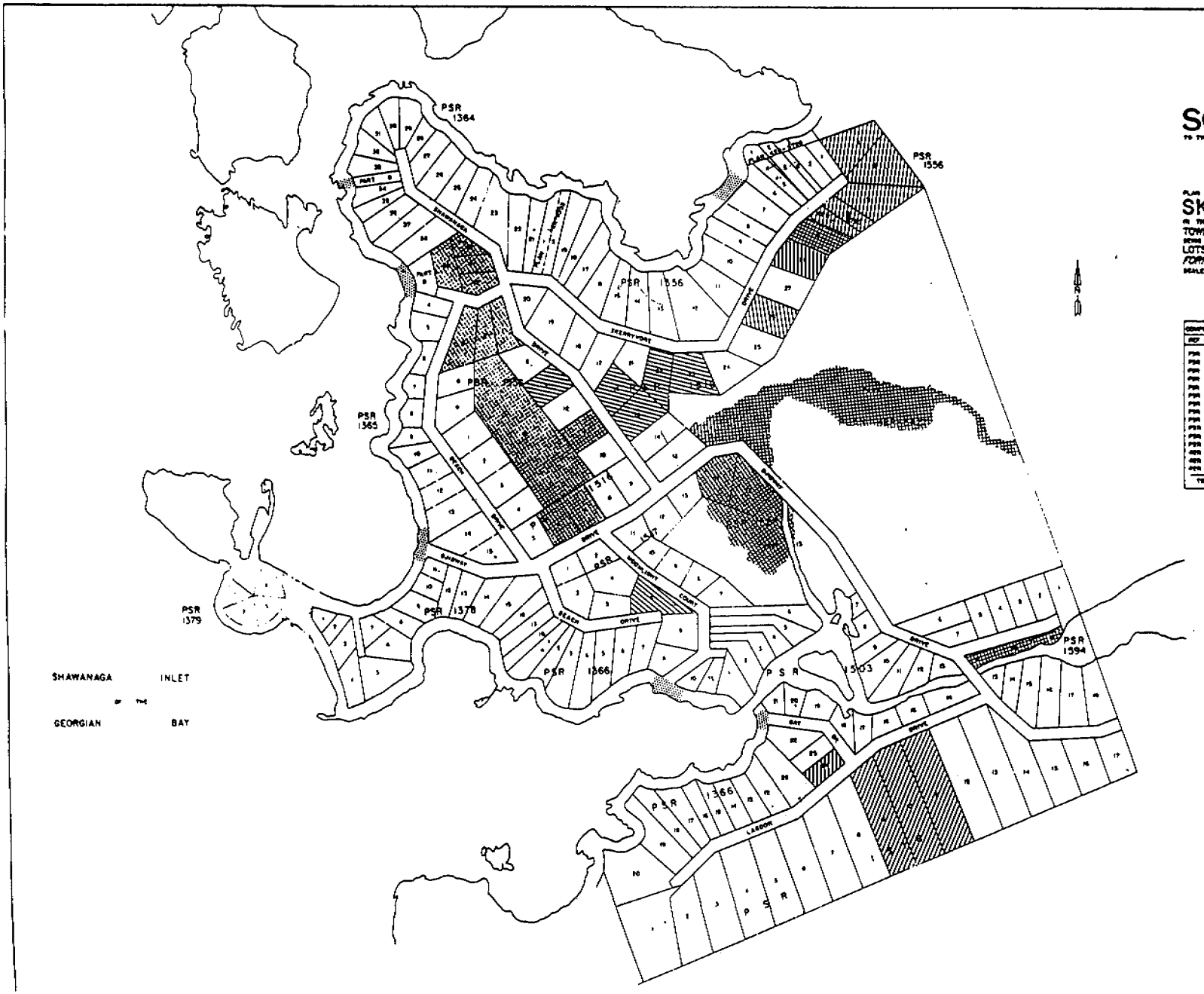
LOTS 32 & 33, CONCESSION II

*FORMER TOWNSHIP OF SHAWANAGA*

SCALE 0 50 100 150 M.

COMPOSITE DRAWING OF REFERENCE PLANS:

| REF. PLAN NO. | PART NO. | NO. OF LOTS |
|---|---|---|
| PSR - 1364 | 1 - 40 | 4 |
| PSR - 1365 | 1 - 40 | 8 |
| PSR - 1366 | 1 - 40 | 8 |
| PSR - 1367 | 1 - 40 | 10 |
| PSR - 1373 | 1 - 4 | 7 |
| PSR - 1375 | 1 - 1 | 1 |
| PSR - 1376 | 1 - 10 | 10 |
| PSR - 1377 | 1 - 26 | 25 |
| PSR - 1378 | 1 - 13 | 13 |
| PSR - 1379 | 1 - 8 | 8 |
| PSR - 1380 | 1 - 13 | 9 |
| PSR - 1381 | 1 - 6 | 9 |
| PSR - 1382 | 1 - 1 | 1 |
| PSR - 1383 | 1 - 1 | 1 |
| PSR - 1384 | 1 - 1 | 1 |
| PSR - 1385 | 1 - 1 | 1 |
| PSR - 1386 | 1 - 1 | 1 |
| PSR - 1387 | 1 - 1 | 1 |
| PSR - 1388 | 1 - 1 | 1 |
| TOTAL | 375 | 355 |

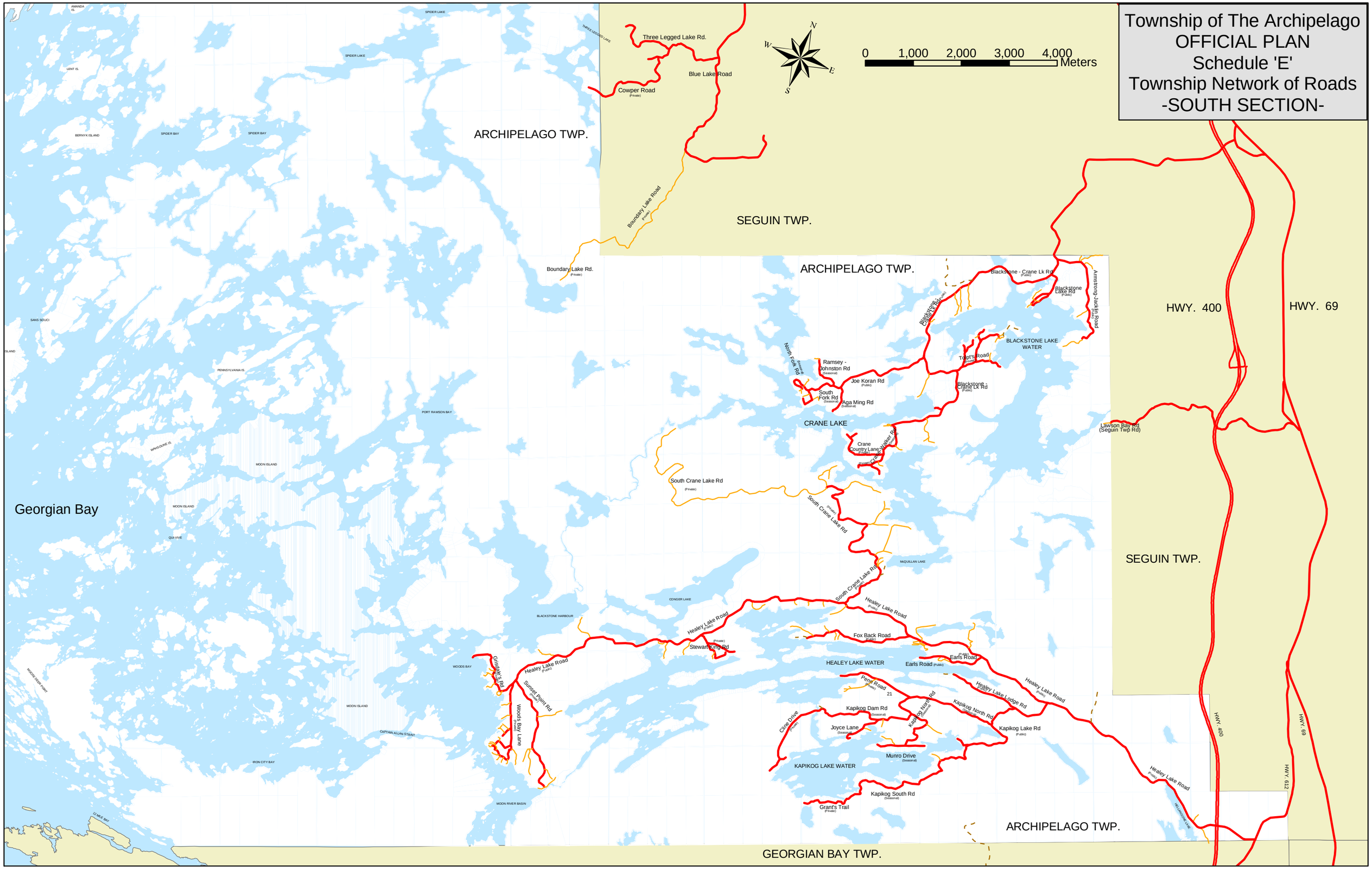



KEY

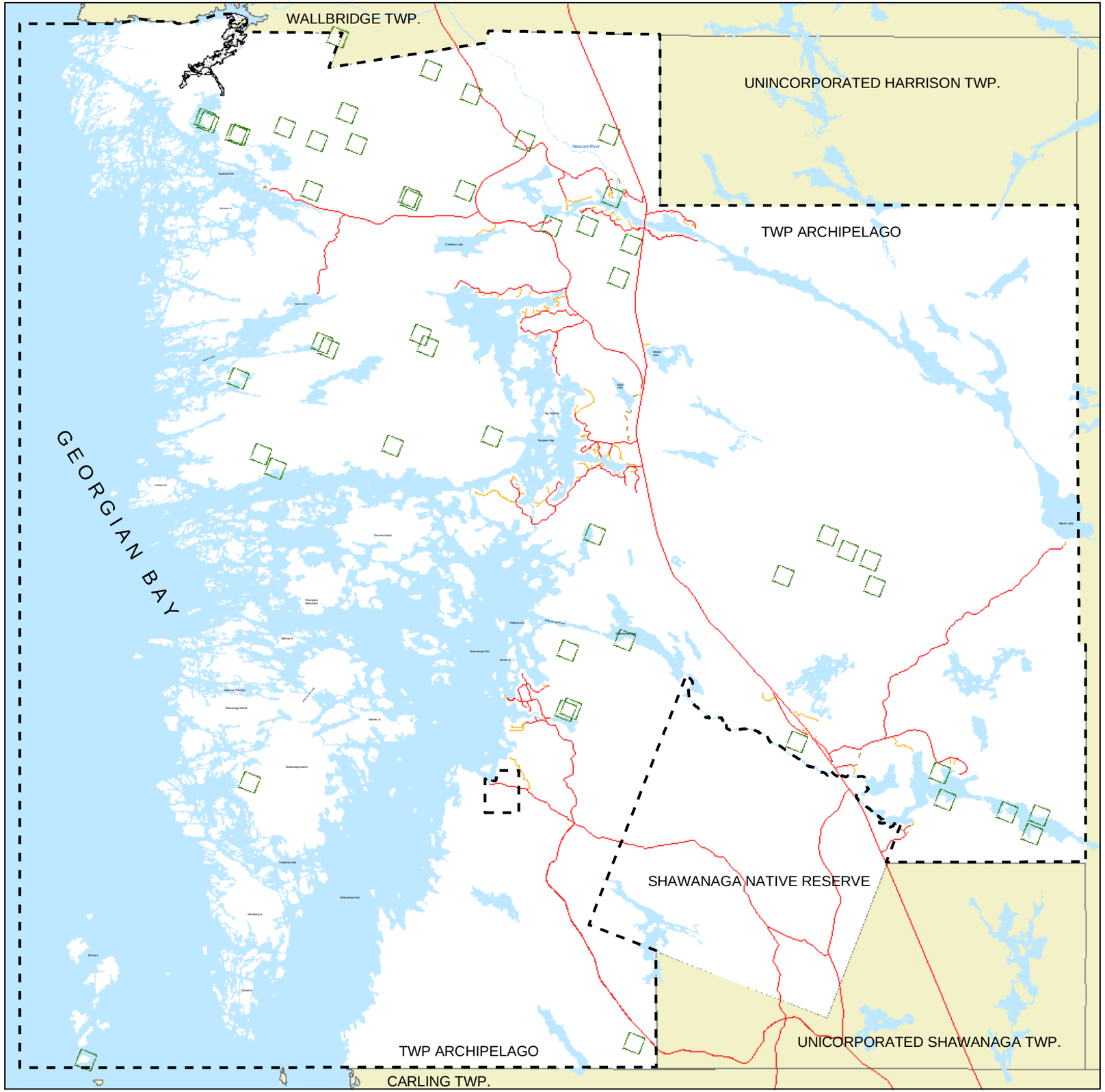
| | |
|---|---|
| | SHOWS ROAD ALLOWANCES NOT TO BE SOLD (SEE SECTION 5.4) |
| | SET ON SHORT PROPERTIES TO BE USED FOR OPEN SPACE USES ONLY (SEE SECTIONS 5.5 & 5.6) |
| | PROPERTIES THAT SHOULD BE ASSOCIATED WITH ADJACENT LANDS BEFORE THEY CAN BE RELEASED (SEE SECTION 5.7) |

# Township of The Archipelago
# OFFICIAL PLAN
## Schedule 'E'
## Township Network of Roads
## -NORTH SECTION-

# Township of The Archipelago
# OFFICIAL PLAN
## Schedule 'E'
## Township Network of Roads
## -SOUTH SECTION-



# Township of The Archipelago
# OFFICIAL PLAN
# Schedule 'F'
# ENVIRONMENTALLY SENSITIVE AREAS
# - NORTH SECTION -



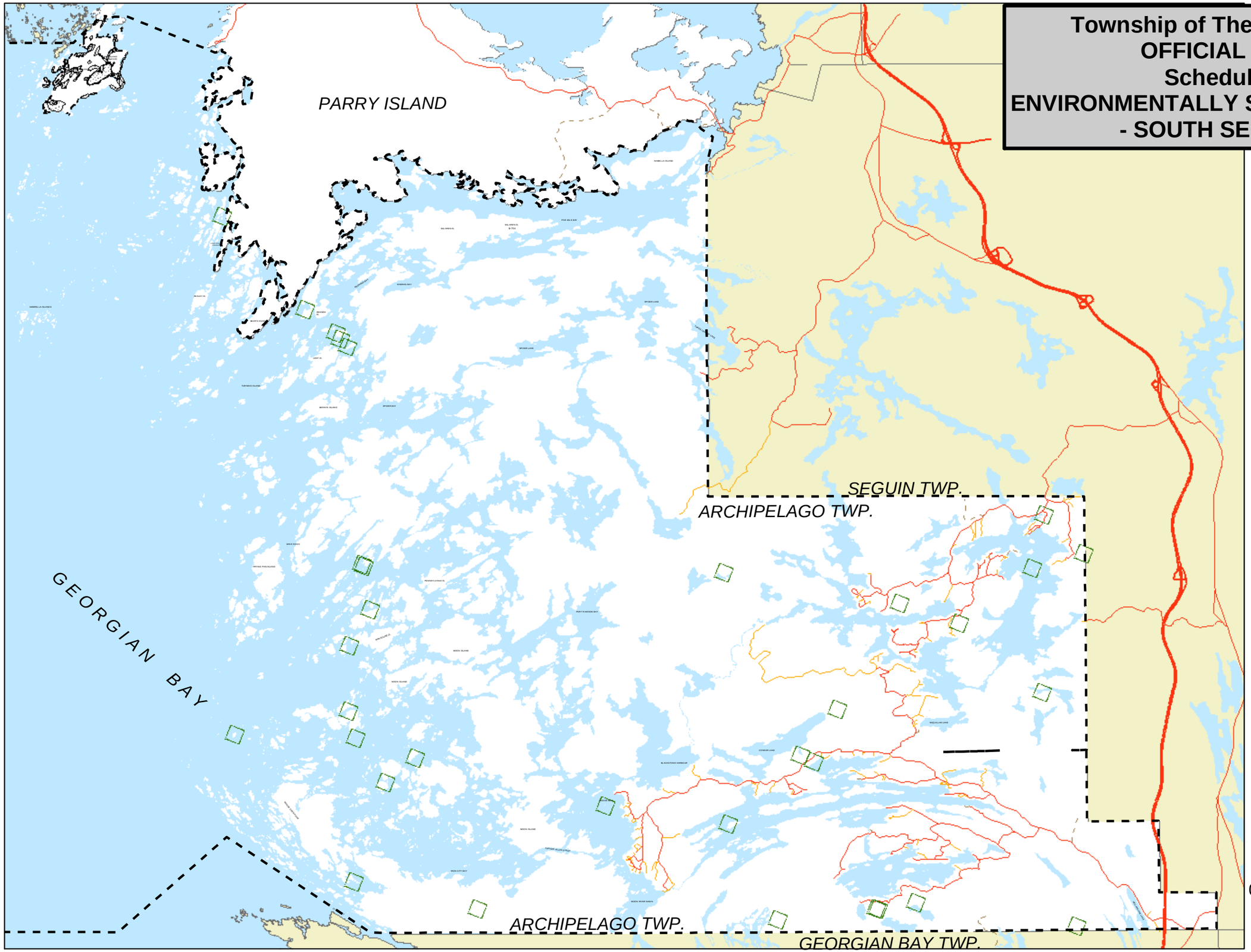

**LEGEND**

- Township of The Archipelago
- Provincially Significant Wetland
- Significant Wildlife Habitat (Includes Flora)

N

0 2 4 6 8 Kilometers

# Township of The Archipelago
# OFFICIAL PLAN
## Schedule 'F'
## ENVIRONMENTALLY SENSITIVE AREAS
## - SOUTH SECTION -




**LEGEND**

- Township of The Archipelago
- Provincially Significant Wetland
- Significant Wildlife Habitat (Includes Flora)

N

0 1 2 3 4 Kilometers

## APPENDIX 'A' – LAND TENURE IN THE TOWNSHIP

| ISLANDS (Surveyed) | NUMBER OF ISLANDS | ACREAGE |
|---|---|---|
| Crown | 1,184 | 12.597 |
| Patented | 1,207 | 6,826 |
| **TOTAL** | **2,391** | **19,423** |
| | | |
| **MAINLAND** | | |
| Crown | | 113,650 |
| Patented | | 12,530 |
| **TOTAL** | | **126,180** |
| | | |
| Total Crown Land (87%) | | 113,650 |
| Total Patented Land (13%) | | 12,530 |
| **TOTAL LAND AREA (acres)** | | **145,603** |

| NEIGHBOURHOOD | CURRENT POPULATION (Number of Units) | WATER ACCESS ONLY (Existing Number of Units) | NUMBER OF YEAR-ROUND RESIDENCES | ROADS (km) | |
|---|---|---|---|---|---|
| | | | | PRIVATE | TOWNSHIP |
| Bayfield-Nares | 223 | 205 | 11 | 2.5 | 1.6 |
| Pointe au Baril Islands | 408 | 408 | 5 | 2.2 | 0 |
| Sturegon Bay | 148 | 108 | 13 | 2.55 | 0 |
| Sandy Island | 10 | 10 | 0 | 0 | 0 |
| Long Sault- Amanda | 192 | 192 | 2 | 0 | 0 |
| Five Mile Bay | 311 | 311 | 10 | 0 | 0 |
| Sans Souci - Copperhead | 247 | 247 | 15 | 0 | 0 |
| Manitou | 51 | 51 | 4 | 0 | 0 |
| North Moon Channel | 52 | 52 | 5 | 0 | 0 |
| Woods Bay | 70 | 56 | 14 | 8.3 | 3.1 |
| Blackstone Lake | 94 | 88 | 5 | 8.25 | 7.1 |
| Crane Lake | 212 | 114 | 7 | 10.7 | 7.4 |
| Healey Lake | 315 | 217 | 30 | 1.55 | 28.5 |
| Kapikog Lake | 108 | 21 | 3 | 12.65 | 10.4 |
| Naiscoot Lake | 89 | 42 | 2 | 12.8 | 0 |
| Rock Island Lake | 30 | 0 | 10 | 7.6 | 2.6 |
| Three Legged Lake | 34 | 18 | 1 | 0.3 | 0 |
| Skerryvore | 100 | 7 | 12 | 1.6 | 8.4 |
| Pointe au Baril Station | 140 | 4 | 89 | 9.45 | 7.8 |
| TOTAL | 2834 | 2151 | 238 | 80.45 | 76.9 |

## APPENDIX 'C' – SUMMARY OF NEIGHBOURHOOD GROWTH POLICIES

| NEIGHBOURHOOD | SECTION NUMBER | NUMBER OF NEW LOTS PERMITTTED | MINIMUM LOT SIZE REQUIRED TO BE ELIGIBLE FOR SEVERANCE | SPECIAL NOTES |
|---|---|---|---|---|
| Bayfield-Nares | 10.6 | 1 | 2 hectares | |
| Pointe au Baril Islands | 10.9 | 1<br>2<br>3<br>4 | 2 hectares<br>10 hectares<br>15 hectares<br>20 hectares | 1. Development on outer islands discouraged.<br>2. No land division on McCoy Islands. |
| Sturgeon Bay | 10.13 | 0 | N/A | 1. Development to be carefully designed to minimize pollution. |
| Manitou | 10.19 | 1 | 5 hectares | |
| Sandy and Martyr Islands | 10.21 | 0 | N/A | 1. Environmentally sensitive areas will be protected. |
| Long Sault – Amanda | 10.25 | 1<br>2<br>3 | 2 hectares<br>3 hectares<br>10 hectares | |
| Five Mile Bay | 10.28 | 0 | N/A | |
| Sans Souci – Copperhead | 10.30 | 1<br>2<br>3<br>4 | 5 hectares<br>10 hectares<br>15 hectares<br>20 hectares | |
| North Moon Channel | 10.32 | 0 | N/A | |
| Woods Bay | 10.34 | 1<br>2<br>3<br>4 | 2 hectares<br>5 hectares<br>15 hectares<br>20 hectares | |
| Blackstone Lake | 10.36 | 1<br>2<br>3 | 2 hectares<br>3 hectares<br>4 hectares | |
| Crane Lake<br>Healey Lake<br>Kapikog Lake<br>Naiscoot Lake<br>Rock Island Lake<br>Three Legged Lake | 10.40<br>10.42<br>10.44<br>10.46<br>10.48<br>10.50 | 0<br>0<br>0<br>0<br>0<br>0 | N/A<br>N/A<br>N/A<br>N/A<br>N/A<br>N/A | |

Footnotes:

1. All development is subject to *Section 14 – Development Procedures and Standards.*
2. Sequential severances are not permitted.
3. Special exceptions made when title or deed corrections are required.
4. Skerryvore and Pointe au Baril Sation Neighbourhood Policies do not lend themselves to such a summary.
5. Number of new lots permitted excludes retained lot.

# APPENDIX 'D' – HOUSEHOLD COUNTS

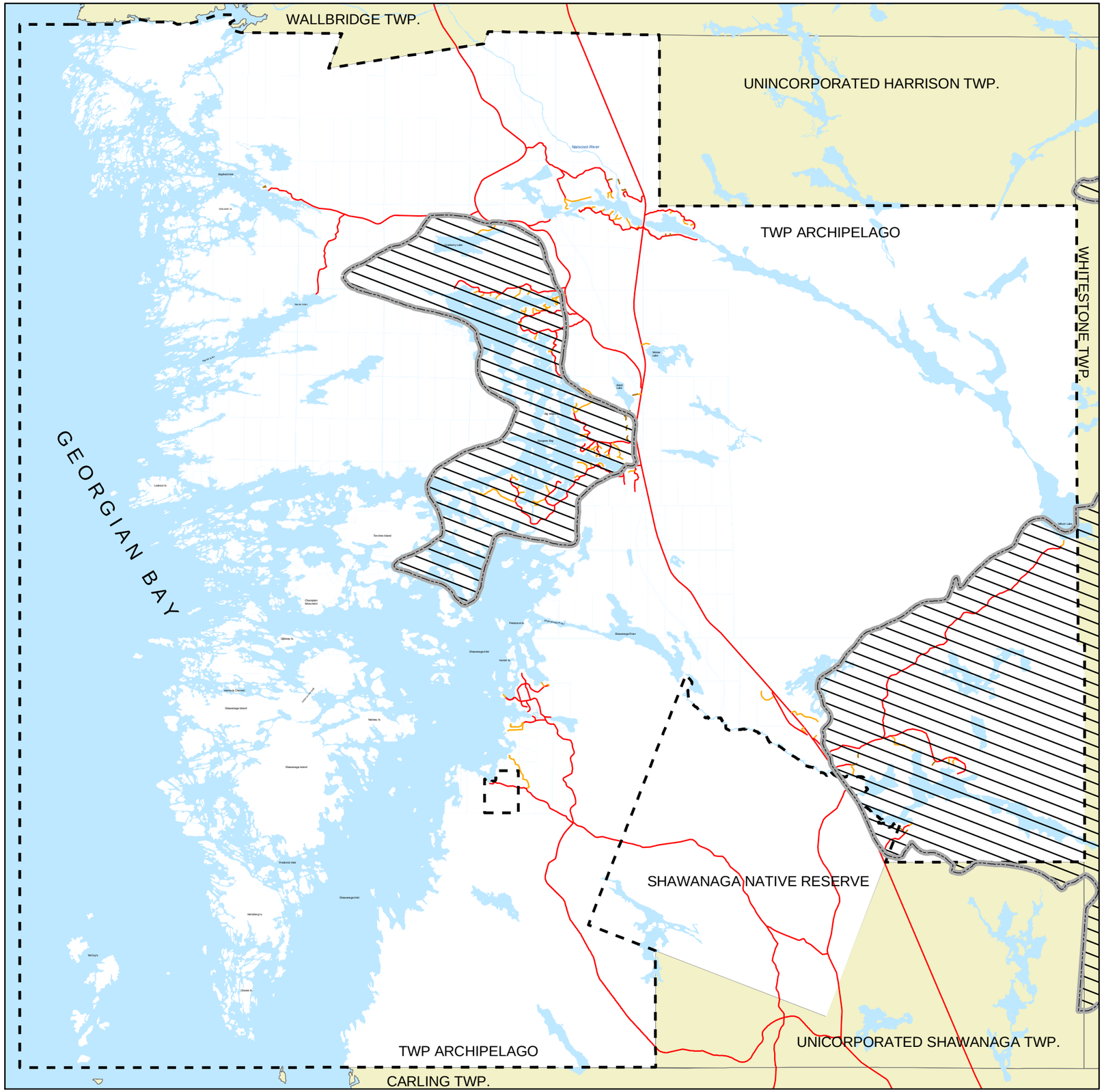
HOUSEHOLD COUNTS

| 2005 | RU | RDU | FRU | TOTAL | 2003 POPULATION | FR-PUB RU | FR-PUB RDU |
|---|---|---|---|---|---|---|---|
| 9 | 82 | 1099 | 2 | 1183 | 150 | 1 | 4 |
| 10 | 29 | 653 | 0 | 682 | 56 | 1 | 4 |
| SOUTH | 111 | 1752 | 2 | 1865 | 206 | 2 | 8 |
| 14 | 141 | 812 | 0 | 953 | 285 | 0 | 2 |
| 18 | 42 | 336 | 0 | 378 | 57 | 0 | 0 |
| NORTH | 183 | 1148 | 0 | 1331 | 342 | 0 | 2 |
| TOTAL | 294 | 2900 | 2 | 3196 | 548 | 2 | 10 |

HOUSEHOLD COUNTS BY WARD

| 2005 | RU | RDU | FRU | TOTAL | FR-PUB RU | FR-PUB RDU |
|---|---|---|---|---|---|---|
| WARD 1 | 139 | 308 | 0 | 447 | 0 | 1 |
| WARD 2 | 13 | 242 | 0 | 255 | 0 | 0 |
| WARD 3 | 31 | 598 | 0 | 629 | 0 | 1 |
| NORTH | 183 | 1148 | 0 | 1331 | 0 | 2 |
| WARD 4 | 62 | 1042 | 0 | 1104 | 1 | 4 |
| WARD 5 | 12 | 319 | 2 | 333 | 0 | 0 |
| WARD 6 | 37 | 391 | 0 | 428 | 1 | 4 |
| SOUTH | 111 | 1752 | 2 | 1865 | 2 | 8 |
| TOTAL | 294 | 2900 | 2 | 3196 | 2 | 10 |

# Township of The Archipelago
# OFFICIAL PLAN
# Appendix 'E'
# DEER WINTERING AREAS
# - NORTH SECTION -



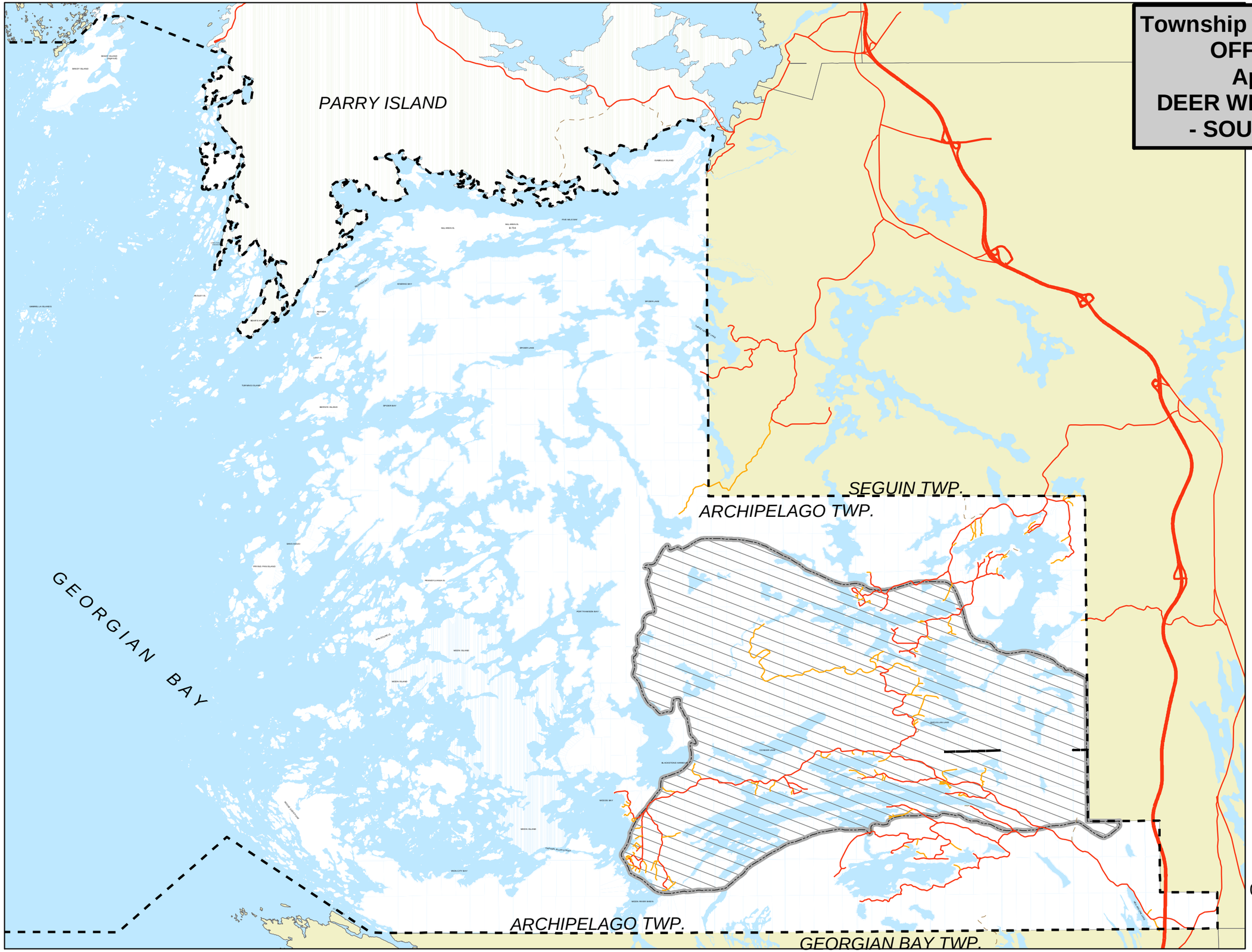

**LEGEND**

- Township of The Archipelago
- Deer Wintering Area

N

0 2 4 6 8 Kilometers

# Township of The Archipelago
# OFFICIAL PLAN
## Appendix 'E'
## DEER WINTERING AREAS
## - SOUTH SECTION -




**LEGEND**

- Township of The Archipelago
- Deer Wintering Habitat

0 1 2 3 4 Kilometers