

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**TO BE HELD WEDNESDAY, JUNE 15, 2022 AT 7:00 P.M.**

**ADDENDUM**

**13. FINANCE**

- ii) Report of the Chief Financial Officer CFO-2022-04. **(attachment)**.  
Re: Blue Box Transition.

**21. CLOSED SESSION**

- i) A proposed or pending acquisition or disposition of land by the municipality or local board.

## REPORT TO COUNCIL



<b>Report No.:</b>	CFO-22-04
<b>Council Date:</b>	June 15, 2022
<b>From:</b>	Sheri Brisbane, Chief Financial Officer
<b>Subject:</b>	Blue Box Transition

### **Background:**

A new [Blue Box regulation](#) was passed in June 2021 and [amended](#) this April. The regulation makes producers of packaging, paper, and packaging-like material responsible for the operation and financing of Ontario's blue box system. Responsibility for the program shifts from municipal governments to producers between July 1, 2023, and December 31, 2025. McDougall's transition date is set as July 1, 2024.

Producers have started to procure collection services for the program and are looking for municipal feedback. The organization representing the majority of the producers, Circular Materials, has [published](#) contract terms for municipalities who wish to provide Blue Box services (e.g., curbside collection, depot, public space). Municipal governments and the Association of Municipalities of Ontario provided [feedback](#) and expressed some concern about incorporating Circular Materials' terms into existing agreements. Circular Materials [responded](#) and indicated they are revising their terms and new proposals are expected on June 15.

Municipal Councils need to decide whether to provide services to producers under commercial terms that are satisfactory to them or decline and have producers provide their own collection system. Despite there being over two years before our transition date, the time has arrived for these decisions as the producers and the Producer Responsibility Organizations need time to secure sites and resources for those municipalities not wanting to continue providing the services. Circular Materials is requesting decisions from municipal governments as to whether they wish to provide Blue Box collection services by July 15, 2022.

### **Discussion:**

The ratepayers of McDougall are accustomed to bringing both their garbage and their recyclables to the same location. If the producers were to provide their own collection system, this is likely to mean that goods to be recycled would need to be taken to a different location. The inconvenience of having to bring garbage and recycling to separate facilities may lead to less waste being diverted. This has negative impacts on the environment as a whole and could also lead to our municipally run landfill reaching capacity sooner than originally anticipated.

A response that McDougall would like to continue providing services does not tie us to the terms as originally presented by Circular Materials. They are updating the Master Service Agreement and Statement of Work documents based on feedback received to date and there will be an opportunity to provide additional feedback on their revised



documents. If agreeable terms cannot be reached, the municipality may require the producers to provide collection services from the date of transition.

**Recommendation:**

That Council provide a decision by way of resolution, on the approach for Blue Box transition for the Municipality of McDougall in order that staff can respond to Circular Material's survey by July 15.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**TO BE HELD WEDNESDAY, JUNE 15, 2022 AT 7:00 P.M.**

**AGENDA**

The Municipality of McDougall has prepared a new proposed Official Plan. The regular meeting of Council will be preceded by an open house, pursuant to subsection 17 (16) of the Planning Act R.S.O. 1990, as amended.

On behalf of the Municipality, MHBC Planning will provide a presentation on the Official Plan Review, highlighting where we are in the process and what has taken place, commentary on the draft Official Plan, and a summary of next steps. Participants will be given the opportunity to ask questions to staff and the land use planning consultants, and provide input and comments on the draft Official Plan.

**1. CALL TO ORDER**

**2. DECLARATIONS OF INTEREST**

**3. PRIORITIZATION OF AGENDA**

**4. ADOPTION OF MINUTES**

- i) THAT the minutes of the Committee/Council Meeting held on June 1, 2022 be adopted as circulated. **Rsl.**

**5. DEPUTATIONS**

**Matters Arising.**

**6. PLANNING/BUILDING**

- i) John Jackson, Parry Sound Area Planning Board (**attachment**)  
Re: B46/2021 (McD) Sim, Part Lots 69 & 71, RCP Plan 328,  
McDougall, Burnside Bridge Road.  
Staff Comments.
- ii) John Jackson, Parry Sound Area Planning Board (**attachment**)  
Re: B16/2022 (McD) Nguyen, Part Lot 11, Concession 2, McDougall,  
Haines Lake Road.  
Staff Comments.
- iii) John Jackson, Parry Sound Area Planning Board (**attachment**)  
Re: B17/2022 (McD) Janik, Part Lot 1, Concession 12, McDougall, Lake  
Manitouwabing.  
Staff Comments.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**TO BE HELD WEDNESDAY, JUNE 15, 2022 AT 7:00 P.M.**

**AGENDA**

- iv) John Jackson, Parry Sound Area Planning Board (**attachment**)  
Re: B18/2022 (McD) Phillips, Part Lot 26, Concession 8, McDougall,  
Pineridge Drive  
Staff Comments.
- v) John Jackson, Parry Sound Area Planning Board (**attachment**)  
Re: B20/2022 (McD) Simmons, Part Lot 13, Concession A, Ferguson,  
Highway 124/McKellar Ferguson Boundary Road.  
Staff Comments.

**Matters Arising.**

**7. BY-LAW ENFORCEMENT**

**Matters Arising.**

**8. FIRE PROTECTION**

**Matters Arising.**

**9. EMERGENCY MANAGEMENT**

**Matters Arising.**

**10. RECREATION**

**Matters Arising.**

**11. PUBLIC WORKS**

**Matters Arising.**

**12. ENVIRONMENT**

- i) Waste Management.

**Matters Arising.**

**13. FINANCE**

- i) Accounts Payable. **Rsl.**

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**TO BE HELD WEDNESDAY, JUNE 15, 2022 AT 7:00 P.M.**

**AGENDA**

**Matters Arising.**

**14. ADMINISTRATION**

- i) Shannon Stubbs, M.P., Shadow Minister for Rural Economic Development and Rural Broadband Strategy, Lakeland, Damien C. Kurek, M. P. Deputy Shadow Minister for Rural Economic Development and Rural Broadband Strategy, Battle River-Crowfoot, Jacques Gourde, M. P. Deputy Shadow Minister for Rural Economic Development and Rural Broadband Strategy Levis-Lotbiniere . **(attachment)**  
Re: Request for Comments - Rural Economic Development Issues.
- ii) Report of the Director of Corporate Services/Clerk. **(attachment)**  
Re: Application to Use Concession Road Allowance Between Concession 1 Lot 8, in the Municipality of McDougall and Concession 12 Lot in the Township of Seguin (1000186461 ONTARIO LTD ).

**Matters Arising.**

**15. REQUESTS FOR SUPPORT**

- i) Municipality of Shuniah. **Rsl**  
Re: Community Schools Alliance Action Plan.
- ii) Town of Fort Erie. **(attachment)**  
Re: Bidding Wars on Apartment Rentals.
- iii) Town of Fort Erie. **(attachment)**  
Re: Federal Government's Plans to Tax Vacant Foreign Owned Properties.

**Matters Arising.**

**16. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN**

**17. COMMITTEE REPORTS**

- i) Integrated Community Energy & Climate Action Plans (ICECAP). **(attachment)**  
Re: June 16, 2022 ICECAP Meeting Agenda.  
February 9, 2022 ICECAP Meeting Draft Minutes.  
20221 Q1 Highlights.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**TO BE HELD WEDNESDAY, JUNE 15, 2022 AT 7:00 P.M.**

**AGENDA**

- ii) North Bay Parry Sound District Health Unit. **(attachment)**  
Re: Lake Harmful Algal Blooms (HABS)

**Matters Arising.**

**18. REPORT OF THE CAO**

**19. GENERAL ITEMS AND NEW BUSINESS**

**20. BY-LAWS**

- i) By-law 2022-40. **(attachment)**  
Re: Being a By-law Prescribing Times for Setting Fires; Precautions to be Observed and Penalties for Contraventions and to Repeal By-law No. 2019-28.
- ii) By-law 2022-41. **(attachment)**  
Re: Being a By-law to authorize the execution of a License Agreement between The Corporation of the Township of Seguin, the Municipality of McDougall and 1000186461 ONTARIO LTD. for part of the original road allowance between Lot 9, Concession 12, former Foley Township, now the Township of Seguin and Lot 8, Concession 1, former McDougall Township, now the Municipality of McDougall, and repeal By-law 2022-01.

**21. CLOSED SESSION**

**22. RATIFICATION OF MATTERS FROM CLOSED SESSION**

**23. CONFIRMATION BY-LAW**

- i) By-Law No. 2022-42.  
Re: To confirm the proceedings of the Committee/Council meeting held on June 15, 2022.

**24. ADJOURNMENT**

## **Resolution List for June 15, 2022**

**THAT** the minutes of the Committee/Council Meeting held on June 1, 2021 be adopted as circulated.

-----

**THAT** the attached lists of Accounts Payable for June \_\_, 2022 in the amount of \$\_\_\_\_\_, and payroll for June \_\_, 2022 in the amount of \$\_\_\_\_\_ be approved for payment.

-----

**THAT** the Council of the Corporation of the Municipality of McDougall supports the attached resolution from the Municipality of Shuniah regarding the Community Schools Alliance Action Plan; and

**FURTHER** that this resolution be forwarded to Community Schools Alliance, Doug Ford, Premier of Ontario, Parry Sound-Muskoka MPP Graydon Smith, and Parry Sound-Muskoka MP Scott Aitchison.

-----

**BE IT RESOLVED** that the next portion of the meeting be closed to the public at \_\_\_\_\_ p.m. in order to address a matter pertaining to:

1. the security of the property of the municipality or local board;
2. personal matters about an identifiable individual, including municipal employees or local board employees;
3. a proposed or pending acquisition or disposition of land by the municipality or local board;
4. labour relations or employee negotiations;
5. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
6. the receiving of advice which is subject to solicitor/client privilege, including communications necessary for that purpose;
7. a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another act;
8. an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ontario Ombudsman appointed under the Ombudsman Act, or a Municipal Ombudsman;
9. subject matter which relates to consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
10. the meeting is held for the purpose of educating or training the members and no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the Council, Board or Committee.
11. information provided in confidence by another level of government or Crown agency
12. a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence which, if released, could significantly prejudice the competitive position of a person or organization
13. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value

14. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried, or to be carried, on by the municipality or local board

-----

**THAT** Council reconvene in Open Session at \_\_\_\_\_ p.m.

-----

**THAT** we do now adjourn at \_\_\_\_\_ p.m.



## OFFICIAL PLAN REVIEW - VIRTUAL OPEN HOUSE

**PLEASE TAKE NOTICE** that the Municipality of McDougall is undertaking an update to the Official Plan, and your continued participation and input is encouraged. Council of the Municipality of McDougall have endorsed the first draft of the Official Plan which has been forwarded to the Ministry of Municipal Affairs and Housing for their review and comments. The first draft of the Official Plan has incorporated input from the members of the public, lake associations, municipal staff, members of Council and the Province.

A copy of the first draft of the Official Plan that was forwarded to the Ministry for review can be found on the Municipality's website at <https://mcdougall.ca/p/official-plan-review>. Comments on the draft Official Plan can also be submitted to [OPReview@mcdougall.ca](mailto:OPReview@mcdougall.ca).

To provide the community with an additional opportunity for input on the draft Official Plan, the Municipality has scheduled an Open House.

### **DATE AND LOCATION OF PUBLIC MEETING:**

Date: Wednesday, June 15th, 2022  
Time: 7:00 pm  
Location: Virtual Zoom Meeting

Submit comments in writing or join virtually using the Zoom application.

Please register to attend virtually in advance of the Open House, no later than 4:30 pm on June 14<sup>th</sup>, 2022. To register, please send an email to [OPReview@mcdougall.ca](mailto:OPReview@mcdougall.ca) or contact Lori West, Clerk/Planner at 705-342-5252.

On behalf of the Municipality, MHBC Planning will provide a presentation on the Official Plan Review, highlighting where we are in the process and what has taken place, commentary on the draft Official Plan, and a summary of next steps. Participants will be given the opportunity to ask questions to staff and the land use planning consultants, and provide input and comments on the draft Official Plan.

If you would like to be specifically notified of future meetings, please contact the Clerk.

### **FOR ADDITIONAL INFORMATION ON THE OFFICIAL PLAN REVIEW**

**PLEASE VISIT THE PROJECT WEBPAGE AT:**

**<https://mcdougall.ca/p/official-plan-review>**





# Open House Official Plan Review

Wednesday, June 15, 2022

# Project Team



## **Planning Team**

Jamie Robinson, Partner

Wes Crown, Associate

Patrick Townes, Associate

Jonathan Pauk, Planner

## **Technical Team**

GIS, AutoCAD

**Urban Design, Landscape Architecture, Cultural  
Heritage**

## **Planning/Building Department**

Lori West, Clerk / Planner

Tim Hunt, CAO/ Director of Operations

Kim Dixon, CBO

## **Municipal Departments**

Public Works, Parks and Recreation, Administration

## **Municipal Council**

# Purpose of Meeting

- To provide an update on the Official Plan Review project.
- To collect further input and to generate discussion on the new Official Plan.
- To ensure any questions or comments are addressed.
- To outline next steps and approval targets.

# Project Outline

## Phase 1

### **Background Research (Complete)**

- Review Background Information, Provincial Legislation and Plans
- Background Report, First Public Comment Period

## Phase 2

### **Draft Official Plan (February 2022 – June 2022)**

- Preparation of Draft Official Plan
- Receive Comments and Feedback on Draft Official Plan
- Ministry Review of Draft Official Plan
- Public Open House

## Phase 3

### **Final Official Plan (July 2022 – September 2022)**

- Review Ministry Comments and Prepare Final Official Plan
- Statutory Public Meeting
- Adoption of Official Plan

# Why is the Official Plan Important?

- The Official Plan (“OP”) is the primary tool for implementing the Township’s goals and objectives.
- The current OP was adopted in 2005 and approved in 2006 and has been subject to several amendments over the years.
- The *Planning Act* requires that the OP be reviewed and updated to ensure it conforms to Provincial Plans and is consistent with the Provincial Policy Statement.
- The new OP will guide all land use planning and development decisions in the Township for the next 20 years.

# Planning and Policy Areas

- The OP will also address a comprehensive list of policy and mapping issues including:
  - Shoreline development;
  - Development on private roads and right-of-way's;
  - Affordable and attainable housing;
  - Short term rentals;
  - Cannabis production facilities;
  - Development on partial servicing in Nobel;
  - Source water protection and best practices; and,
  - Ensure consistency between mapping schedules and Official Plan policies.

# Key Updates

- Updated and reorganized the Consent and Plan of Subdivision policies. (Section 8.1)
- Services policies are consistent with the PPS in terms of new development on partial services. (Section 8.2)
- Implemented new Wildland Fire policy and mapping. (Section 8.3)
- Maintained restrictions for boathouses on shorelines. (Section 11.6.3)
- Makes reference to the shortage of marinas in the Township and encourages new opportunities to provide access to Georgian Bay. (Section 11.7.2.18)

# Key Updates

- Included a target of 10% for all residential development to be affordable housing. (Section 13.1.4)
- Added policies and criteria for Additional Units - previously Secondary Dwelling Units. (Section 13.2)
- Updated the Natural Heritage policies of the Plan to reflect the 2020 PPS and the latest legislation. (Section 14)
- Updated the Mineral Aggregate Resources policies of the plan to reflect the 2020 PPS and the latest legislation. (Section 15)



# Key Updates

- Updated the Rural policies in Section 19.1 of the Plan to include:
  - New list of permitted uses;
  - New quarries to require an OPA;
  - Specific policies for Rural subdivisions; and,
  - Policies to address and evaluate new commercial, institutional, industrial uses.
- Updated the Waterfront policies in Section 19.6 of the Plan to include:
  - Recognize need for additional marinas on Georgian Bay, Mill Lake and Manitouwabing Lake;
  - Policies for expansion, new and conversions of Tourist Commercial Uses;

# Key Updates

- Continues to encourage development within Settlement Areas. (Section 19.15)
- Updated to reflect anticipated development on the Akzo Nobel Lands. (Section 20.2)
- New policies for Site Plan Control areas and applications. (Section 21.5)
- Section 19.13.2 updated to address comments received from the Lorimer Lakes Association.

What changes/revisions do you like  
in the draft Official Plan?

Are there items that still need to be addressed in the draft Official Plan?

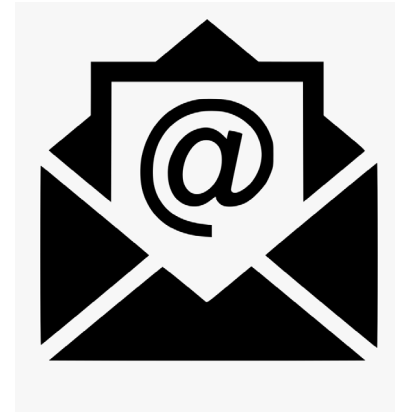
Are you able to read and interpret the  
draft Schedules?

Any other comments or discussion topics?

# Get Connected, Stay Engaged



<http://www.mcdougall.ca/>



[OPReview@mcdougall.ca](mailto:OPReview@mcdougall.ca)



## **MUNICIPALITY OF McDOUGALL**

### **Draft Official Plan**

**For Ministry Review  
April 2022**

5 Barager Blvd. McDougall, On P2A 2W9  
Tel: (705) 342-5252 Fax: (705) 342-5573



# TABLE OF CONTENTS

<b>SECTION 1</b>	<b>- TITLE AND COMPONENTS OF THE PLAN .....</b>	<b>5</b>
<b>SECTION 2</b>	<b>- PURPOSE OF THE PLAN .....</b>	<b>5</b>
<b>SECTION 3</b>	<b>- GOAL OF THE PLAN .....</b>	<b>6</b>
<b>SECTION 4</b>	<b>- BASIS OF THE PLAN .....</b>	<b>6</b>
<b>SECTION 5</b>	<b>- OBJECTIVES OF THE PLAN .....</b>	<b>10</b>
<b>SECTION 6</b>	<b>- GROWTH AND SETTLEMENT .....</b>	<b>11</b>
6.1	General .....	11
6.2	Seasonal Population .....	11
6.3	Year Round Population .....	12
<b>SECTION 7</b>	<b>- ECONOMIC POLICIES .....</b>	<b>12</b>
<b>SECTION 8</b>	<b>- GENERAL DEVELOPMENT POLICIES .....</b>	<b>13</b>
8.1	Land Division .....	13
8.2	Services .....	15
8.3	Wildland Fire .....	17
<b>SECTION 9</b>	<b>ROADS AND TRANSPORTATION .....</b>	<b>18</b>
9.1	Provincial Highways .....	18
9.2	Municipal Roads .....	18
9.3	Private and Non-Maintained Public Roads .....	19
9.4	Seasonal Roads .....	19
9.5	Colonization and Deviation Roads .....	20
9.6	Municipal Road Allowance .....	20
9.7	Shore Road Allowances/Crown Reserves .....	20
9.8	Roads Over Crown Land .....	21
9.9	Recreational Trails .....	21
9.10	Railways .....	22
<b>SECTION 10</b>	<b>- PARKLAND POLICY .....</b>	<b>23</b>
<b>SECTION 11</b>	<b>- WATERFRONT POLICIES .....</b>	<b>23</b>
11.1	Definition .....	23
11.2	Form of Development .....	23
11.3	Principles of Waterfront Development .....	23
11.4	Water Quality Protection .....	24
11.5	New Waterfront Commercial Development .....	25
11.6	Shoreline Structures and Modifications .....	25
11.7	Georgian Bay .....	26
11.8	Public Access to Water .....	30
<b>SECTION 12</b>	<b>- COMMERCIAL OR INDUSTRIAL DEVELOPMENT (NON-</b>	
<b>WATERFRONT)</b>	<b>31</b>	
<b>SECTION 13</b>	<b>- RESIDENTIAL AND HOUSING POLICIES .....</b>	<b>32</b>
13.1	General .....	32
13.2	Additional Units .....	32
13.3	Trailers and Mobile Homes .....	33

13.4	Home Occupations and Home Industries.....	33
13.5	Bed and Breakfasts .....	34
13.6	Group Homes .....	34
13.7	Garden Suites .....	34
13.8	Rental Accommodations.....	35
<b>SECTION 14</b>	<b>– ENVIRONMENT .....</b>	<b>36</b>
14.1	General .....	36
14.2	Provincially Significant Wetlands .....	37
14.3	Other Wetlands .....	38
14.4	Significant Wildlife Habitat .....	38
14.5	Fish Habitat .....	39
14.6	Areas of Natural and Scientific Interest.....	39
14.7	<b>HABITAT OF ENDANGERED OR THREATENED SPECIES .....</b>	<b>40</b>
14.8	Adjacent Lands .....	41
14.9	Crown Land.....	41
14.10	Forestry .....	42
14.11	Hazard Lands .....	42
<b>SECTION 15</b>	<b>– MINERALS AND MINERAL AGGREGATE .....</b>	<b>44</b>
15.1	Mineral Extraction.....	44
15.2	Mineral Aggregate Resources .....	44
<b>SECTION 16</b>	<b>– ENVIRONMENT .....</b>	<b>46</b>
16.1	General .....	46
16.2	Landfill Impact Area Overlay .....	47
<b>SECTION 17</b>	<b>– CULTURAL HERITAGE RESOURCES .....</b>	<b>48</b>
17.1	General .....	48
17.2	Archaeological Resources.....	48
17.3	Built Heritage Resources and Cultural Heritage Landscapes .....	49
<b>SECTION 18</b>	<b>- PUBLIC USES .....</b>	<b>50</b>
18.1	Public Parkland.....	50
18.2	Public Utilities .....	50
18.3	Energy .....	50
18.4	Waste Disposal/Transfer Stations.....	51
<b>SECTION 19</b>	<b>– LAND USE POLICES.....</b>	<b>52</b>
19.1	Rural .....	52
19.2	Rural Subdivisions .....	53
19.3	Communication Towers .....	54
19.4	Rural Commercial and Institutional Uses .....	55
19.5	Rural Industrial Uses.....	55
19.6	Waterfront .....	57
19.7	Expansion of Existing Tourist Commercial Uses .....	58
19.8	New Tourist Commercial Uses .....	58
19.9	Conversions of Tourist Commercial Uses to Residential Uses...	59
19.10	Lake Specific Policies .....	59
19.11	Small Lakes .....	60
19.12	Simmes Lake.....	62
19.13	Trout and Lorimer Lakes.....	62
19.14	Long Lake Estate .....	62

19.15	The Nobel Settlement Area .....	63
19.16	Land Division .....	63
19.17	Servicing .....	64
19.18	Commercial/Industrial Nodes .....	64
<b>SECTION 20</b>	<b>– SITE SPECIFIC POLICIES.....</b>	<b>65</b>
20.1	Nobel Condominium.....	65
20.2	Former Akzo Nobel Lands Special Policy Area .....	65
<b>SECTION 21</b>	<b>– IMPLEMENTATION/ADMINISTRATION .....</b>	<b>66</b>
21.1	Accessory Uses .....	66
21.2	Boundaries .....	66
21.3	Numerical Interpretation .....	66
21.4	Deeming By-laws .....	66
21.5	Site Plan Control.....	66
21.6	Development Guidelines .....	67
21.7	Special Exceptions For Existing Uses.....	67
21.8	Holding Provisions .....	68
21.9	Zoning.....	68
21.10	Non-Conforming Uses.....	69
21.11	Temporary Use By-law .....	70
21.12	Special Notices .....	70
21.13	Plan Review .....	70
21.14	Amendments .....	71
21.15	Compatibility Between Land Uses .....	71
21.16	Establishing Influence Areas for Industrial Land Uses .....	72
21.17	Brownfield Development.....	72
21.18	Development in Proximity to Sewage Treatment Plants .....	72
21.19	Phasing.....	72
21.20	Community Improvement Area.....	72
21.21	Implementation .....	73
<b>SECTION 22</b>	<b>– PROPERTY STANDARDS.....</b>	<b>73</b>

**OFFICIAL PLAN  
FOR THE  
MUNICIPALITY OF McDougall**

**SECTION 1 - TITLE AND COMPONENTS OF THE PLAN**

- 1.1** The following text and schedules shall constitute the McDougall Official Plan.
- 1.2** The Municipality of McDougall is part of the Parry Sound Area Planning Area consisting of Carling, McDougall, McKellar, Whitestone and a small portion of the geographic Township of Shawanaga.

**SECTION 2 – PURPOSE OF THE PLAN**

- 2.1** The purpose of this Plan is to set forth the general land use policies that apply to the Municipality of McDougall within the framework described in the Planning Act.
- 2.2** The purpose of the Plan is to achieve an orderly pattern of growth that makes use of land and infrastructure.
- 2.3** The purpose of the Plan is to protect natural heritages features and areas.
- 2.4** The purpose of the Plan is to promote sustainable economic development.
- 2.5** The purpose of this Plan is to set out policies that maintain and enhance the physical, social and economic wellbeing of the present and future inhabitants of the Municipality of McDougall.
- 2.6** This Plan will guide the actions and decisions of Council, the Planning Board and residents of the Municipality by providing a clear framework within which more detailed steps of the planning process may be carried out.
- 2.7** This Official Plan has been updated to be consistent with the 2020 Provincial Policy Statement. The plan also has regard to and is consistent with the Growth Plan for Northern Ontario, a Provincial plan developed under the Places to Grow Act.

- 2.8** Subject to transition regulations made under the Planning Act, any comments submissions, advice and decisions in respect of the exercise of any authority that affects a planning matter, by the Council of the Municipality, a local board, the Planning Board, a Minister or Ministry, Board Commission or agency of the Government, shall be consistent with the Provincial Policy Statement in effect at the time of an application.

### **SECTION 3 – GOAL OF THE PLAN**

- 3.1** The goal of the Official Plan of the Municipality of McDougall is to preserve the high quality of life in the Municipality and to enhance that quality by ensuring the conservation, preservation and enhancement of the rural character of the Municipality while encouraging sustainable growth in all sectors to attract new citizens and visitors to the community.

### **SECTION 4 – BASIS OF THE PLAN**

- 4.1** The original Official Plan for the Township of McDougall was part of a joint Official Plan with the Township of Foley approved on August 17, 1971. Together, the two Townships formed the Parry Sound District Planning Board.
- 4.2** The Parry Sound District Planning Board was expanded in the Spring of 1979 to add the Township of Carling and a small portion of the geographic Township of Shawanaga.
- 4.3** In 1998, Foley Township amalgamated to the south of Parry Sound with Humphrey, Christie, Rosseau and Monteith to form the Township of Seguin. On January 1, 2000, the Township of McDougall was restructured to amalgamate the geographic Township of Ferguson as part of the new Municipality of McDougall.
- 4.4** This Plan replaces the Plan that was approved by Council in 2005, which was last consolidated in May 2015.
- 4.5** The Municipality of McDougall is the only municipality in West Parry Sound District outside of the Town of Parry Sound with urban services.
- 4.6** The Municipality of McDougall is strategically located adjacent to the Town of Parry Sound and is prime location for new development.

- 4.7** The Municipality of McDougall has historically realized a greater level of residential growth than the Town of Parry Sound. Demographic growth and change in the Municipality has remained steady and there has been regular and consistent investment in the community as evidenced by building permits and construction values. The population of McDougall has held steady from 2006 to the 2021 Census at just over 2,700 full time residents.

Population (Year Round)

Year	1991	1996	2001	2006	2011	2016	2021
McDougall	2061	2674	2608	2704	2705	2,702	2744
Whitestone		802	853	1030	918	916	1075
Carling	951	952	1063	1123	1248	1,125	1491
McKellar	879	939	933	1080	1144	1,111	1419
The Archipelago	720	555	505	576	566	531	979
Seguin	3378	3654	3698	4276	3988	4,304	5280
Parry Sound	6125	6326	6124	5818	6191	6,321	6879

- 4.8** The population of the Municipality of McDougall consists of both year round and seasonal residents. Seasonal population is measured by units in contrast to persons. As the chart below indicates, this population composition has remained relatively stable over the years.

YEAR	HOMES (units)	SEASONAL(units)
1991	974 (61%)	621 (39%)
2001	1032 (62%)	641 (38%)
2011	1061 (59%)	747 (41%)
2016	1,100 (72%)	421 (28%)
2021	1154 (69%)	519 (31%)

- 4.1** The Municipality of McDougall provides a number of regional services and is capable of expanding those services as demand increases.
- 4.2** A large proportion of the residential development in the Municipality is located on the shoreline of the Georgian Bay and the numerous inland lakes.
- 4.3** In addition to the lake communities, there are a large number of neighbourhoods that provide locations for stable residential areas including Nobel, Bayside, Taylor Subdivision, Bell Lake, Long Lake Estates and Waubamik.
- 4.4** The majority of new development within the Municipality of McDougall will be directed to the Nobel Settlement Area. New residential development will be encouraged to locate in the Nobel Settlement Area. Resource-based recreational uses and other rural land uses will be encouraged in appropriate locations outside of settlement areas

- 4.5** The Municipality of McDougall is typical of Canadian Shield environments. The area is a bedrock-based geography with an abundance of freshwater lakes and heavily forested areas over shallow sandy soils with frequent wetlands.
- 4.6** Many of the lands and waters are sensitive to development so that the single most important factor when considering development will be physical impacts on the natural environment. Because of the nature of the topography and terrain, policies will need to reflect the capability of the land to accommodate additional development.
- 4.7** The region around the Municipality of McDougall is under new pressures for development due to a variety of factors. These factors include the expansion/upgrades of the highway, increased demand for residences from the Greater Toronto Area, larger incomes and increases in leisure time. The Municipality is eager to respond to the demand for additional growth in order to buffer the affects of increased servicing costs.
- 4.8** The policies of this Plan will need to be designed to accommodate the expected additional growth without sacrificing the natural environment or the attractive living environment that has generated the appeal in the Municipality of McDougall.
- 4.9** As prime waterfront lands become exhausted, there will be new development pressures on marginal recreation lands and new interest in non-waterfront lands. The Plan will need to be appropriately designed to respond to these new challenges without placing undue restrictions on the ability to use or service these lands.
- 4.10** The four-laning of Highway 400 has been completed through McDougall. The realignment has created new development opportunities along the former highway as well as potential for development along the new interchanges. It is the policy of this Plan to take advantage of these opportunities to support new development.
- 4.11** The Municipality of McDougall has a number of policies that support sustainable economic growth to strengthen and diversify the local economy. The Municipality will support industrial and commercial activities so that jobs may be provided on a year round basis.

- 4.12** The Municipality of McDougall has a surficial geology that includes a large number of sand and gravel deposits and is the location of a number of quarry operations. While it is recognized that sand and gravel are important resources in support of development, there are associated planning issues that require policy for protecting and governing all related interests. Now that the District of Parry Sound has been designated under the Aggregate Resources Act, the primary responsibility for pits and quarries now belongs to the Province. However, the Municipality continues to provide a significant role in the long-term protection of these uses and their compatibility with adjoining lands.
- 4.13** With the exception of properties on the municipal water system, the majority of development is serviced by individual septic systems, wells and lake surface water. Wherever possible, the Municipality will make use of its capacity for additional connections to municipal water. The Municipality recognizes that certain areas within the Municipality are serviced by municipal water systems and private sewage systems. Infilling and minor rounding out of existing development within the Settlement Area may proceed within the capacity allocation from the Town of Parry Sound, and where site conditions are suitable for the long-term provision of the services.
- 4.14** The financial impact of new development will be carefully considered under the policies of this Plan.
- 4.15** Natural resources in McDougall are critical assets that need protection on both private and Crown Lands. The Ministry Northern Development, Mines, Natural Resources and Forestry has provided the Municipality with updated data on resource features in McDougall. These and other environmental features will be covered by the policies contained within this Plan.
- 4.16** The former explosives manufacturer at Nobel is now a large land holding that continues to be remediated and prepared for redevelopment. The Municipality will be supportive of the redevelopment in this area in accordance with the policies of this Plan. The Municipality has obtained an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks and have completed a Record of Site Condition for these land holdings.
- 4.17** The Municipality of McDougall has a limited but important section of Georgian Bay shoreline. While much of the shoreline has been developed, there are important assets in terms of access and recreational facilities. McDougall also subscribes to the principle of harmonized planning along the entire east coast of Georgian Bay.



## **SECTION 5 – OBJECTIVES OF THE PLAN**

The objectives necessary to fulfil the goal of the Official Plan include:

- 5.1** To maintain, protect and enhance the natural environment within the Municipality.
- 5.2** To preserve and improve, the water quality of the numerous recreational water bodies including the Georgian Bay.
- 5.3** Promoting additional growth in all sectors including residential, commercial and industrial that is sustainable, responsible and in appropriate locations to meet the growing demand that exists in the Municipality.
- 5.4** To promote the health, safety, convenience and welfare of the inhabitants of McDougall.
- 5.5** To protect significant cultural heritage resources, while respecting Indigenous communities.
- 5.6** To encourage and provide opportunity for community engagement on planning issues.
- 5.7** To promote efficient, cost effective development and land use patterns and to direct development to Settlement Areas.
- 5.8** Ensuring the compatibility of land uses.
- 5.9** Encouraging a road system that is appropriate and efficient for the safe and convenient travel for inhabitants of the Municipality.
- 5.10** Preserving those elements of the rural character of the Municipality along the major rural roadways.
- 5.11** Providing directions and principles that protect the features of the Georgian Bay coastline while allowing the promotion of appropriate facilities and programs.

## **SECTION 6 – GROWTH AND SETTLEMENT**

### **6.1 General**

6.1.1 The Municipality of McDougall is a diverse municipality in terms of its population and development form. It generally consists of:

- Urban areas;
- Cottage and shoreline areas;
- Rural areas;
- Hamlets; and,
- Residential estate-type areas.

6.1.2 The Municipality is experiencing moderate growth in all of these areas and McDougall will continue to encourage residential, commercial and industrial growth.

6.1.3 The Municipality will encourage the majority of new residential development to locate within the Nobel Settlement Area, through infill or the minor rounding out of existing built up areas as a first priority, and secondly in existing vacant areas.

6.1.4 Small-scale development elsewhere will continue to occur. This development needs to be appropriately considered by Council, and planned for within the context of the policies contained within this Plan.

### **6.2 Seasonal Population**

6.2.1 It is estimated that approximately 30 percent of the Municipality of McDougall population is seasonal or include ratepayers with principal residences elsewhere, primarily located in the Greater Toronto Area.

6.2.2 This Plan supports and encourages additional second home development in appropriate locations. The primary determinant for new second home development will be the ability of the lands and waters to sustain additional residential units.

6.2.3 Seasonal development has historically taken place along the shorelines of the area's numerous waterbodies. The potential for conversion of these historically seasonal areas to permanent residential uses will create challenges for the Municipality of McDougall for the provision of an appropriate level of servicing. It must be recognized that these historically seasonal areas of the Municipality may continue to experience service limitations.

### **6.3 Year Round Population**

- 6.3.1 The Municipality of McDougall encourages new year-round population growth. It is a large area with the necessary infrastructure that is able to accommodate a significant amount of growth. The current rate of growth is less than one percent per year and is not believed to create any growth issues for the Municipality over the period of this Plan.
- 6.3.2 The introduction of new industrial or commercial employment opportunities could lead to faster rates of growth in year round population. At the time of an Official Plan Review, the Municipality of McDougall will review the supply of employment and residential land.

## **SECTION 7 – ECONOMIC POLICIES**

- 7.1 McDougall supports most economic activities in appropriate locations throughout the Municipality.
- 7.2 The Municipality wishes to attract new businesses in the community to diversify its economic base and to create new employment opportunities.
- 7.3 The Municipality will support a wide variety and distribution of retail and service commercial uses to satisfy the shopping and service needs of the residents, seasonal residents and visitors of McDougall.
- 7.4 The Municipality supports new commercial and industrial development in appropriate locations along the major corridors.
- 7.5 Intersections of major roads and highways will be considered nodes to commercial and industrial development at appropriate locations subject to obtaining necessary and relevant approvals.
- 7.6 Nobel will be encouraged to expand its retail and service commercial uses for the convenience of the inhabitants of this area.
- 7.7 McDougall has diverse natural resources that contribute to the regions local economy. The Municipality will support and encourage these resource activities in appropriate locations and where there are no detrimental impacts on the natural environment.

- 7.8** McDougall supports home occupations and home industries that are secondary to a residential use and there are no adverse impacts to adjacent properties in accordance with the policies of this Plan.
- 7.9** McDougall supports the continued use and expansion of recreational trails and facilities that provide a major attraction to the area and generate employment opportunities.
- 7.10** The realignment of Highway 400 and the conversion of former portions of Highway 69 to local municipal roads will open new opportunities for growth and commercial development along these corridors. Council is to encourage growth in these areas subject to the general and specific policies of this Plan.
- 7.11** The Municipality will be supportive of the redevelopment in this area in accordance with the policies of this Plan.

## **SECTION 8 – GENERAL DEVELOPMENT POLICIES**

### **8.1 Land Division**

- 8.1.1** The preferred means of land division within the Municipality of McDougall is the subdivision process, as found in Section 51 of the Planning Act. Consents to sever land will be permitted where it has been deemed that a Plan of Subdivision is not necessary for the proper development of the Municipality.
- 8.1.2** The Consent process shall only be considered where it is clear that a proponent is not trying to circumvent the subdivision process. For the purpose of this section, the Consent process shall be limited to those applications that propose a maximum of three new lots, not including the retained lot.
- 8.1.3** Consents to sever land will be permitted, in contrast to Plans of Subdivision:
- a) Where only a limited number of lots are being proposed;
  - b) Where the pattern of development has been established; and,
  - c) Where the Consent conforms to all other policies of this Plan;
- 8.1.4** Where it is determined that a Plan of Subdivision is not required to ensure proper and orderly development, the land to be developed may be divided by Consent. In determining whether a proposed land division should require a consent to sever, or a plan of subdivision, the following concerns will be addressed:
- a) Whether the extension of an existing public road, opening of an unopened road allowance or the creation of a new road is required; or
  - b) Whether the extension, or expansion of municipal services is required; or
  - c) Whether an agreement with complex conditions is required by the Township, or Province in respect to any part of the lands that would be defined as remaining land in a consent application.

8.1.5 New development must front upon a year round, publicly maintained road except in the following circumstances:

- a) New lots created by a Consent where the lot(s) front upon a recreational water body with a legal registered right-of-way to the lots from a year-round, publicly maintained road;
- b) Water access lots provided that Council is satisfied that appropriate facilities for car and boat trailer parking, docking and boat launching, and waste disposal are available exclusively for the proposed water access lots;
- c) Camps used in connection with resources uses including hunt camps, fish camps or maple syrup operations so long as there is an existing legal registered right-of-way or access to the property from a year-round, publicly maintained road; and
- d) A business or industrial use so long as there is a legal registered right-of-way to the property from a publicly maintained, year round road.

8.1.6 For a), c) and d) listed above, all owners of properties that will be accessed by a private road or extensions to existing roads, will enter into an agreement with the Municipality, to be registered on the title of all of these affected properties, to indemnify the Municipality and all other public bodies of all responsibility for any maintenance of the road and all liability for any 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.

8.1.7 No new lots may be created on existing private rights-of-way unless they have lot frontage on a recreational waterbody. Where the Municipality is considering new lots on private registered rights-of-way as set out in Section 8.01.4 a), the following additional policy considerations shall apply.

- a) It must be demonstrated that it is impractical for the proposed lot(s) to be accessed off a public road;
- b) The proposed lot is to be considered "infilling" such that it is accessed off an existing registered right-of-way or a minor extension at the terminus of the existing right-of-way with any significant private road extensions to be required to proceed by condominium road;
- c) The standard of the private road is adequate in terms of width, curves and grades to accommodate emergency vehicles. The minimum right-of-way width should be 9 metres, the travelled surface width should be 4.5 metres and radii must be suitable for emergency vehicles;
- d) The adequacy of the private road is to be confirmed by the Municipal Staff; and,
- e) Agreements are in place as set out in section 8.01.4 to relieve the Municipality of any responsibility or liability for the private roadway.

8.1.8 New lots must demonstrate suitable access that does not create a traffic hazard because of limited sight lines, curves, or grades of existing development as set out in accepted traffic engineering standards

8.1.9 Notwithstanding the policies of this Plan, further division of parcels of land may be approved under the following conditions:

- a) To correct lot boundaries;
- b) To convey additional lands to an adjacent lot provided the conveyance does not lead to the creation of an additional building lot and/or create an undersized or irregular shaped lot;
- c) To separate dwellings in existence at the date of adoption of this Plan provided that the new lots have frontage on a road which is maintained on a year round basis by a public authority or has water access only;
- d) To dispose of surplus dwellings when two or more parcels are consolidated provided that the new lots have frontage on a road which is maintained on a year round basis by a public authority or has water access only;
- e) To separate previous lots of record which have inadvertently merged; and,
- f) An easement or right-of-way.

8.1.10 For the purposes of this Plan, a Plan of Condominium is considered synonymous with a Plan of Subdivision.

## **8.2 Services**

### **8.2.1 Sewage**

8.2.1.1 Most development within the Municipality is on individual on-site sewage systems. It is anticipated this will continue to be the most common service approach in McDougall.

8.2.1.2 Any lands where development is proposed on individual on-site sewage systems must be physically suitable

8.2.1.3 Development that is proposed on individual on-site sewage systems must comply with the requirements for new lots as prescribed by the Province in accordance with the relevant published guidelines.

8.2.1.4 Council may consider communal sewage systems subject to the preparation of a Serving Options Study that concludes that such a servicing arrangement is appropriate.

- 8.2.1.5 Any communal sewage systems must enter a maintenance and liability agreement to the satisfaction of the Municipality.
- 8.2.1.6 Council or the Planning Board shall require confirmation that a licensed sewage hauler has available capacity for the haulage and disposal of any septic waste as a condition of development.
- 8.2.1.7 A Hydrogeological Assessment will be required for commercial, industrial, institutional or other uses which produce in excess of 10,000 litres of effluent per day.
- 8.2.1.8 In accordance with Planning Act, a Plan of Subdivision that create five or more lots or septic systems that generate more than 4,500 litres of effluent per day will require a Servicing Options Report and a Hydrogeological Assessment.
- 8.2.1.9 Communal services for permanent freehold residential uses must be owned by the Municipality and the maintenance and ongoing operating costs will be the responsibility of the users of the communal system.
- 8.2.1.10 Where communal services are for seasonal residential, commercial or industrial uses, the Municipality shall enter into an agreement with the owner, such that in the event of default, the Municipality may take over responsibility for the services.

## 8.2.2 Water Supply

- 8.2.2.1 With the exception of those properties on or adjacent to the municipal water services, most domestic water supplies come from surface waters or individual wells.
- 8.2.2.2 Any properties including new development that has the ability to be serviced by the municipal water supply, will be required to connect to the municipal water system, subject to available capacity.
- 8.2.2.3 All applications for land division, including Plan of Condominiums, proposing more than five lots or units on the basis of private or partial services will be required to undertake a Hydrogeological Assessment in accordance with Ministry of the Environment, Conservation and Parks guidelines.
- 8.2.2.4 Multi-unit and multi-lot development that proposes groundwater as a supply will generally be required to have a minimum lot area of one hectare.

- 8.2.2.5 With the exception of development proposed on the municipal water system, any multi-unit development shall undertake a Groundwater Assessment to confirm the long-term availability of a groundwater supply.
- 8.2.2.6 Development proposed to be connected to the municipal water service will qualify for smaller lot sizes in accordance with the standards provided in the Zoning By-law.
- 8.2.2.7 Any communal water supplies must enter a maintenance and liability agreement to the satisfaction of the Municipality.
- 8.2.2.8 Any private water supplies may require treatment or disinfection to render the water potable or aesthetically pleasing.

### 8.2.3 Stormwater Management

- 8.2.3.1 Stormwater management will be required for any significant development including some shoreline development in order to protect and enhance water quality and quantity.
- 8.2.3.2 Stormwater shall be managed and any remedial drainage work shall not adversely affect any adjacent lands.
- 8.2.3.3 Proponents should use best management practices including Low Impact Design (LIDs) for stormwater management and construction mitigation for all development and address the effect of stormwater upon receiving waterbodies.
- 8.2.3.4 Natural streams, watercourses, wetlands and shoreline vegetation shall be retained in their present form unless it has been demonstrated by a study prepared by a qualified professional that site alteration will not result in negative impacts on the natural features or their ecological functions.

## 8.3 Wildland Fire

- 8.3.1 This Plan recognizes that wildland fire risk has an impact on land use planning. In accordance with the wildland fire risk assessment information provided by the Province, development will be directed away from these areas. In areas identified on Appendix '2' as having a hazardous forest types, development application must be supported by a risk assessment that identifies mitigation measures.



## **SECTION 9 ROADS AND TRANSPORTATION**

### **9.1 Provincial Highways**

- 9.1.1 There are two Provincial highways in the Municipality. The Municipality supports the continued maintenance and upgrading of Highway 400 and 124. In order to preserve the function and efficiencies of Provincial highways, the number of new entrances to Highway 124 will be limited, and all access to the new four-laned Highway 400 will be via interchanges. The Ministry of Transportation must approve any new entrances or changes to existing entrances.
- 9.1.2 By-passed sections of former Highway 69 are owned by the Province and are maintained by the Municipality, and will be available for development as local routes subject to terms and conditions between the Municipality of McDougall and the Ministry of Transportation. The remaining routes and any service roads will be subject to the policies of this Plan.
- 9.1.3 Any development in proximity to existing or future Provincial highways will require review by the Ministry of Transportation, and may require permits from the Ministry of Transportation in accordance with the Public Transportation and Highway Improvement Act.
- 9.1.4 Development adjacent to a Provincial highway may be required to undertake various operational and safety studies, subject to confirmation from the Ministry of Transportation.
- 9.1.5 Early consultation is recommended and encouraged prior to any development on or adjacent to a Provincial highway with the Ministry of Transportation.

### **9.2 Municipal Roads**

- 9.2.1 Municipal roads move people within the Municipality by providing connections between destinations within the Municipality.
- 9.2.2 The service level of Municipal roads may vary from year-round maintained to seasonally maintained.
- 9.2.3 New development must front upon a year round, publicly maintained road except in the following circumstances:
  - e) Municipal or Provincial road standards (i.e. Ministry of Transportation's minimum maintenance subsidy standards) and adequate storm drainage will be a minimum requirement for any private road before it is assumed by a public agency and for any new road set out in a plan of subdivision.

- 9.2.4 All access from Municipal roads will meet any relevant safety standards for site lines, entrance and operational requirements.

### **9.3 Private and Non-Maintained Public Roads**

- 9.3.1 The Municipality does not support development on lands that do not have lot frontage directly on a publicly maintained year round road except in accordance with the policies contained in Sections 8.01.6 and 9.03.
- 9.3.2 There are a large number of existing properties, particularly along the shorelines of recreational waterbodies that are accessed by private roads located on rights-of-way and other public lands. The standards of these roads vary considerably and they may not accommodate any or all forms of emergency vehicles including fire, police and ambulance. Residents who access their properties by means of a private road should be aware that the Municipality cannot ensure the delivery of emergency services along these private roads.
- 9.3.3 The Municipality will identify properties that do not have lot frontage on a publicly maintained, year round road in the implementing Zoning By-law to make it clear where emergency service limitations may exist.
- 9.3.4 Unless it is clearly in the public interest for the Municipality, it is not intended that existing private roads will be assumed by any public agency and no responsibility for access, snow removal, maintenance or use by school buses is acknowledged.
- 9.3.5 The Municipality may assume or take over the public maintenance of private roads if they are brought up to the minimum municipal standards for public roads. The cost of bringing a road up to standards will not be borne by the Municipality. For the assumption of private roads, the benefiting property owner will be responsible for all survey, legal, engineering and construction costs associated with the upgrading of the road.
- 9.3.6 In addition to the minimum municipal standards for roads to be assumed, it will be the discretion of Council to determine if the assumption of any new road is in the public interest.
- 9.3.7 The Municipality may consider private road arrangements under the Condominium Act if such proposals are appropriate and not likely to lead to create inconsistent service conditions.

### **9.4 Seasonal Roads**

- 9.4.1 It is not the intent of Council to provide or allow winter maintenance on roads which are not presently maintained in the winter months as indicated on Schedule A. Dwellings which are served by such roads will not receive year round services such as road maintenance and emergency service by virtue of being located in an area which cannot be readily accessed by these services throughout the year. Prior to

considering changing the level of maintenance of a road, Council shall be satisfied that:

- a) The road meets the municipal standards;
- b) The costs for upgrading the road to such a standard are the responsibility of the residents on the road;
- c) The annual property assessment generated by the properties on the road shall off-set the cost of providing winter maintenance on the road; and,
- d) The re-designation of the road is appropriate from a land use planning perspective.

## **9.5 Colonization and Deviation Roads**

9.5.1 The Municipality will not recognize any former colonization road or deviation road as a publicly maintained road for the purpose of this Plan, notwithstanding that it retains ownership of the roadbed. The Municipality must be maintaining a roadway on a regular basis for the road to be recognized as a year round publicly maintained road.

9.5.2 Where the Municipality realigns an existing road, the former roadbed may be conveyed to the abutting land owners in accordance with the Municipal Act.

## **9.6 Municipal Road Allowance**

9.6.1 Improvements to unmaintained municipal road allowances shall not be permitted unless the following occurs:

- a) the Municipality declares the road allowance surplus and the municipal road allowance is stopped up and sold in accordance with the provisions of the Municipal Act;
- b) The road is brought up to a municipal standard and assumed by the Municipality for maintenance purposes;
- c) The proponents of the road allowance improvements enter into legal agreement with the Municipality that includes provisions for indemnification of liability, signage and liability insurance; and,
- d) It has been demonstrated that the proposed improvement will have no negative impacts on natural heritage features or on their ecological function.

9.6.2 The above policy applies to any crossing of an unopened road allowance.

## **9.7 Shore Road Allowances/Crown Reserves**

9.7.1 Where there are shore road allowances or Crown Reserves fronting lots adjacent to recreational water bodies, it is the policy of McDougall to close these allowances and transfer them to the adjoining lot owner except in the following instances:

- a) The lands are necessary for existing access to private property

- owners or the public;
- b) Where there are important environmental features including Type 1 Fish Habitat; or,
- c) All or a portion of the shore road allowance is flooded land.

9.7.2 The configuration of shore road allowance in terms of the extension of side lot lines to the water's edge must not prejudice or negatively affect neighbouring properties.

9.7.3 Buildings and structures may be located on municipal shore road allowances once an application for acquiring the allowance has been filed and in accordance with all other policies of this Plan and the implementing zoning by-law.

## **9.8 Roads Over Crown Land**

9.8.1 Municipality has no objection to the establishment of roads over Crown Land so long as the proponent receives the necessary permission from the Ministry of Northern Development, Mines, Natural Resources and Forestry and so long as it is understood that the Municipality has no responsibility for the maintenance of the road.

## **9.9 Recreational Trails**

9.9.1 The Municipality supports the continued program of recreational trails in the region as important components of the areas recreational attractions, economy and transportation system.

9.9.2 The Municipality supports the establishment of trans Provincial trails so long as these trails are appropriately designed, are at the expense of the proponents, and do not adversely impact on any adjacent land owners.

9.9.3 Where proposed recreational trails are intended to traverse provincial highways, the proposed crossing will require the prior approval of the Ministry of Transportation.

## **9.10 Railways**

- 9.10.1 All proposed development within 120 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- 9.10.2 All proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
- 9.10.3 All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.
- 9.10.4 Where infill development of some sensitive land uses in proximity to railway lines within the Nobel Settlement Area, the requirement for the production of technical studies referenced in this Section of the Plan may be waived by the approval authority due to historical or site specific development circumstances. Requirements shall not be waived where new institutional sensitive land uses are proposed, such as day care facilities and senior's homes, or where development is not considered infill, or the minor rounding out of an existing built-up area.

## **SECTION 10 – PARKLAND POLICY**

**10.1** Council will avail itself of the parkland dedication provisions of the Planning Act.

**10.2** The Municipality may take land or cash-in-lieu as a condition of development in accordance with the Planning Act. .

**10.3** Council may consider cash-in-lieu of parkland dedication in instances where the land contribution would be too small to reasonably provide any park or open space opportunities.

**10.4** In order to simplify parkland dedication or cash-in-lieu for Consents, the Municipality may establish set fees for cash-in-lieu on a per lot basis.

## **SECTION 11 – WATERFRONT POLICIES**

### **11.1 Definition**

11.1.1 The waterfront area shall consist of all lands adjacent to the recreational waterbodies in the Municipality that are available for waterfront development, with the exception of those lands that are constrained by significant ecological, environmental or physical constraints. Generally, these lands are designated as Waterfront on Schedule A – Land Use Plan.

11.1.2 The depth of the lands adjacent to recreational waterbodies varies but generally these lands are intended to be those lands within the first 300 metres.

### **11.2 Form of Development**

11.2.1 The general form of development includes:

- a) Low density, single detached residential development;
- b) Open space uses;
- c) Tourist commercial uses; and
- d) Access facilities.

### **11.3 Principles of Waterfront Development**

11.3.1 The principles of waterfront development are based upon the relevant objectives of this Plan.

11.3.2 These principles include maintaining the low density residential shoreline density together with occasional tourist commercial uses.

11.3.3 The character of the waterfront areas shall be preserved.

11.3.4 Waterfront development shall not exceed the carrying capacity of the waterbody.

11.3.5 Natural heritage features and their ecological functions shall be protected.

11.3.6 Waterfront development shall protect and improve water quality.

11.3.7 The Municipality shall consider the scale and visual impact of new development or redevelopment to ensure the new development or redevelopment is in keeping with the character of the waterfront designation.

11.3.8 The Municipality shall ensure that all development is evaluated for risks in terms of traffic, navigation, natural or man-made hazards.

## **11.4 Water Quality Protection**

11.4.1 The preservation of water quality of recreational waterbodies is paramount to the Municipality. The Municipality shall utilize the guidelines set out in the Lakeshore Capacity Assessment Handbook as well as the former Provincial water quality objectives.

11.4.2 The Municipality of McDougall has three types of waterbodies:

- a) Most are warm water lakes that have limited potential for additional development.
- b) There are two coldwater lakes that are deemed to be at capacity, and
- c) The Municipality has several islands and coastal areas along the shore of Georgian Bay.

11.4.3 In the case of Lorimer and Trout Lakes that are deemed to be at capacity, any at capacity lakes shall be subject to the specific guidelines of the Lakeshore Capacity Assessment Handbook.

11.4.4 For all other waterbodies not at capacity including the open waters of Georgian Bay, it is the policy of this Plan to encourage an increased front yard setback for sewage disposal systems, for the purposes of mitigating against the potential of phosphorus loading of the waterbody. It is recommended that sewage disposal systems (either conventional septic tank tile field or Ontario Building Code approved filter beds, or tertiary treatment systems) be encouraged to be located at least 30 metres from the shoreline of the lake.

- 11.4.5 The area between the shoreline and any development on the land including the septic system shall be maintained in its natural state in order to preserve a vegetative buffer. The restrictions would require that the setback area be altered or disturbed as little as possible, and trees should not be cut, nor vegetation cleared within it so that it functions as a natural shoreline buffer, except for access (a two-metre wide meandering pathway to the shoreline), safety, or selective cutting or limbing for the reasonable provision of views from dwellings or sleeping cabins.
- 11.4.6 French drains or soakaway pits shall be used for treating stormwater from hard surfaces (roof-tops) as a method of decreasing potential phosphorus impacts to down gradient surface waters.
- 11.4.7 Prior to the construction of any buildings or septic systems, properly constructed sediment fencing be installed along the inner limit of the required shoreline setback in areas adjacent to or down gradient from the proposed site disturbances and construction activities.
- 11.4.8 The sediment fencing shall be properly maintained until all construction has been completed and the soils have been fully stabilized following construction to avoid excess sedimentation and potential loss of fish and wildlife habitat.

## **11.5 New Waterfront Commercial Development**

- 11.5.1 This Plan recognizes that there is a varied but limited number of existing commercial land uses along the shores of recreational waterbodies. These include marinas, cottage rentals, campgrounds and isolated historical businesses.
- 11.5.2 In considering new commercial uses along the waterfront, the Municipality will require a number of studies to ensure that a proposed development is compatible and appropriate in terms of need, impacts and any mitigation measures. These studies may include, but are not limited to:
- a) Servicing;
  - b) Traffic;
  - c) Environmental; and,
  - d) Site plan.

## **11.6 Shoreline Structures and Modifications**

- 11.6.1 The principle objectives of the policies for development in the waterfront area of the Municipality of McDougall are to preserve, maintain and enhance the natural features of the shoreline and ridgelines.



11.6.2 There are a range of accessory buildings and structures that can be expected to be developed along the shoreline of the recreational waterbodies. These structures include saunas, docks, pumphouses, storage buildings and gazebos. These buildings and structures may be allowed in the front yard of shoreline properties subject to the provisions of any implementing Zoning By-law and the applicable policies of this Plan.

11.6.3 Boathouses and boatports are waterfront structures that have significant impacts on the natural landscape of the shorelines along the recreational waterbodies. It is the policy of this Plan not to permit boathouses.

11.6.4 Municipalities presently do not have jurisdiction over surface water usage. As a statement of policy, the Municipality does not support the use of live aboard boats as dwelling units; and will not permit floating dwellings or similar structures which are substantially unpowered and supported by a barge type hull or piers capable of remaining in the water year round and which are used for either Residential or Commercial purposes.

11.6.5 The Municipality of McDougall will provide detailed regulations in the Zoning By-law to regulate docks including but not limited to the following:

- a) The number of docks permitted;
- b) The length of docks;
- c) The size of docks;
- d) The location on the shoreline;
- e) The impacts on navigation;
- f) Safety;
- g) Restricting and prohibiting any structures placed on a dock; and
- h) Limiting lighting.

11.6.6 Any proposed shoreline structure must obtain the necessary approvals or authorities from any relevant government organization.

## **11.7 Georgian Bay**

### **11.7.1 General**

11.7.1.1 In addition to the general policies of this Plan, the lands and islands on Georgian Bay will be subject to the additional policies set out below.

#### **11.7.1.2 Harmonized Planning**

- 11.7.1.3 Unlike many areas of the Province, eastern Georgian Bay is not subject to a regional or area-wide planning framework. The Municipality of McDougall has been part of an initiative to voluntarily recognize the regional values of eastern Georgian Bay through a “harmonized” planning approach by six municipalities that share the coast.
- 11.7.1.4 In 2000, the Province initiated broad consultation and discussion regarding the Great Lakes Heritage Coast. This Crown Land planning initiative encouraged a parallel planning program for private lands along the coast. The Provincial planners for the Great Lakes Heritage Coast welcomed a corresponding planning program for a large portion of the great lakes coast that champions similar principles as the Crown Land planning program.
- 11.7.1.5 The Municipality of McDougall supports a shared policy approach towards a common vision for the Georgian Bay coastline.
- 11.7.1.6 The coast of Georgian Bay faces numerous issues that extend beyond municipal boundaries and across numerous government jurisdictions. All of its local governments recognize its limited carrying capacities but also recognize its opportunities for growth and development that will continue to contribute to the high quality of the region.
- 11.7.1.7 The Municipality will ensure that the natural beauty, wild landscapes, sensitive ecosystems and important heritage and cultural resources along the Georgian Bay will be protected, preserved and enhanced wherever possible.
- 11.7.1.8 Coordination and cooperation between 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 encouraged.
- 11.7.1.9 The Council of the Municipality of McDougall recognizes and supports the designation of the Georgian Bay by UNESCO as a biosphere reserve. This Plan supports the goals, objectives and principles of the Georgian Bay Biosphere Reserve to promote sustainable development along Georgian Bay.
- 11.7.1.10 The linked integrity of coastal, terrestrial and aquatic ecosystems will be recognized, preserved, maintained and enhanced.
- 11.7.1.11 Cultural heritage values are an important component of the coastline.
- 11.7.1.12 Aesthetic qualities and scenic features will be preserved.

- 11.7.1.13 Water quality is important for maintaining functioning ecosystems and for protecting human health. Water quality will be maintained at a high level and enhanced where possible.
- 11.7.1.14 Water quality will be preserved in terms of natural cycles.
- 11.7.1.15 The protection of night skies from unnecessary light will be a priority in the region.
- 11.7.1.16 Access to coastal waterways is an important community and economic value.
- 11.7.1.17 The Georgian Bay Coast crosses several municipal jurisdictions and any new uses will be compatible with surrounding uses and the broader vision for the Georgian Bay Coast and be encouraged to adopt sustainable practices.
- 11.7.1.18 The Coast is a multi-function area highlighted by a diversity of users and interests and any planning will occur in a way that recognizes that multi- functionality within ecological and social capacities.
- 11.7.1.19 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 where possible.
- 11.7.1.20 It is recognized that there is a shortage of marinas in the Municipality that provide access to Georgian Bay. Opportunities to consider new marinas will be encouraged, but are subject to an Official Plan Amendment and must demonstrate compatibility with nearby uses
- 11.7.1.21 Increased boating traffic is an issue for the Georgian Bay Coast. Discussions with senior levels of government will be undertaken to address issues of congestion, speed, noise and use.
- 11.7.1.22 A traditional mix of uses (residential, tourist commercial and open space uses) along the Georgian Bay Coast should continue.
- 11.7.1.23 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.
- 11.7.1.24 The Municipality of McDougall is committed to monitoring the health of Georgian Bay shoreline and will meet with Georgian Bay interest groups no less than once per year to review issues, problems and concerns that are relevant to the Georgian Bay coast.

## 11.7.2 Water levels

- 11.7.2.1 The water levels of Georgian Bay have historically fluctuated over an irregular cycle between ten to twenty years. The Municipality recognizes that the water levels can present challenges for shoreline development and navigation.
- 11.7.2.2 The Municipality will support efforts to stabilize the fluctuating water levels of Lake Huron and Georgian Bay by those organizations seeking solutions for watershed control in the Great Lakes basin.
- 11.7.2.3 In accordance with the policies of this Plan, the Municipality may support dredging or shoreline works for boat ramps for marinas and communities that are necessary as a result of fluctuating waters of Georgian Bay. The Municipality may apply controls to ensure that sedimentation disruption does not create safety or environmental hazards. Dredging and some shoreline works may require prior written approval from the Ministry of Natural Northern Development, Mines, Natural Resources and Forestry and the Department of Fisheries and Oceans.

#### 11.7.3 Georgian Bay Flood Protection Policy

- 11.7.3.1 It is recognized the Georgian Bay is subject to periodic water level fluctuation that may result in loss of life or significant property damage if adequate protection measures are not established.
- 11.7.3.2 In order to minimize risks to new development from flooding no structures shall be constructed below the 178.3 metre contour elevation GSC, on Georgian Bay, except where acceptable flood damage reduction measures are incorporated into building design and approved by Council.
- 11.7.3.3 Furthermore, development may be permitted below the 178.3 metre elevation to the 1:100 year still water flood level (177.8 metre flood elevation), without flood damage reduction measures where it can be demonstrated to the satisfaction of Council that wave uprush is not a necessary consideration.
- 11.7.3.4 To provide flood protection along Georgian Bay, Council:
  - a) May require, in the consideration of applications for the subdivision of land or the issuance of building permits for structures, except for docks and non-habitable boathouses, a survey plan identifying the location of the 178.3 metre contour elevation GSC, on Georgian Bay, and shall ensure that development does not occur below this elevation;
  - b) Will identify the 178.3 metre contour elevation GSC, on Georgian Bay as the minimum elevation level below which no building openings will be permitted in the Zoning By-law;
  - c) Building will not be permitted on sites that would be subject to more than 0.8 metres of flooding under stillwater conditions (i.e. where the minimum elevation of the site before fill is added is below 177.0 metres) unless it implements plans stamped by a qualified engineer or architect showing how the building will be flood-proofed, with protection from the

- impacts of deep flooding as well as from the force of waves; and
- d) Road access to new development along Georgian Bay must have a minimum elevation of 177.5 metres above Canadian Geodetic Datum.

## **11.8 Public Access to Water**

- 11.8.1 The lakes and rivers of the Municipality are its most valuable recreational assets. It will be the policy of the Municipality to preserve and expand upon these accesses whenever possible.
- 11.8.2 The Municipality will generally preserve any road allowances leading to recreational water bodies unless the road allowance has no future potential for access or where the party interested in acquiring the road allowance can provide an alternative access to replace the road allowance.

## **SECTION 12– COMMERCIAL OR INDUSTRIAL DEVELOPMENT (NON-WATERFRONT)**

- 12.1** It is not possible to predict where new commercial or industrial development may wish to locate in the Municipality. McDougall supports new commercial and industrial uses in all areas of the Municipality subject to the following policies.
- 12.2** A Planning Justification Report will be required from the applicant outlining the nature of the commercial or industrial use and what impacts may occur and what measures would be undertaken to mitigate against those impacts in accordance with Ministry of the Environment, Conservation and Parks D – Series and Noise Guidelines.
- 12.3** All commercial and industrial uses are subject to site plan control.
- 12.4** All proponents of new commercial and industrial uses are required to demonstrate to the satisfaction of the Council that there will be no adverse effects on adjacent sensitive uses.
- 12.5** Where new commercial and industrial uses are proposed on the basis of private services, a Servicing Options Study may be required. For private services to be considered appropriate, only low water demand commercial and industrial uses shall be permitted. Uses permitted shall not include any form of manufacturing or assembly operation that uses water in the processing, cooling, cleaning, or making of the product. Low water demand employment uses shall generally limit water demand and use to potable uses for staff and visitors.
- 12.6** New commercial or industrial uses, which are not low water demand uses, will not be considered on the basis of partial services. Existing commercial or industrial uses, which are not low water demand uses, shall not be added to the water system if private sewage services are to continue to be used to service the commercial or industrial use, except to address circumstances where services have failed.
- 12.7** Consultation with the Ministry of Transportation is required where access is directly onto a Provincial highway, even in those circumstances where an entrance permit has been issued. Where access onto an arterial roadway which intersects with a provincial highway is proposed, the Ministry of Transportation will need to be consulted if the development proposal is within 400 metres of a Provincial highway.

## **SECTION 13 - RESIDENTIAL AND HOUSING POLICIES**

### **13.1 General**

- 13.1.1 The primary form of residential development in the Municipality is the detached dwelling whether these are occupied on a year round or seasonal basis. It is likely that future residences will continue to be detached dwellings. Other form of residential development will be considered in accordance with the policies of this Plan.
- 13.1.2 Except as otherwise provided, only one dwelling unit is permitted on each lot of record.
- 13.1.3 Intensification and redevelopment opportunities will be encouraged in appropriate locations. Higher density residential development will be permitted in appropriate locations in accordance with the policies of this Plan.
- 13.1.4 The Municipality shall encourage the development of affordable housing and shall target 10% for all residential development to be affordable housing.

### **13.2 Additional Units**

- 13.2.1 The Planning Act requires municipalities to permit additional units in detached, semi-detached and row house dwellings as well as in accessory building. An additional unit is a separate and self-contained dwelling unit that is subordinate to the primary dwelling and located within the same building or within a detached accessory building on the same lot as a primary dwelling. It is the policy of this Plan to recognize this type of permission subject to the following:
- 13.2.2 Additional units are permitted in all land use designations where detached, semi-detach and row house dwellings and accessory structures are permitted except for the Waterfront designation. Lake planning and development has been determined on the basis of one dwelling unit for each lot of record.
- 13.2.3 An additional unit(s) must demonstrate that the septic system is capable of accommodating the additional units.
- 13.2.4 The character of the detached, semi-detached or row house should be preserved when establishing an additional unit(s).
- 13.2.5 Appropriate standards and provisions shall be established in the Zoning By-law in accordance with the following:
- a) Establish the lots where a additional dwelling unit(s) is permitted within the principal dwelling units and within an accessory building;
  - b) The use is subordinate in scale and function to the primary dwelling

- on the lot;
- c) The use can be integrated into its surroundings with negligible visual impact to the streetscape;
- d) The use is compatible in design and scale with the built form of the primary dwelling;
- e) No more than one parking space will be required for a secondary dwelling unit;
- f) The addition of an additional dwelling unit shall not cause an encroachment into any required yard or height restriction imposed by the Zoning By-law. In the case where an existing dwelling is legally non-complying such addition shall not cause a further encroachment; and,
- g) The secondary dwelling unit will comply with the Ontario Building Code, Ontario Fire Code, and all other applicable requirements.

### **13.3 Trailers and Mobile Homes**

13.3.1 The Municipality of McDougall does not permit the use of travel trailers in place of conventionally built, single detached dwellings. This restriction does not apply to the placement of travel trailers on a property that has an existing single detached dwelling where the trailer functions as an accessory building or where a trailer is placed on a property for storage or for sale. In addition, a trailer may be a permitted accessory building where such a building or structure is a permitted use.

13.3.2 Mobile homes and Park Model Trailers are not permitted as single detached dwellings. However, modular homes are allowed so long as they are placed on permanent foundations.

13.3.3 Trailer parks and mobile home parks may be permitted on properties with commercial zoning and regulated by a by-law under the Municipal Act.

13.3.4 Upon application, the Municipality may allow the temporary use of a trailer on a property where a building permit may be issued for a main dwelling, and such trailer may be located on the subject property for the period required to construct the main dwelling so long as the period does not exceed three years.

### **13.4 Home Occupations and Home Industries**

13.4.1 Home occupations that are conducted entirely within a residential dwelling on a residential property and such businesses are considered to be secondary to the principal residential use of the property.

13.4.2 Home occupations and home industries are permitted in all designations and subject to the following:

- a) The business must satisfy all statutory requirements for emissions and waste management;



- b) The business will clearly be secondary and incidental to the residential use;
- c) The business will be conducted by those persons who occupy the dwelling on a permanent basis. A home industry may have up to two additional employees that do not reside in the principal dwelling on the lot;
- d) Sufficient lot area must exist to accommodate a residence, the associated business and any parking;
- e) Only a limited portion of the dwelling will be used for the business when a home occupation;
- f) Where the home industry business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- g) The residential character and appearance of the property and the neighbourhood will be maintained;
- h) The external residential appearance of the dwelling will be maintained and any signs are restricted in size subject to the Municipality's sign by-law;
- i) The business will be compatible with adjacent residences and the neighbourhood;
- j) The business will have no negative environmental impacts or adverse effects;
- k) The business will not be a high traffic generator;
- l) The business traffic will not impact negatively upon a Provincial highway;
- m) The business will be a low water user and sewage effluent producer;
- n) There will be no outdoor storage or display;
- o) For home occupation, no more than 25% of the total floor area of the dwelling including the basement, shall be used for the business; and
- p) For home industry, an accessory building or shop does not generally exceed 300 square metres.

13.4.3 The implementing Zoning By-law may establish the uses allowed for each residential-type zone and operational criteria for each type of home business.

## **13.5 Bed and Breakfasts**

13.5.1 Bed and breakfasts are permitted in any residential designation.

13.5.2 Bed and breakfasts are not permitted within the Waterfront designation.

## **13.6 Group Homes**

13.6.1 Group homes are permitted in the Nobel Settlement Area Designation and the Rural Designation.

## **13.7 Garden Suites**

13.7.1 Garden Suites as defined in the Planning Act may be permitted in any Rural, Rural Residential designation, and the Nobel Settlement Area designation.

### **13.8 Rental Accommodations**

13.8.1 This Plan recognizes that there are a variety of rental accommodation uses within the Municipality. These may include rental cottages, resorts, campgrounds, bed and breakfasts and dwellings that are rented on a short-term basis. These rental accommodations may be considered appropriate in some residential areas provided that they are adequately zoned and regulated to avoid land use conflicts with the surrounding areas. Unlike accommodation uses in areas that are designated or zoned commercial, residential neighbourhoods require special attention to ensure the quiet and private enjoyment of residential living which is expected. Accommodation uses shall avoid disruption to adjacent residential uses through the mitigation of potential impacts including noise control, waste management, trespass, environmental protection, setbacks, buffering, parking, traffic, performance standards and any relevant operational controls.

13.8.2 No person shall use any dwelling or seasonal dwelling on a lot zoned for residential use for any rental accommodation that is considered “short-term accommodation”, unless the property is zoned in a commercial zone that permits commercial accommodation uses.

13.8.3 For the purposes of this Plan “short-term accommodation” is defined as a use, building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for the travelling or vacationing public for any period less than ninety (90) consecutive calendar days, throughout all or any part of a calendar year by any individual, organization or corporation either continuously or as an aggregate in any given calendar year. Short-term accommodation shall not mean or include a motel, hotel, bed and breakfast, tourist establishment, cottage resort or commercial resort. A residential or seasonal dwelling unit that rents, leases, or assigns the said dwelling for a period greater than 30 consecutive calendar days throughout all or any part of a calendar year is not considered a “short-term accommodation” unit.

13.8.4 The scale and intensity of any short-term accommodation use may affect the degree of potential disruption in the surrounding neighbourhood. Such accommodation uses should be regulated to ensure that the residential character is generally maintained. Such use shall be directed toward a commercial or other appropriate designation and shall be prohibited within a single detached residential neighbourhood unless specifically zoned for short-term rentals.

13.8.5 The Municipality may pass a By-law requiring a license for any permitted short-term accommodation uses.

## **SECTION 14 – ENVIRONMENT**

### **14.1 General**

14.1.1 The Municipality of McDougall recognizes that there are a number of known, as well as unknown natural heritage features and areas, which are linked by natural corridors in the Municipality. Together, these areas comprise the Municipality's Natural Heritage System. It is also understood that there is legislation, regulations, Provincial policies, guidelines and manuals prescribing measures to recognize, protect and preserve natural heritage features. This Plan recognizes the responsibility of the Municipality together with its associated approval authorities to make decisions that reflect these legislative and policy requirements.

14.1.2 The diversity and connectivity of natural features and the long-term ecological function and biodiversity of the Municipality's Natural Heritage Systems shall be maintained, restored, or improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features.

14.1.3 Natural heritage features and areas come from the Provincial Policy Statement include the following elements:

- Fish habitat;
- Habitat of endangered species and threatened species;
- Provincially Significant Wetland;
- Significant Wildlife Habitat;
- Areas of Natural and Scientific Interest;
- Nesting Sites;
- Moose Calving Sites;
- Moose Aquatic Feedings Areas; and,

- 14.1.4 Moose Wintering Areas. Due to the sensitivity of some of the features listed above, all features may not be identified on Schedule B of the Plan. Although this information is not available to the public, prior to and during the review of development proposals, the internal data is utilized by Municipal staff for screening purposes.
- 14.1.5 Important habitat and natural values are constantly changing. As these habitats and values change, the Schedules of this Plan will be updated. As these changes are usually minor in nature, formal amendments will not be required.
- 14.1.6 Prior to development and/or site alteration, the Municipality may require a site-specific impact assessment to confirm the location or presence of natural heritage features.
- 14.1.7 The Province has provided information on known natural heritage features and this data has been compiled and added as Schedule B to this Plan.
- 14.1.8 The Municipality and Planning Board and Municipality will use this data to determine the need for an Environmental Impact Study.

## **14.2 Provincially Significant Wetlands**

- 14.2.1 The Municipality recognizes the importance of wetlands. Wetlands play a vital part in preserving important wildlife, fishery, flora and fauna ecosystems. It is the intention of the Municipality to protect wetlands and restrict development on, in or adjacent to wetlands unless it may be demonstrated that there are no negative impacts on the natural features or ecological function of the wetland.
- 14.2.2 The Ministry of Northern Development, Mines, Natural Resources and Forestry evaluates the biological, social, hydrological and special features of wetlands to determine their relative significance in Ontario and identifies certain areas as Provincially Significant Wetland.

14.2.3 No development or site alteration is permitted within Provincially Significant Wetlands or Significant Coastal Wetlands.

14.2.4 Where development and/or site alteration is proposed within 120 metres of the boundary of a Provincially Significant Wetland, the proponent shall provide the Municipality with an Environmental Impact Study, which demonstrates that there will be no negative impacts on the wetland or its ecological function. Where warranted by site and species-specific factors, development proposals further than 120 metres the Provincially Significant Wetland may also require an Environmental Impact Statement.

14.2.5 Changes to the boundaries of a Provincially Significant Wetland shall not require an amendment to the Official Plan. The approval of the Ministry of Northern Development, Mines, Natural Resources and Forestry is required for any refinements to the boundary of a Provincially Significant Wetland.

### **14.3 Other Wetlands**

14.3.1 Development and/or site alteration shall not be permitted within an Other Wetland unless an Environmental Impact Statement demonstrates that there will be no negative impact on the wetland or its ecological function.

### **14.4 Significant Wildlife Habitat**

14.4.1 Significant wildlife habitat is described in four general categories:

- Habitats of seasonally concentrated animals;
- Rare vegetation communities or specialized habitat for wildlife;
- Habitat of species of conservation concern; and,
- Animal movement corridors.

14.4.2 Development and site alteration shall not be permitted within areas identified as significant wildlife habitat unless an Environmental Impact Statement demonstrates that there will be no negative impact on the natural features or their ecological function.

14.4.3 Where development and site alteration is proposed within 120 metres of significant wildlife habitat, the Municipality shall require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan. It must be demonstrated that there will be no negative impacts on the natural features or their ecological functions.

14.4.4 These policies shall apply to Moose Aquatic Feedings Areas, Nesting Sites and Moose Wintering Areas.

## **14.5 Fish Habitat**

- 14.5.1 The Municipality supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that it is the mandate of the Department of Fisheries and Oceans to protect and preserve fish habitat under the Federal Fisheries Act. Under this Act, fish habitat is defined as spawning grounds and nurseries, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.
- 14.5.2 Only development and site alteration in accordance with Provincial and Federal regulations shall be permitted within Fish Habitat. Other development and site alteration shall not be permitted within fish habitat unless an Environmental Impact Study demonstrates that there will be no negative impact on the fish habitat or its ecological function.
- 14.5.3 Where development and site alteration is proposed within 120 metres of fish habitat, the development should be designed to ensure that there are no negative impacts on the natural features or their ecological functions. The Municipality may require the proponent to prepare an Environmental Impact Statement in accordance with the policies of this Plan.
- 14.5.4 Development and site alteration shall not be permitted within Fish Habitat unless an Environmental Impact Study demonstrates that there will be no negative impact to the fish habitat or its ecological function.
- 14.5.5 This Plan directs the Zoning By-law to establish a minimum 15 metre setback for structures along warm water streams and a minimum of 30 metres setback for cool or cold water streams, in order to protect fish habitat.
- 14.5.6 The Municipality may include increased setbacks and requirements for vegetative buffers along sensitive shorelines of creeks, rivers and cool or cold watercourses.

## **14.6 Areas of Natural and Scientific Interest**

- 14.6.1 There are two types of Areas of Natural and Scientific Interest (ANSI). These include earth science ANSI's and Life Science ANSI's. ANSI's are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. ANSI's are identified on Schedule B.

14.6.2 Prior to Development and Site Alteration occurring within an ANSI, an Environmental Impact Study shall be submitted to the satisfaction of the Municipality or applicable agency demonstrating that there will be no Negative Impact on the natural features or ecological function of the ANSI.

14.6.3 Prior to Development or Site Alteration occurring on lands adjacent to an ANSI, an EIS shall be submitted to the satisfaction of the Municipality or applicable agency demonstrating that there will be no Negative Impact on the natural features or ecological function of the ANSI. An Environmental Impact Study may be required by the Municipality for Development of lands which are beyond the adjacent lot where it is deemed appropriate in a site specific case but shall generally not be required for single unit residential dwelling Development beyond the adjacent lot.

## **14.7 HABITAT OF ENDANGERED OR THREATENED SPECIES**

14.7.1 The Municipality recognizes the importance and value of protecting the habitat of endangered or threatened species. The exact location of habitat for these species is considered sensitive information and cannot be shown on Schedule B but will be used by the Municipality when development or site alteration is proposed. The Municipality may consult with Ministry of Northern Development, Mines, Natural Resources and Forestry on matters related endangered or threatened species.

14.7.2 The Endangered Species Act requires that the habitat of species listed on the Species at Risk in Ontario List as an endangered or threatened species, shall not be damaged or destroyed, except in the accordance with provincial and federal standards.

14.7.3 All development must ensure that the habitat of threatened or endangered, species is protected. No development or site alteration shall be permitted in the habitat of endangered or threatened species.

14.7.4 Where development is proposed adjacent to the habitat of endangered or threatened species an environmental impact study may be required to ensure development and site alteration does not occur within habitat except in accordance with provincial and federal standards.

14.7.5 Where development is proposed in areas that have the potential to contain habitat of endangered or threatened species, an Environmental Impact Study shall be required.

14.7.6 Where an Environmental Impact Study has been prepared, prior to approving any development the Municipality shall ensure, through land use planning controls, that the appropriate measures are in place to mitigate potential negative impacts to the habitat of endangered and threatened species. If an Environmental Impact Study identifies species-at-risk habitat the Environmental Impact Study shall be circulated to the Ministry of Northern Development, Mines, Natural Resources and Forestry. As a condition of an approval under the Planning Act, the proponent may be required to obtain an authorization from the Ministry of Northern Development, Mines, Natural Resources and Forestry, or a written indication from Ministry of Northern Development, Mines, Natural Resources and Forestry that an application under the Endangered Species Act is complete and will likely meet the legislated requirements of the Act.

## **14.8 Adjacent Lands**

14.8.1 Adjacent lands are the lands relevant to which impacts of a development must be considered. Development and site alteration on adjacent lands is not permitted unless it has been demonstrated through the completion of an Environmental Impact Study that there will be no negative impacts on the natural features and their ecological functions. The effect of a development proposal on features must be considered when the proposed development is within:

- a) 120 metres of the boundary of a Provincially Significant Wetland or unclassified wetland in excess of 2 hectares;
- b) 50 metres from the boundary of a Provincially or regionally significant Area of Natural and Scientific Interest (earth science);
- a) 120 metres from the boundary of a Provincially or regionally significant Area of Natural and Scientific Interest (life science); and,
- c) 300 metres of at-capacity inland lake trout lakes on the Canadian Shield.

## **14.9 Crown Land**

14.9.1 There is a significant amount of Crown Land in the Municipality of McDougall. The geographic Township of Ferguson has approximately 65 percent of its land base as Crown Land while the geographic Township of McDougall is approximately 22 percent Crown Land.

14.9.2 The policies of the Official Plan and Zoning By-law are not binding on Crown Land activities. The use of Crown Lands will be determined by the Province with regard for the established planning policies of the Municipality. The Ministry of Northern Development and Mine, Natural Resources and Forestry issues mining leases, Exploratory Licenses of Occupation, mining claims and other forms of land tenure on Crown Land.



14.9.3 Parks and Conservation Reserves are identified on Schedule B. Crown Land is identified on Schedule A to the Official Plan and identified in the implementing Zoning By-law.

14.9.4 The Municipality supports the Ministry of Northern Development, Mines, Natural Resources and Forestry and its management programs for Crown Land.

14.9.5 Council may be concerned over conflicts that occur between parks, Conservation Reserves and historical uses that are permitted in these protected areas. Council will support whatever measures are available to resolve these conflicts in favour of historical land use activities.

## **14.10 Forestry**

14.10.1 Forestry is an important resource use in the rural areas of the Municipality. There is a large amount of private and Crown Land that is managed for forestry uses. The Municipality supports the Province and its associated Crown corporations in the management of McDougall forests.

14.10.2 The Municipality will require adequate setback for development from for developed area to forestry uses and from waterbodies to minimize environmental impact.

14.10.3 No clear cutting of forests as part of a forestry operation will be permitted in McDougall unless such operations are in accordance with timber management plans prepared through the Province or its designated agents in consultation with Council.

14.10.4 The Municipality may pass a tree cutting by-laws to regulated the removal of trees.

14.10.5 Development on land adjacent to Crown Land must be compatible with any forestry operations or management plans.

## **14.11 Hazard Lands**

14.11.1 There are a number of natural hazards that occur in the Municipality of McDougall. These include the regulatory flood elevations (floodplain) for Mill Lake, Portage Lake, Georgian Bay and other rivers and lakes within the Municipality. Steep slopes and erosion hazards adjacent to waterbodies and watercourses are also natural hazards

14.11.2 The primary area of concern over natural hazards in McDougall includes the low areas along the shoreline of the various watercourses located within the Municipality. The regulatory floodplain is defined as the greater of:

- a) The "100 year flood" which is the area that would be flooded on average once in 100 years; or

- b) The "Regional Flood" which is the area flooded by a storm modelled on a particularly intense flood which occurred in Timmins in 1961, and could occur in this area.

14.11.3 In 1995, the Ministry of Northern Development, Mines, Natural Resources and Forestry provided regulatory flood elevation information for the comprehensive Zoning By-law of the Township of McDougall. The Ministry of Northern Development, Mines, Natural Resources and Forestry identified a regulatory floodplain on Mill Lake and Portage Lake, upstream of the Mill Lake Dam and east of Nobel Road (former Highway 69) of 195.0 metres above Canadian Geodetic Datum.

14.11.4 All floodplains (of lakes, rivers and streams) will be placed in a separate restrictive land use category in the Zoning By-law implementing this hazard lands policy that permits only those uses that do not require structural development or site alteration, including the placement of fill. An exception could be made for Georgian Bay, as discussed above (except for at the mouth of inflowing streams and rivers).

14.11.5 New development or site alteration, including the placement of fill, is generally not appropriate on Mill Lake and Portage floodplain lands. However, there could be an exception for Georgian Bay where new development or site alteration within the floodplain of Georgian Bay would not affect flood levels and velocities on other properties (except at the mouth of inflowing streams and rivers); any development permitted must be adequately flood-proofed to 178.3 above Canadian Geodetic Datum.

14.11.6 The expansion of existing non-conforming uses will not be permitted within floodplains, except in those circumstances where the minor addition will not contribute to flood flows.

14.11.7 New lots will not be created where there is no adequate building envelope outside of the floodplain or where safe access/egress is not available during times of flooding.

14.11.8 Development and site alteration shall be prohibited in areas with potential erosion hazards, unless it has been demonstrated that the site and its access would be safe using the 100 year erosion rate. This should consider erosion potential under average water levels, under regulatory flood conditions and whether future site alteration on or adjacent to a site would increase the hazard.

## **SECTION 15 – MINERALS AND MINERAL AGGREGATE**

### **15.1 Mineral Extraction**

- 15.1.1 The mineral potential of lands within the Municipality is low. New mining operations will only be considered by an amendment to this Plan, and in keeping with the Mining Act.
- 15.1.2 Mineral resources will be protected for long-term use and mining operations will be protected from activities that would preclude or hinder their expansion or continued use or be incompatible for reasons of public health, safety or environmental impact. In or adjacent to areas of known mineral resources or mining activity no development and activities will be permitted that would preclude or hinder the establishment of new operations or access to the resources unless it has been demonstrated that:
- a) The resource use would not be feasible; or
  - b) The proposed land use or development serves a greater long-term public interest; and
  - c) Issues of public health, public safety and environmental impact are addressed.
- 15.1.3 Sensitive uses will be separated and/or buffered from mining operations in accordance with provincial legislation, policies and guidelines.
- 15.1.4 Rehabilitation will be required when mining operations have ceased. Progressive rehabilitation should be undertaken wherever feasible.

### **15.2 Mineral Aggregate Resources**

- 15.2.1 The Municipality of McDougall is designated under the Aggregate Resources Act. Only those existing aggregate resources operations that are licensed under the Aggregate Resources Act will be recognized in the Municipality's zoning by-law.
- 15.2.2 Existing active and inactive sites are shown on Schedule B of the Official Plan.
- 15.2.3 The aggregate resource potential mapping is included in Appendix 3 of the Official Plan.

- 15.2.4 It is understood that any new pits and quarries proposed in the municipality will be required to comply with the licensing criteria set out in the regulations under the Aggregate Resources Act. Because of the costs associated with undertaking any assessments related to obtaining a new pit or quarry license, it is most likely that limited new pits or quarries are likely to be established over the period of this Plan. Notwithstanding this reality, the Municipality supports the establishment of new pits or quarries subject to complying with the Aggregate Resources Act requirements.
- 15.2.5 Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations.
- 15.2.6 In order to protect legally existing pits and quarries or areas of significant aggregate reserves, incompatible land uses and activities will generally not be permitted adjacent to these areas. Where site specific studies have not been undertaken the Ministry of Environment, Conservation and Parks D Series Guidelines shall apply. The area of influence for pits and quarries is 1000 metres and the minimum separation distance is to be 300 metres for pits and 500 metres for quarries with the relevant land use compatibility guideline.
- 15.2.7 The Province has provided mapping of existing sand and gravel deposits in the municipality. This mapping is attached as Appendix 3 to this Plan. Mineral aggregate resources will be protected for long-term use and the municipality will make use of this data when assessing any new development to ensure any compatibility issues are resolved as part of a development review.
- 15.2.8 In or adjacent to areas of known mineral aggregate resources no development and activities will be permitted that would preclude or hinder the establishment of new operations or access to the resources unless it has been demonstrated that:
- a) The resource use would not be feasible; or
  - b) The proposed land use or development serves a greater long-term public interest; and
  - c) Issues of public health, public safety and environmental impact are addressed.
- 15.2.9 A study may be required to address each of the above criteria prior to any change in land use where a development is proposed in significant aggregate reserves or adjacent areas.
- 15.2.10 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment or rezoning in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

- 15.2.11 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
- 15.2.12 Aggregate recycling facilities that are accessory to a pit or quarry are permitted within a licensed site as a secondary use.
- 15.2.13 Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

## **SECTION 16 – ENVIRONMENT**

### **16.1 General**

- 16.1.1 All levels of government have jurisdiction over water quality, soil contamination, waste management and air quality.
- 16.1.2 Any new or enlarged waste disposal or water supply systems may require an amendment to this Plan and must be approved in accordance with the Environmental Protection Act and/or the Environmental Assessment Act.
- 16.1.3 This Plan recognizes that the Ministry of the Environment, Conservation and Parks establishes a number of guidelines to supplement the Province's air, noise and odour approvals under the Environmental Protection and Ontario Water Resources Act. The Municipality will continue to recognize these guidelines when reviewing land use compatibility for any of its planning approvals.
- 16.1.4 All proposed development in the Municipality of McDougall shall meet Provincial standards for air, ground, light, noise and water pollution control.
- 16.1.5 Where development is proposed and the subject lands have the potential to be contaminated due to previous use, development applications shall be accompanied by a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition, and, if necessary, a site remediation plan prepared in accordance with the Ministry's Guidelines for the Decommissioning and Clean-Up of Sites in Ontario.
- 16.1.6 A proponent is responsible for hiring a qualified consultant to conduct Phase 1 and Phase 2 studies on any potentially contaminated sites.

- 16.1.7 Where development is proposed on lands which include, or are abutting or are within 1000 metres of lands affected by mine hazards or former mineral resource operations, the development will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The approval authority will require documentation from a development proponent to this effect. Alternatively, confirmation will be required from a qualified professional that the lands proposed for development are not affected by the mine hazards.

## **16.2 Landfill Impact Area Overlay**

- 16.2.1 The area outlined on Schedule A as Landfill is subject to the following policies in addition to the other general and land use policies of this Official Plan. This area may be referred to as the McDougall Road Landfill Impact Area.
- 16.2.2 It is recognized that the lands within approximately 500 metres of the McDougall Road Landfill Site may be impacted by leachate migrating therefrom.
- 16.2.3 It is the policy of the Council of the Municipality of McDougall to continue to maintain and introduce remedial works for the purpose of improving the quality of the ground water migrating from the Landfill Site to a standard which meets the Reasonable Use Guidelines administered by the Ministry of the Environment, Conservation and Parks as soon as practicable.
- 16.2.4 The lands within the McDougall Road Landfill Impact Area are designated Rural on Schedule A to this Plan. While the Rural designation represents the least intensive form of development policies contained in the Official Plan, there are a wide variety of activities allowed including new homes, industrial and commercial uses.
- 16.2.5 While the Rural land use designation will continue to apply within the McDougall Road Landfill Impact Area, the following additional policies will govern development within the boundary identified McDougall Road Landfill Impact Area:
- 16.2.6 A D-4 Study shall be completed prior to development occurring within the McDougall Road Landfill Impact Area Overlay.

## **SECTION 17 – CULTURAL HERITAGE RESOURCES**

### **17.1 General**

- 17.1.1 For the purpose of this Plan, cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes. The conservation of significant cultural heritage resources is encouraged.
- 17.1.2 Council may designate individual properties or areas as Heritage Conservation Areas pursuant to the Ontario Heritage Act in order for conservation options to be considered when there are development related impacts.
- 17.1.3 The Municipality shall make every effort to conserve significant cultural heritage resources when undertaking of municipal public works or environmental assessment projects. When necessary, technical cultural heritage studies (e.g. archaeological assessment, conservation plan 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.
- 17.1.4 Council will require technical cultural heritage studies (e.g. conservation plan, heritage impact assessment and/or archaeological assessment) to be conducted by a qualified professional whenever a development or site alteration has the potential to affect a protected heritage property or a property with potential cultural heritage value or interest.

### **17.2 Archaeological Resources**

- 17.2.1 The Municipality recognizes that there may be areas of archaeological potential in McDougall. Areas of archaeological potential are identified through the application of criteria established by the Province or an Archaeological Management Plan.
- 17.2.2 The Municipality shall require an archaeological impact assessment prepared by an archaeologist licensed under the Ontario Heritage Act as a condition of any development proposal affecting:
  - a) An area containing archaeological sites;
  - b) In areas in close proximity to an identified archaeological site; and,
  - c) In or adjacent to areas exhibiting archaeological potential.
- 17.2.3 Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented and conserved. Any alterations to known archaeological sites will only be performed by licensed archaeologists.

- 17.2.4 Council shall require an archaeological assessment and when an identified marked or unmarked cemetery or burial site is affected by land use development. The provisions under the Ontario Heritage Act and the Funeral Burial and Cremation Services Act shall apply. Development shall be guided by this legislation and any direction from the Ministry of Government and Consumer Services.

### **17.3 Built Heritage Resources and Cultural Heritage Landscapes**

- 17.3.1 Pursuant to the Ontario Heritage Act Council may by by-law, and in consultation with the municipal heritage committee, if one has been established:

- a) Designate properties to be of cultural heritage value or interest;
- b) Define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
- c) Designate the municipality, or any area or areas within the municipality, as a heritage conservation district.

- 17.3.2 Council shall protect and enhance the distinguishing qualities and character of cultural heritage landscapes.

- 17.3.3 The municipal clerk shall maintain a register heritage properties which will include properties that have been designated under Part IV and Part V of the Ontario Heritage Act, and properties that have not been or cannot be designated but municipal council considers to be of cultural heritage value or interest.

- 17.3.4 Pursuant to Section 28 of the Ontario Heritage Act the municipality may establish a Municipal Heritage Committee to advise and assist council on matters related to Parts IV or Part V of the Act. Council may wish to expand the role of the committee to advise and assist Council on other matters of cultural heritage conservation.

- 17.3.5 Council shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

- 17.3.6 Council shall encourage the protection of public views and sightlines to significant cultural heritage resources, through the development of area-specific community design guidelines.

- 17.3.7 Council may designate, under the Ontario Heritage Act, one or more heritage conservation districts within the municipality.

- 17.3.8 Prior to the designation of a heritage conservation district(s), Council:

- a) Must have provisions and policies in an official plan pertaining to the establishment of heritage conservation districts;
- b) Should pass a by-law defining an area or areas to be examined for future designation as a heritage conservation district(s); and,



- c) Should prepare a study for the area or areas to determine the feasibility of designation, the delineation of the district boundaries, an evaluation of the area's heritage character, and guidelines for future conservation and planning.

## **SECTION 18 - PUBLIC USES**

### **18.1 Public Parkland**

- 18.1.1 Public parkland is a permitted use in any designation on Schedule A including any accessory uses thereto.

### **18.2 Public Utilities**

- 18.2.1 Nothing in this Plan shall prevent the use of land or the establishment of any building or structure by the Municipality or a public utility in any area except Wetlands and except that a sewage disposal plant, garbage disposal area, transfer station; or any public works garage or yard shall not be located in a residential or recreational area unless specifically zoned for that purpose. Any building or structure connected with a public utility undertaking shall be located and designed in a manner which does not detract from the amenity or property values in the area and are not to be located in hazard land areas.

### **18.3 Energy**

- 18.3.1 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 regulations, and is carried out having regard to the provisions of this Plan.
- 18.3.2 Where energy or communication facilities or utilities are proposed, they will be designed and located to avoid potential adverse environmental, social, health and aesthetic impacts. In this regard, the following should be considered:
  - a) The location of facilities, where possible, to reduce overall numbers;
  - b) Locating facilities within or along existing utility or transportation corridors;
  - c) Setback from waterbodies and the impact of the structure on the lake horizon;
  - d) Construction of towers and antennas to heights below those requiring lighting devices in order to help preserve the night sky; and,
  - e) The impact on natural areas including fish and wildlife habitat and wetlands.
- 18.3.3 Proponents of energy and communication facilities shall consult with the Municipality regarding the location of new facilities and may be requested to consult with the public.

## **18.4 Waste Disposal/Transfer Stations**

18.4.1 New public transfer stations or public sanitary landfill sites are permitted, subject to a Zoning By-law Amendment.

18.4.2 In developing any area for waste disposal sites or transfer stations, the following conditions shall be regarded:

- a) Disposal of all refuse shall be by means of a suitable method, which ensures that all waste materials are permanently and completely buried;
- b) A buffer strip shall be located between the waste disposal or transfer station area and any other area which is or is likely to become developed during the period in which the area will be used for disposal purposes. This buffer shall contain trees and shrubs to prevent visibility of any part of the disposal operation from the surrounding areas or streets;
- c) Adequate precautions shall be made to prevent pollution of any watercourse by the disposal operation;
- d) Regard shall be had to prevailing winds to prevent obnoxious odours, fumes and similar nuisances to be carried by these winds over developed areas, either existing or proposed;
- e) The Municipality shall seek advice of the appropriate agencies concerned with the management of waste before permitting the waste disposal sites to be opened; and,
- f) All waste management systems are subject to approval under the Environmental Assessment Act. Environmental assessments may be required.

18.4.3 All waste management sites shall be covered by current Ministry of the Environment, Conservation and Parks Certificates of Approval under the Environmental Protection Act.

18.4.4 Council shall support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.

## **SECTION 19 – LAND USE POLICES**

The provisions of this part of this Plan shall apply to those areas designated on

### **19.1 Rural**

19.1.1 This designation will generally apply to most of the inland areas of the Municipality which do not front on recreational waterbodies. Land uses permitted in this category shall include:

- a) Residential
- b) Forestry
- c) Rural commercial uses
- d) Rural industrial use
- e) Tourist commercial uses
- f) Conservation uses
- g) Agricultural uses, agriculture-related uses and on-farm diversified uses
- h) Other rural land uses
- i) Market gardening uses
- j) Raising of fur bearing animals
- k) Churches
- l) Schools
- m) Hospitals
- n) Institutions
- o) Cemeteries
- p) Country clubs
- q) Open air recreational uses; and
- r) Any uses connected with government utilities or departments.

19.1.2 Pits and expansions to existing quarries are permitted in the Rural designation subject to all other policies of this Plan. New Quarries shall require an Official Plan Amendment.

19.1.3 It is a basic objective of this Plan to require larger lot area and lot frontages in the rural areas and along the major public roads.

19.1.4 Where it is determined a Plan of Subdivision is not required to ensure proper and orderly development, the land to be developed may be divided by Consent. Consents to create new lots in the Rural designation will be subject to the following:

- a) the resulting development will not contribute to an unreasonable demand for the enlargement of municipal services.
- b) the lot sizes are generally greater than 1.0 hectares and road frontages are approximately 100 metres.
- c) The lots should not adversely affect areas of mineral aggregate or

forestry production, recreational uses or environmentally sensitive areas.

- d) New lot creation must provide confirmation that sufficient capacity exists for treatment capacity for hauled sewage.
- e) New lots having a lot area less than 0.8 hectares shall only be permitted if supported by a hydrogeological study demonstrating that a smaller lot area is appropriate.
- f) Where multiple lot creation is proposed following the adoption of this Plan, supporting studies such as hydrogeological, traffic environmental or other studies referenced in this Plan may be required by the Municipality in order to confirm conformity of the proposed lots with this policies of this Plan.

## **19.2 Rural Subdivisions**

19.2.1 It shall be the policy of the Municipality only to recommend to the approval authority those Plan of Subdivisions which comply with the policies of this Plan. Before recommending a Plan of Subdivision to the Planning Board, Council will ensure that the area to be subdivided can be provided with the necessary services and amenities, and that the proposed development will not adversely affect the economy of the Municipality. Council will also consult with relevant government agencies. All Plan of Subdivision shall include a Subdivision Agreement between the Municipality and the developer. Subdivisions shall not be permitted on a private road.

19.2.2 Special attention will be given to proposals for the development of lands, which are located on, or adjacent to lake front land, in order to provide opportunity to obtain and preserve both private and public open space. Further concerns will be met in regard to the environmental impact which the development of such lands may have on the quality of the water bodies within the Municipality.

19.2.3 It is the intent of this Plan to encourage new residential development to locate primarily within the Settlement Areas, and secondarily as infilling within existing "built-up areas", and "waterfront areas". Locally appropriate new residential Plan of Subdivisions, however, may establish outside of these areas in accordance with the policies of this Plan, and subject to the following:

- a) A Planning Justification Report which addresses the need for the development, in light of projected demand and available opportunities for development within the Settlement Areas;
- b) An Official Plan Amendment and Zoning By-law Amendment;

19.2.4 In determining the appropriateness of proposed rural subdivision development, Council shall consider:

- a) The proximity of the development to major roads;
- b) The proximity of the development to community facilities, schools and other services;

- c) The impact of the proposed development on the financial and environmental resources of the Municipality;
- d) The cumulative impact of rural residential development on the financial and environmental resources of the Municipality; and,
- e) All applications for new development shall be accompanied by the supporting studies that are deemed to be appropriate through pre-consultation or required by the policies of this Plan;

19.2.5 Generally, where new lots are to be created for the purposes of resource uses including a hunt camps or maple syrup operations; frontage on a public road may not be required provided that a legal right-of-way can be obtained.

19.2.6 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development.

### **19.3 Communication Towers**

19.3.1 It is recognized that communication towers and radio antennae fall outside the jurisdiction of the Municipality. However, it is recognized by those Federal agencies that have jurisdiction over such installations that local policy and zoning should be considered and that appropriate action should be taken to ensure that federal influence on land and local environments has a positive impact.

19.3.2 Prior to the location and construction of new towers, a public information meeting will be required with notice given to neighbouring property owners. The circulation to the public will be the maximum permitted by any senior levels of Government or their agencies.

19.3.3 The Municipality is primarily concerned over the impacts that new towers will have on the physical and natural environments. The sighting of towers shall consider the impacts on the views and aesthetics of the area around the tower. In this regard, antennae should consider sharing towers wherever possible to minimize the number of these structures.

19.3.4 Buffering and screening of new towers shall be encouraged. The Municipality will require the camouflaging of new towers so that they blend in with the natural forest cover.

## **19.4 Rural Commercial and Institutional Uses**

19.4.1 This Plan anticipates that rural commercial and institutional uses which primarily serve the needs to the rural area or the travelling public may seek to establish in the Rural designation. Such uses include but shall not be limited to the following:

- a) Farm implement dealers and agricultural service uses;
- b) Automobile service stations;
- c) Private clubs;
- d) Tourist commercial uses;
- e) Churches;
- f) Schools; and,
- g) An accessory dwelling unit for the resident owner/operator either as a single unit detached dwelling or in the second storey of the commercial use (with the exception of automobile service stations).

19.4.2 In considering proposals for new rural commercial uses, Council shall have regard for potential impacts on adjacent residential uses, and appropriate conditions regarding setbacks, buffering and limitations on road access. Council shall consider the following when evaluating new rural commercial uses:

- a) The use primarily serves the needs of the rural area or the travelling public;
- b) Any lighting and other surface utilities shall be carefully sited and advertisements shall be in keeping with good design and highway safety practices in order to maintain the appearance and safety of the area;
- c) Adequacy of off-street parking and off-street loading facilities shall be provided;
- d) Adequate buffering shall be provided between the proposed commercial use and any adjacent residential uses. Such buffering in the form of a strip of land shall be devoted to no other purpose than landscaping;
- e) Adequate supply of potable water and an acceptable method of sewage disposal can be provided;
- f) Has lot frontage on a public road which is maintained on a year round basis by a public authority;
- g) Access points to and from the road shall be limited in number; and,
- h) Environmentally sensitive and resource areas are not adversely affected.

## **19.5 Rural Industrial Uses**

19.5.1 There may be industrial uses that do not require the provision of municipal urban services and which are compatible with existing rural uses and are related to and support rural uses are permitted. Such uses may include but shall not be limited to the following:

- a) Servicing of agricultural and forestry equipment;
- b) Sawmills;
- c) Contractors storage yard; and,
- d) an accessory dwelling unit for the resident owner/operator either as a single unit detached dwelling or in the second story of the industrial building.

19.5.2 In considering proposals for new rural industrial uses, Council shall have regard for potential impacts on adjacent residential uses, and appropriate conditions regarding setbacks, buffering and limitations on road access. Council shall consider the following when evaluating new rural industrial uses:

- a) It shall be clearly demonstrated to the satisfaction of the Municipality that a rural rather than an urban location is necessary for the industrial operation;
- b) Adequate off-street parking shall be provided on any industrial site for employees and visitors;
- c) Any proposed industrial development shall not infringe upon lands with the potential for mineral aggregate, forestry, agricultural production and/or recreational development nor adversely affect environmentally sensitive areas;
- d) The proposed industrial use shall conform with Ministry of the Environment, Conservation and Parks Land Use Compatibility Guidelines;
- e) All industrial sites shall front on a public road which is maintained on a year round basis by a public authority and shall have a limited number of openings for vehicle exits and entrances;
- f) An adequate supply of potable water and an acceptable method of sewage disposal can be provided. Only low water industrial uses shall be permitted. For the purposes of this Section, low water usage shall be defined as 50,000 litres per day or less, but the following also applies for various assessment and approvals:
  - i. for industrial uses that have subsurface sewage disposal systems of greater than 10,000 litres per day, a Environmental Compliance Approval from MOECC will be required. For subsurface sewage disposal systems of 10,000 litres per day or less, a Building Code Act permit is required from the appropriate approval body.
- g) New Industrial Uses that will require more than 50,000 litres per day shall require an Amendment to this Plan and the Zoning By-law as well as a Permit to Take Water under the Ontario Water Resources Act.
- h) The amenity of the surrounding rural area is adequately protected;
- i) Adequate open space is provided around any industrial use so that a buffer of trees, shrubs or fencing is provided; and,
- j) Limited retail sales of products manufactured on the same premises may be permitted as an ancillary use.

## **19.6 Waterfront**

- 19.6.1 The Waterfront designation generally includes those lands extending inland 300 metres from any recreational waterbody, and which are depicted as being within the Waterfront land use designation on Schedule A. Lands which physically or functionally relate to the Waterfront designation although extending beyond 300 metres from a recreational waterbody will also be deemed to be within the Waterfront designation.
- 19.6.2 The Waterfront designation is an area where significant development pressure exists. It is also an area that is highly sensitive to new development. Extra care will be taken to protect the features of the Waterfront designation.
- 19.6.3 Permitted uses in the Waterfront designation include:
- a) Detached dwellings;
  - b) Existing tourist commercial uses;
  - c) Open spaces uses; and,
  - d) Existing commercial uses that serve the recreational community.
- 19.6.4 This plan recognizes the need for additional marinas on Georgian Bay, Lorimer Lake, Mill Lake and Manitouwabing Lake. The establishment of marinas shall be subject to an Official Plan Amendment.
- 19.6.5 New lots created in the Waterfront area are subject to the Rural designation Consent criteria, however the lot frontage on a waterbody shall be at least 70 metres, and in accordance with the lake specific policies in regards to minimum lot areas and lot frontages.
- 19.6.6 Where a proposed development in the Waterfront designation is not directly accessible by a publicly maintained, year round road, Planning Board and Council shall be satisfied that the following are available:
- a) Adequate boat docking and launching facilities specifically established for the development;
  - b) Off-street automobile parking for vehicles and boat trailers at the point of access; and
  - c) Garbage disposal facilities in accordance with the Environmental Protection Act.
- 19.6.7 A sleeping cabin will be permitted on lots in the Waterfront designation so long as they remain secondary and incidental to the main residential dwelling on the lot.



- 19.6.8 Backlot or second tier development adjacent to waterfront areas shall be strongly discouraged and, shall only be considered as subdivisions subject to the rural subdivision policies of this Plan. All proposals for backlot development adjacent to waterfront areas will require an amendment to the Official Plan. Where such development is considered, the applicant shall demonstrate to the satisfaction of the Municipality that adequate public access to the waterbody can be provided.
- 19.6.9 Existing Tourist Commercial Uses permitted in the Waterfront Area shall include the following:
- a) Lodges, resorts, restaurants, housekeeping cabins and cottages, Rental Accommodations together with retail and service uses accessory to the resort use and located on the same property;
  - b) Private clubs other than power boat, motor car or motorcycle clubs;
  - c) Public or private camps including tent and trailer parks and service uses accessory to such camps and located on the same property; and,
  - d) Other existing permitted commercial uses that serve the recreational community including: retail service uses; marinas; contractors yards; boats and snowmobile sales, rental and servicing.

## **19.7 Expansion of Existing Tourist Commercial Uses**

- 19.7.1 In considering applications for expansion of existing Tourist Commercial uses the following shall be considered:
- a) The expanded use can be appropriately serviced;
  - b) The scale of the expansion is appropriate for the site;
  - c) Sufficient parking exists (this includes lake access parking where applicable);
  - d) The expansion is compatible with surrounding land uses;
  - e) The expansion does not negatively impact the character of the area;
  - f) The expansion does not negatively impact water quality or the natural environment;
  - g) Where applicable, shoreline vegetation is maintained or improved; and,
  - h) Site Plan Control is applied.

## **19.8 New Tourist Commercial Uses**

- 19.8.1 New Tourist Commercial Uses shall demonstrate:
- a) The use can be appropriately serviced;
  - b) The scale of the use is appropriate for the lot frontage and lot area;
  - c) Sufficient parking exists (this includes lake access parking where applicable);
  - d) The use is compatible with surrounding land uses;
  - e) The use does not negatively impact the character of the area;

- f) The use does not negatively impact water quality or the natural environment;
- g) Where applicable, shoreline vegetation is maintained or improved;
- h) A suitable dock location exists, where applicable;
- i) A study which includes an inventory of all existing natural heritage features both on the site and in the water adjacent to the site, if applicable; and,
- j) Site Plan Control is applied.

## **19.9 Conversions of Tourist Commercial Uses to Residential Uses**

19.9.1 The conversion of a legal Tourist Commercial use to a residential use is discouraged. Tourism has an important role to the local economy and the conversion of Tourist Commercial uses to residential use can negatively impact the tourism economy.

19.9.2 Where the conversion of a Tourist Commercial use is proposed, an amendment to the Official Plan shall be required. In support of the amendment, it must be demonstrated that there is a surplus supply of Tourist Commercial land over the short and long term in order to justify the conversion.

19.9.3 Any conversion shall also demonstrate:

- k) The use can be appropriately serviced;
- l) Sufficient parking exists (this includes lake access parking where applicable);
- m) The use is compatible with surrounding land uses;
- n) The use does not negatively impact the character of the area;
- o) The use does not negatively impact water quality or the natural environment;
- p) Where applicable, shoreline vegetation is maintained or improved;
- q) A suitable dock location exists, where applicable; and,
- r) Site Plan Control is applied.

19.9.4 Consideration of the conversion of part of a Tourist Commercial use to residential may be given if it can be demonstrated that the lands to be converted are surplus to the tourist commercial use and it can be demonstrated that the conversion does not negatively impact the ability of the lot to continue to be used for Tourist Commercial uses.

## **19.10 Lake Specific Policies**

19.10.1 The Municipality of McDougall geography includes a large number of freshwater lakes that vary in size from only a few hectares in surface area to the open waters of Georgian Bay. There are approximately 40 lakes located in McDougall and for policy purposes, they may be categorized as small, medium and larger water bodies.

## 19.11 Small Lakes

- 19.11.1 There are a number of small lakes over the entire Municipality. Although the lakes are small in terms of surface area, these continue to have appeal for a limited amount of recreational development. These lakes may also be available for a limited amount of new lot creation subject to larger lot standards and so long as the lots proposed are in accord with the general and detailed policies of this Plan.
- 19.11.2 The small lake policy is to ensure that development is limited on these often isolated waterbodies. A high development standard, including increased lot areas and lot frontages shall be applied to preserve the remote wilderness features of these waterbodies. In addition to these density and aesthetic considerations, the approval authorities for any new lot consideration will consider environmental features, biophysical constraints, access and appropriateness in terms of sound lake planning.
- 19.11.3 The following table sets out general policy guidelines for small lakes in the Municipality. These guidelines should be regarded when considering development applications.

**TABLE – SMALL LAKES**

LAKE	MINIMUM STANDARDS		COMMENTS
	Frontage(m)	Area(ha)	
Agnes	150	2	These lakes have a small number of adjacent land owners. When the approval authority is considering any application for new lot creation, all owners fronting on these water bodies should be circulated for comments.
Avis	150	2	
Campbell	150	2	
Greer	150	2	
Johnston	150	2	
McGruther	150	2	
Neville	150	2	
Tongue	150	2	
Funston	150	2	
Johns	150	2	
Huard	150	2	

19.11.4 The following table sets out the general policy guidelines for medium sized lakes in the Municipality.

**TABLE – MEDIUM LAKES**

LAKE	MINIMUM STANDARDS		COMMENTS
	Frontage(m)	Area(ha)	
Bat	120	1	The medium sized lakes have greater potential for development and land owners are likely to be interested in new lot creation. The approval authority should be prepared to increase the circulation requirement of any notices for land division.
Bella	150	1	
Cramadog	120	1	
Dell	120	1	
Haines	120	1	
Loch Erne	120	1	
Lodge	120	1	
Marsh	120	1	
Nine Mile	120	1	
Upper Marsh	120	1	

19.11.5 The following table sets out the general policy guidelines for larger lakes in the Municipality. New lot creation for these lakes will be subject to the standards set out in the table.

**TABLE – LARGER LAKES**

LAKE	MINIMUM STANDARDS		COMMENTS
	Frontage(m)	Area(ha)	
Georgian Bay	70	0.5	The larger lakes may be subject to additional general and specific policies contained in this Plan.
Harris	70	0.5	
Mill	70	0.5	
Miller	70	0.5	
Portage	70	0.5	
Vowels	70	0.5	
Long	70	0.5	

19.11.6 There are a number of lakes in the Municipality that because of some special feature, development constraint or lake capacity issue will not be eligible for land division without additional assessment or required studies. New lot creation in these lakes may not be prohibited, however, the Municipality must be satisfied that the constraint capacity or technical issues have been overcome prior to supporting and further lot creation.

- Bard Lake
- Bell Lake
- Boy Lake
- Home Lake
- Long Lake
- Lorimer Lake
- Pickey Lake
- Simmes Lake

- Trout Lake

## **19.12 Simmes Lake**

19.12.1 Once the lands adjacent to Simmes Lake have been determined to be remediated to the satisfaction of the Municipality, a redevelopment of the lake for recreational shoreline uses will be supported by the Municipality. Any redevelopment of these lands must be in accordance with the general and waterfront development policies of this Plan and any applicable shoreline stewardship principles.

## **19.13 Trout and Lorimer Lakes**

19.13.1 Trout and Lorimer Lakes are managed as Lake Trout Lakes and are at capacity in terms of additional lot creation and will be subject to the guidelines set out by the Ministry of the Environment and Climate Change's Lakeshore Capacity Assessment Handbook.

19.13.2 In addition to the above policies for Lorimer Lake, only one new lot may be created by consent for a parcel that is eligible for consent in accordance with the policies of this Plan; and a maximum of five new lots may be created over a five-year period with a limit of one lot per landowner in any calendar period. Applications for new lots over the five-year period will be allotted on a first come, first serve basis and no repeat applications will be considered until the end of the five-year period. At the end of the five-year period, an additional five year period may be commenced using the same principles including a principle of fair share if any applications in the second period are repeat applicants. A minimum lot frontage of 150 metres and a minimum lot area of 2.25 hectares shall also be required.

## **19.14 Long Lake Estate**

19.14.1 Long Lake Estates is a neighbourhood developed around a chain of lakes including Long Lake, Miller Lake and Boy Lake. The area was developed by Plans of Subdivisions including a number of lots that do not front on any of the lakes. The size of the lots are smaller than current standards and in some cases, the lots are too small to meet yard, by-law clearances and service requirements. The Municipality may use a number of tools to respond to issues that arise respecting the large number of undersized lots in Long Lake States. These tools may include but not limited to: deeming by-laws; consent; site plan control; and site specific Zoning By-laws.

## **19.15 The Nobel Settlement Area**

19.15.1 The Nobel Settlement Area is that part of the Municipality which has historically been a mixed-use service and residential area. The Municipality encourages continued growth and development within this area, but is mindful that parts of the Settlement Area are serviced by only municipal water systems, while other large areas have historically developed on the basis of private services. Growth and development within the Settlement Area, therefore, needs to be carefully considered.

19.15.2 The Nobel Settlement Area is depicted on Schedule A. It includes existing, built-up areas, as well as vacant areas which have been set aside for development. Many of these vacant areas will develop on the basis of private services. However, any development proposal within or adjacent to the municipal water service will be expected to connect to this water supply where it is considered infilling or minor rounding out of the service area.

19.15.3 Permitted uses in the Nobel Settlement Area include detached dwelling units on separate lots. In addition, permitted uses include local commercial uses, industrial uses, institutional uses, home businesses, converted dwellings and all other uses necessary for the proper functioning of a residential neighbourhood are permitted in accordance with the policies of this Plan. No objectionable or animal operations including kennels, roosters, etc. are permitted in the Nobel Settlement Area.

## **19.16 Land Division**

19.16.1 Along with all other applicable policies in this Plan, the following general policies will apply to all applications for land division within the Nobel Settlement Area.

- a) Residential development in this category will not be permitted to locate near existing sand and gravel operations or near existing intensive farming operations.
- b) All development must comply with the requirements of the Ministry of Transportation for entrances along Provincial highways.

19.16.2 Development of multiple lots within the Nobel Settlement Area is encouraged to take place by way of Plan of Subdivision. For Plan of Subdivisions, the following policies will apply:

- a) The development shall generally have an internal road network constructed to a standard that can be assumed by the municipality as a publicly maintained year round road.
- b) New access points from municipal and provincial roads shall generally be limited.
- c) Direct access to major municipal roads will be discouraged in favour of access onto local roads.
- d) Generally, lands proposed to be subdivided shall be phased in a

manner that reflects the logical extension of municipal services.

19.16.3 Where a Plan of Subdivision is deemed to not be necessary for the orderly development of the community, the division of land may take place through the Consent process, and all applicable policies of this Plan will apply.

## **19.17 Servicing**

19.17.1 Infill development within existing built-up areas of the Settlement Area will be encouraged, where the infill development is considered appropriate for available servicing.

19.17.2 Where new development is proposed on the basis of partial services and that development is not considered to be infill or minor rounding out of the existing serviced areas, the proposal may be permitted on the basis of private services in accordance with other policies of this Plan.

19.17.3 Where development on the edge of existing built-up areas is proposed on the basis of private services, the approval authority will strongly consider whether the development proposal will hinder the efficient expansion of existing built-up areas. In particular, the development of privately serviced larger lots on the edge of built-up areas will be discouraged. To this end, the approval authority may request the production of hydrogeological studies to demonstrate an appropriate, smaller lot size which is viable.

## **19.18 Commercial/Industrial Nodes**

19.18.1 There are a number of major roadways and highways through the Municipality. Where these major roadways and highways intersect, the lands may be suitable for new commercial or light industrial enterprises. In these areas the Municipality will support commercial and industrial uses subject to complying with other relevant policies of this Plan. For these nodes, the Municipality may choose to pre-zone the lands for commercial or industrial use.

## **SECTION 20 – SITE SPECIFIC POLICIES**

### **20.1 Nobel Condominium**

- 20.1.1 Notwithstanding the policies of this Plan, a parcel of land approximately 2.15 hectares in area located in part of Lot 5, Concession A, geographic Township of McDougall, may be used for multi-family residential dwellings units.
- 20.1.2 The development will be phased in three phases of 21 units each, for a maximum of 63 units on the site.

### **20.2 Former Akzo Nobel Lands Special Policy Area**

- 20.2.1 There is a large parcel of land in the geographic Township of McDougall that was the site of an explosives manufacturing for almost a century until it closed in 1986. It consists of several thousand acres. The Former C.I.L. /AKZO Nobel Lands are identified on Schedule "A".
- 20.2.2 Until these lands can be accurately characterized, the remediation needs properly assessed and assurances to the Municipality that there are no risks to its ratepayers, no redevelopment may occur on the AKZO NOBEL Lands. Prior to any rezoning of the Former C.I.L. / AKZO Nobel Lands, a Record of Site Condition will be required in accordance with the Environmental Protection Act.
- 20.2.3 These lands shall be subject to the Rural policies of the Official Plan, however, it is anticipated that any site specific development proposal will be supported by and Official Plan Amendment.



## **SECTION 21 – IMPLEMENTATION/ADMINISTRATION**

### **21.1 Accessory Uses**

- 21.1.1 Wherever a use is permitted in the land use policy in this Plan, it is intended that any uses, buildings or structures normally incidental, accessory and subordinate to the principal permitted use will also be permitted within that policy provision.

### **21.2 Boundaries**

- 21.2.1 The boundaries illustrated on the Schedules to this Plan are to be considered as approximate only. Amendments to the policy categories will not be required for minor interpretations of boundary locations shown on the Schedules.

### **21.3 Numerical Interpretation**

- 21.3.1 Wherever numerical figures have been used in this policy document to refer to physical standards including lot areas or dimensions of lots, so long as the spirit and intent of the policy is maintained minor adjustments to these figures up or down may be considered.

### **21.4 Deeming By-laws**

- 21.4.1 There are several older registered Plan of Subdivisions located within the Municipality of McDougall. Some of these registered plans contain lots that do not or cannot meet minimal standards for construction purposes. The Municipality may exercise its authority to deem such Subdivisions or parts thereof not to be considered as registered plans under the Planning Act.

### **21.5 Site Plan Control**

- 21.5.1 The Municipality shall enact a Site Plan Control By-law that recognizes all areas as being subject to Site Plan Control. The Site Plan Control By-law may establish uses or circumstances that do not require the execution of a Site Plan Control Agreement.
- 21.5.2 Prior to submitting an application for site plan approval, the applicant shall pre-consult with the Municipality.
- 21.5.3 Under Section 41 (7) of the Planning Act, and as a condition of granting Site Plan approval, Council may require the owner of a parcel of land to provide certain information, maintain certain works or facilities and enter into certain agreements with the Municipality. Some of the considerations that the municipality will have due regard for during the site approval process are:
- a) The preservation of the natural viewscape and landscape;

- b) The design of structures to ensure they are harmonious with the terrain and neighbourhood;
- c) That traffic areas and parking areas are safe and convenient; and,
- d) That surface water drainage will not negatively impact neighbouring properties.

21.5.4 The entire area covered by this Plan is hereby designated as a proposed site plan control area.

21.5.5 The Municipality may, by by-law, designate the whole or any part of the proposed site plan control area as a site plan control area.

21.5.6 In addition to detailing the location of buildings and structures, entrance locations, parking and loading spaces, the Site Plan Agreement shall address:

- e) The location of existing natural trees, shrubs and ground cover vegetation to be removed and retained;
- f) The re-vegetation plan to take place during the post-construction and the timing of such re-vegetation; and,
- g) The location of view/ventilation/access corridors from the shoreline to the buildings and structures on the site.

## **21.6 Development Guidelines**

21.6.1 Through the application of site plan control by-laws the Municipality will attempt to:

- h) retain natural site features and shoreline areas in as natural a state as possible;
- i) implement recommendations with respect to specific properties which may be put forth by the Ministry of Northern Development, Mines, Natural Resources and Forestry or other applicable agencies;
- j) enhance the provision of services such as waste disposal, water supply, storm drainage and other utilities;
- k) provide access, both pedestrian and vehicular, as well as site parking and loading areas in appropriate locations;
- l) control lighting, landscaping and buffering;
- m) prevent or mitigate adverse effects from incompatible land uses;
- n) deal with development conditions which cannot be adequately controlled by the Zoning By-law or subdivision agreements;
- o) deal with matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings

## **21.7 Special Exceptions For Existing Uses**

21.7.1 Where there are existing buildings and structures or uses on a lot proposed to be divided, the Municipality may make an exception to the minimum standards for the retained or severed parcel subject to the passage of an amending Zoning By-law Amendment or a Minor Variance being obtained.

## **21.8 Holding Provisions**

- 21.8.1 The Planning Act provides for the use of the holding symbol "H" in conjunction with any land use zone found within the implementing Zoning By-law.
- 21.8.2 The purpose of the holding zone is to prevent or limit the use of land until such time as Council is satisfied that further development may take place and the appropriate environmental studies and services have been reviewed and approved. The objectives and use of this symbol are set out herein.
- 21.8.3 The holding symbol may be applied to lands to be developed where the ultimate use of the land has been clearly established but:
- a) development or redevelopment is to be phased; or
  - b) the implementation of policies requires special design features.
- 21.8.4 The holding symbol may be applied to undeveloped or unserved land, land being proposed for development, lands having special constraints not related to use and lands adjacent to railways, highways or major municipal roads.
- 21.8.5 In accordance with the Planning Act, the Zoning By-law implementing this Plan will identify lands subject to holding provisions by the inclusion of an "H" suffix to the zone symbol.
- 21.8.6 The Zoning By-law provisions relating to the use of the "H" suffix will specify what uses are permitted while the holding provision applies.
- 21.8.7 The holding symbol may be removed by by-law to allow development to proceed in accordance with the relevant zoning category as long as the following condition or conditions are met:
- a) extensions for services are approved by the appropriate authority;
  - b) site plans are approved in the case of commercial and industrial development;
  - c) approvals are received from the Provincial Ministries where applicable; and
  - d) the objectives of the Official Plan including development criteria are met.

## **21.9 Zoning**

- 21.9.1 The Municipality will be responsible for enacting implementing Zoning By-laws that reflect current Official Plan policies as amended. Should any existing Zoning By-laws contain provisions that do not conform to the Official Plan as amended, Council will take whatever steps are necessary to properly implement current Official Plan policies.

## **21.10 Non-Conforming Uses**

21.10.1 This Plan recognizes legal nonconforming uses in accordance with Section 34(9) of the Planning Act.

21.10.2 Legally existing uses that do not conform with the land use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the development policies of this Plan are met.

21.10.3 Where a non-conforming use changes, the new use shall be in keeping with the intent of this Plan

## **21.11 Temporary Use By-law**

21.11.1 Council may pass a By-law under the provisions of the Planning Act to allow the temporary use of lands that do not comply with the Land Use designations in this Plan provided that:

- a) the temporary use does not require major capital investment or alteration to the existing landscape;
- b) the proposed use is compatible with surrounding land uses;
- c) the proposed use does not require the extension of municipal services;
- d) the developer has entered into an agreement with the municipality specifying the conditions under which the use may be permitted; and,
- e) the By-law shall specify a maximum time period for the use to be permitted.

## **21.12 Special Notices**

21.12.1 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:

- a) altering the numbering and location of the text, schedules and maps;
- b) altering punctuation or language to obtain a uniform mode of expression;
- c) correcting clerical, grammatical, dimensional, boundary, mathematical or typographical errors;
- d) inserting historical footnotes or similar annotations to indicate the original and approval of each provision;
- e) consolidating amendments;
- f) transferring Official Plan, Community Improvement Plan and Zoning By-law designations to new base maps such as new Ontario Base maps or other maps which might be prepared in conjunction with a specific study; and,
- g) adding technical information such as plans of subdivision, buildings, contours and elevations to base maps or schedules.

## **21.13 Plan Review**

21.13.1 Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the Basis, Objectives and Policies of the Plan shall be reviewed in accordance with the requirements of the Planning Act. The Official Plan Review shall consider the following:

- a) the continuing relevance of the assumptions used to develop this Plan as found in Section 4.0 of the Basis of this document;
- b) the degree to which the objectives of this Plan have been met;

- c) the effectiveness of the policies in the Plan in solving problems and realizing objectives;
- d) the effectiveness of policy guidelines in protecting water quality, heritage resources, natural resources and habitat and the environment within the Municipality; and,
- e) plans and policies of other levels of government.

## **21.14 Amendments**

21.14.1 An amendment to Schedule 'A' or the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule 'A' with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- a) the need for the proposed use;
- b) the extent to which the existing areas which are designated for the use are developed, and the nature and adequacy of such existing development;
- c) the physical suitability of the land for such proposed use;
- d) the location of the areas under consideration with respect to:
- e) the adequacy of the existing and proposed roadway system;
- f) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
- g) the adequacy of the water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council shall request from the developer and subject to the approval authority having jurisdiction;
- h) the compatibility of such proposed use with uses in the surrounding area;
- i) the potential effect of the proposed use on the financial position of the Municipality;
- j) the impacts of the proposed use on the natural environment; and

## **21.15 Compatibility Between Land Uses**

21.15.1 Incompatible land uses are to be protected from one another. While buffers between incompatible land uses may be used to prevent or minimize adverse effects, distance is often the only effective buffer, and therefore adequate separation distance, based on a major facility's influence area, is the preferred method of mitigating adverse effects. The separation distance should be sufficient to permit the functioning of the incompatible land uses without adverse effect occurring. Separation of incompatible land uses should not result in the sterilization of intervening land usage.

## **21.16 Establishing Influence Areas for Industrial Land Uses**

21.16.1 In absence of establishing actual areas of influence for industrial land uses, separation distances between industrial and sensitive land uses should be in accord with applicable Ministry of the Environment Conservation and Parks Guidelines.

## **21.17 Brownfield Development**

21.17.1 There are properties in the Municipality of McDougall that may have been contaminated from a historic use of the land. Any proposed development or redevelopment on any land suspected to be contaminated will be the subject of a study by a qualified professional, in accordance with any applicable senior government guidelines, that will investigate and provide a remedial plan as required. Where the need for any remediation work is confirmed, the proposed restoration work will be completed or implemented prior to any development taking place.

## **21.18 Development in Proximity to Sewage Treatment Plants**

21.18.1 Where development is proposed within proximity to sewage treatment plants and waste stabilization ponds, the influence area of the treatment plant or stabilization pond may need to be determined, depending on how close the proposed development is to the plant or pond, and depending on the size of plant or pond. The extent of the influence areas and any associated technical studies will be based on Ministry of the Environment Conservation and Parks Guidelines.

## **21.19 Phasing**

21.19.1 The Council of the Municipality of McDougall has identified needed or desired improvements to the present services and facilities in the municipality. A system of phased improvements may be identified to recognize priorities and fiscal constraints in the municipality.

## **21.20 Community Improvement Area**

21.20.1 The Municipality, may by By-law, designate land in the Municipality as a 'Community Improvement Project Area' and will prepare a plan for that project area. The following matters should be considered in the preparation of a community improvement project plan:

- p) The basis for the selection of the project area;
- q) The boundary of the area;
- r) The land use designations and intent of the Official Plan;
- s) The nature of existing land uses, the physical condition of the buildings and structures;
- t) The existing level of services and the nature of improvements proposed to municipal infrastructure, such as roads, water supply,

- sanitary and stormwater sewers, public utilities, and other community and recreational facilities;
- u) The identification of properties proposed for acquisition and/or rehabilitation;
- v) The phasing of improvements to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses; and,
- w) The estimated costs, means of financing, and the potential for stimulating private sector investment and an improved municipal tax base.

21.20.2 The whole of the Municipality of McDougall is a Community Improvement Policy Area.

## **21.21 Implementation**

21.21.1 In order to implement the McDougall Community Improvement Policies, the following activities and programs may be employed (but not limited to):

- a) the use of Section 28 of the Planning Act – Community Improvement Plans;
- b) the enforcement of Section 7 – Property Standards through a property standards by-law;
- c) supporting the participation of McDougall residents in property rehabilitation programs;
- d) encourage participating in Provincial and Federal Grant Programs.

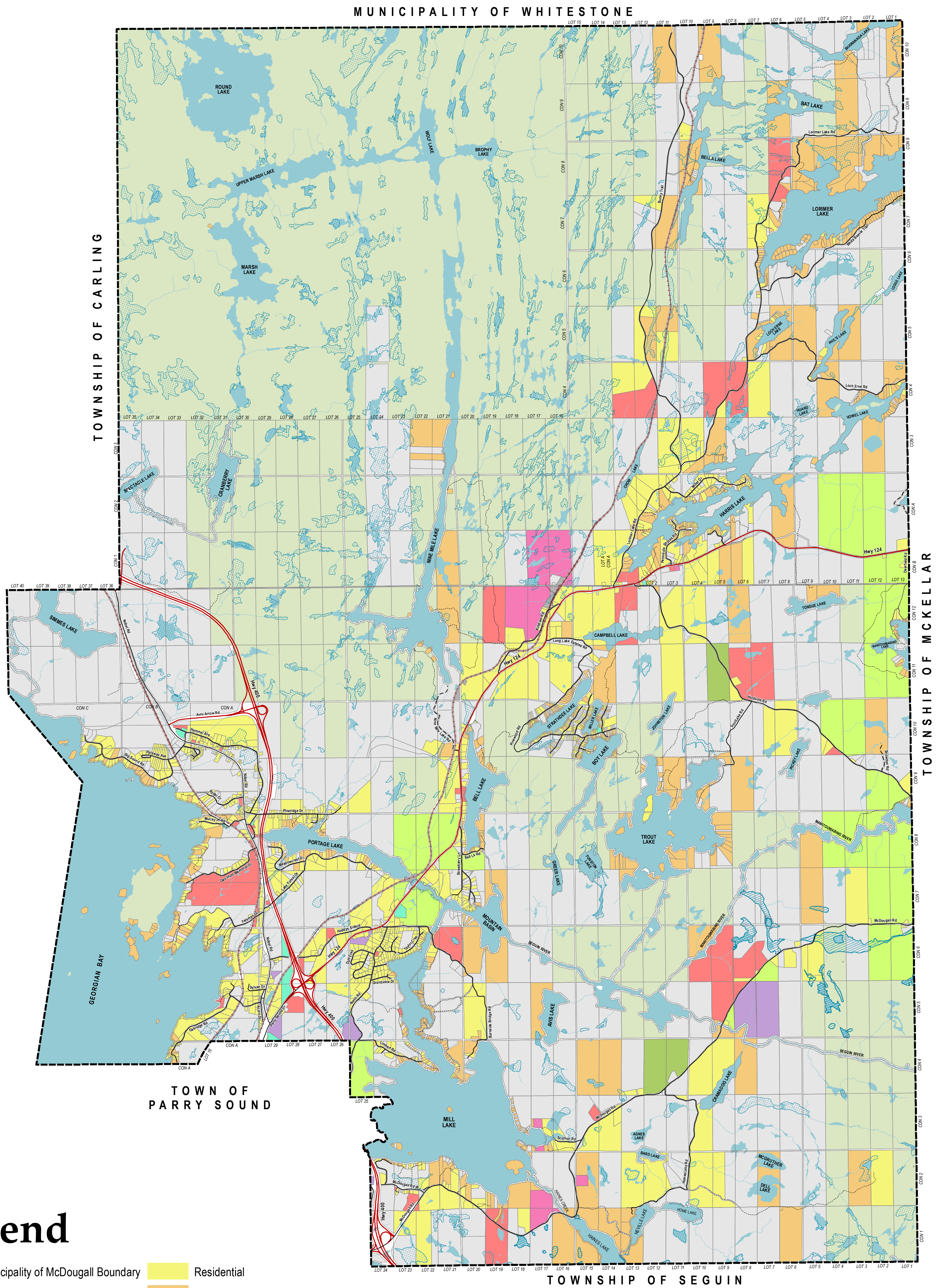
## **SECTION 22 – PROPERTY STANDARDS**

22.1.1 The Council of the Municipality of McDougall has maintained property standard by-laws for many years and these by-laws will be amended where needed to address the policy additions in this amendment.



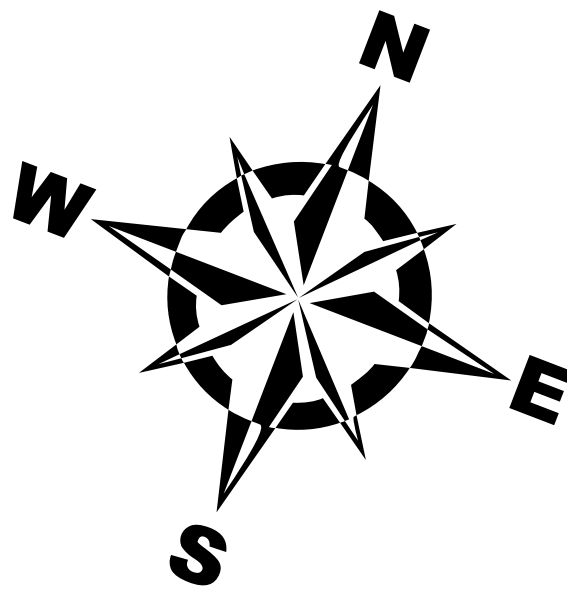
# The Municipality of McDougall

## APPENDIX 1: EXISTING LAND USE



### Legend

- Municipality of McDougall Boundary
- Parcel and Lot Fabric
- Highway
- Municipal Year Round Road
- Municipal Seasonal Road
- Private Road
- Railway
- Watercourse
- Waterbody
- Unevaluated Wetland
- Provincially Significant Wetland
- Residential
- Cottage
- Commercial
- Industrial
- Institutional
- Utility
- Railway
- Vacant
- Open Space
- Farm
- Crown Land



Scale: 1:35,000

0 0.5 1 2 3 4  
Kilometers

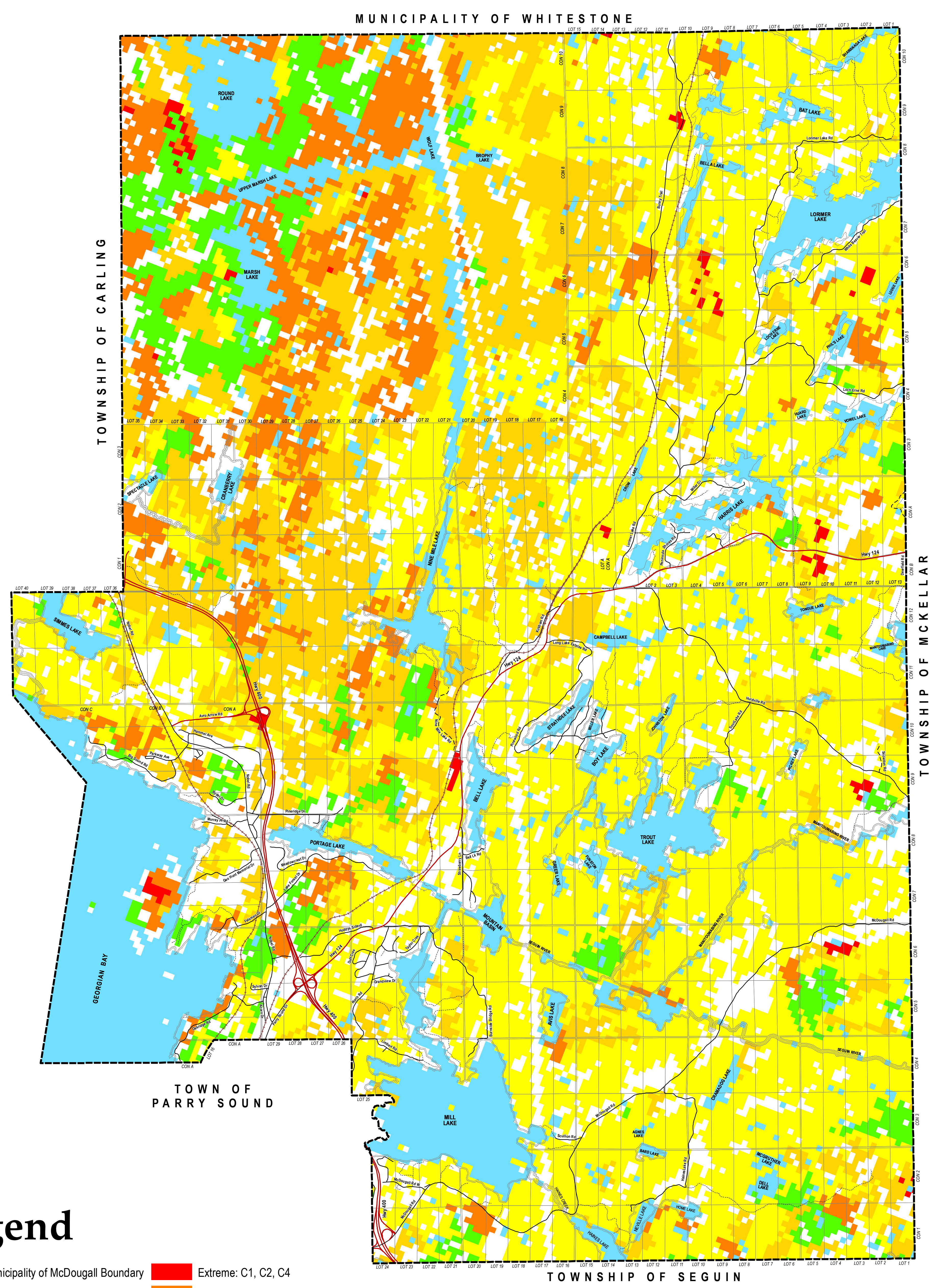
Map Projection: NAD 1983 UTM Zone 17N  
The Municipality of McDougall does not warrant the accuracy, completeness, content, or currency of the information provided.  
This is not a legal Plan of Survey.  
Contains information licensed under the Open Government Licence - Ontario

December 14, 2021



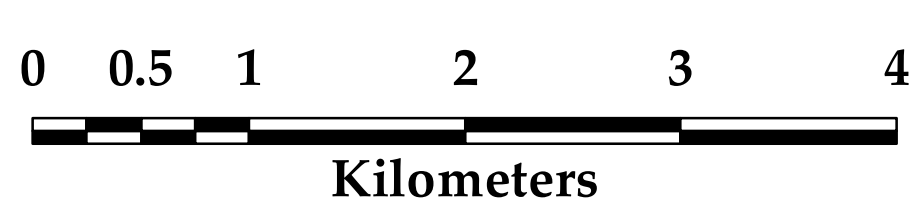
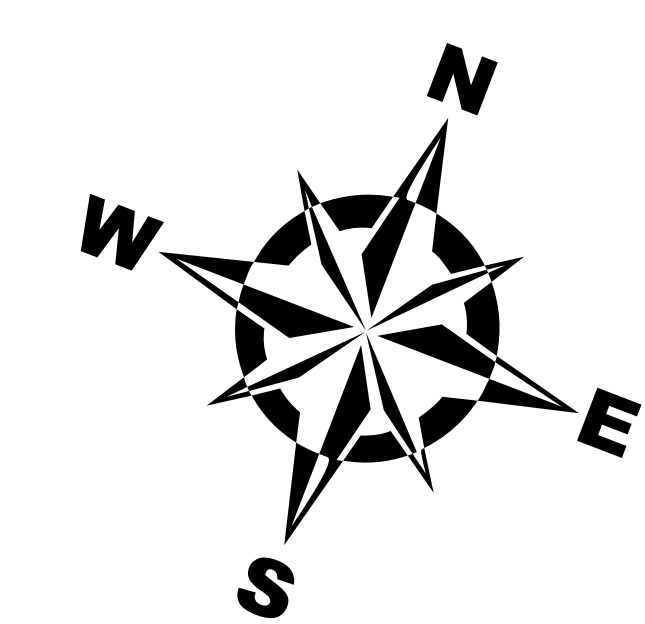
# The Municipality of McDougall

## APPENDIX 2: FIRE HAZARD



### Legend

- Municipality of McDougall Boundary
- Parcel and Lot Fabric
- Highway
- Municipal Year Round Road
- Municipal Seasonal Road
- Private Road
- Railway
- Extreme: C1, C2, C4
- High: C3, M2>50%, M4
- Moderate: M2 >25% - <50%
- Low: D1, M2<25%
- Pine Needs Evalutaion: C5, C6
- Water



Map Projection: NAD 1983 UTM Zone 17N

The Municipality of McDougall does not warrant the accuracy, completeness, content, or currency of the information provided.

This is not a legal Plan of Survey.

Contains information licensed under the Open Government Licence - Ontario

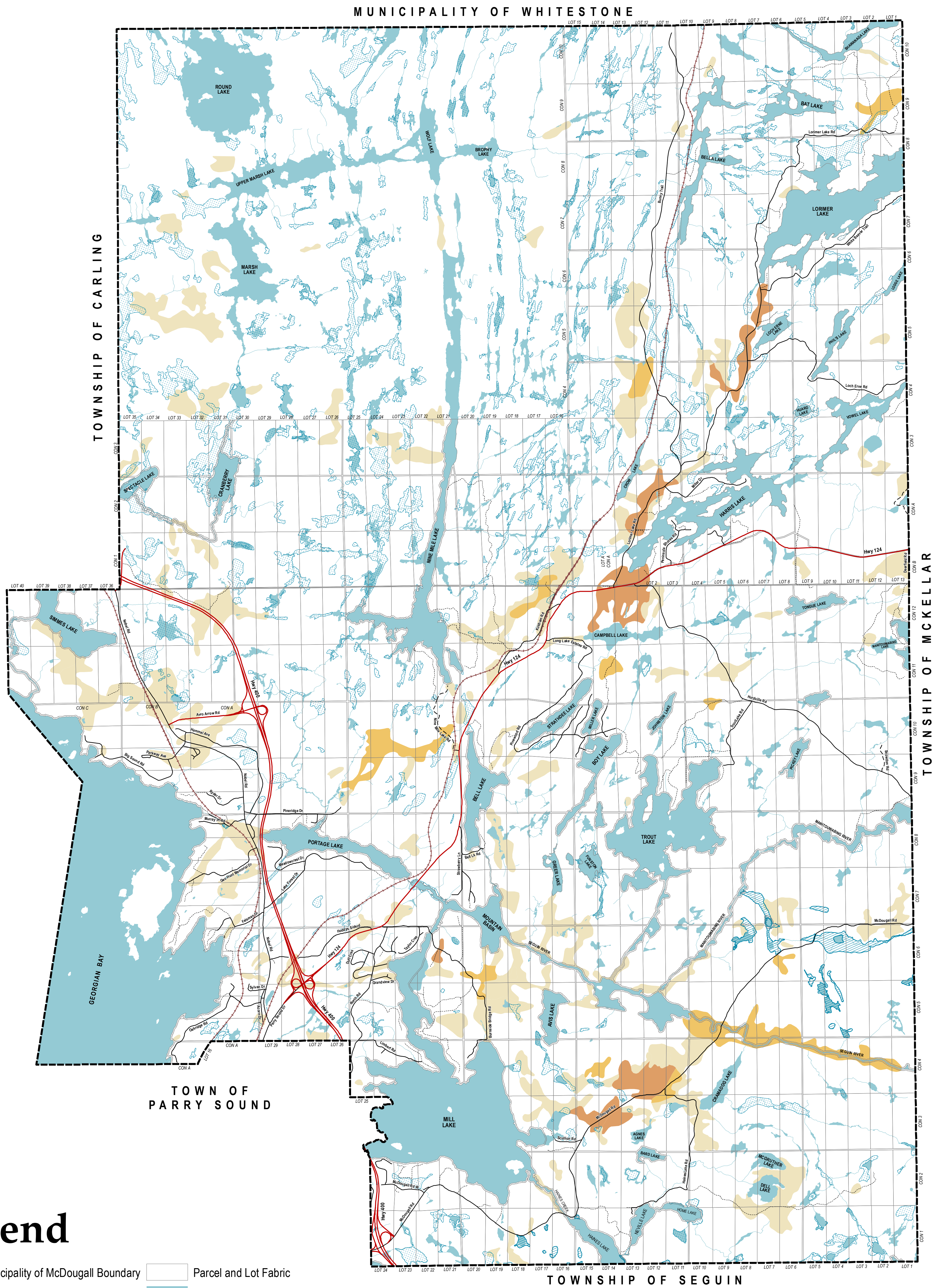
Scale: 1:35,000

December 14, 2021



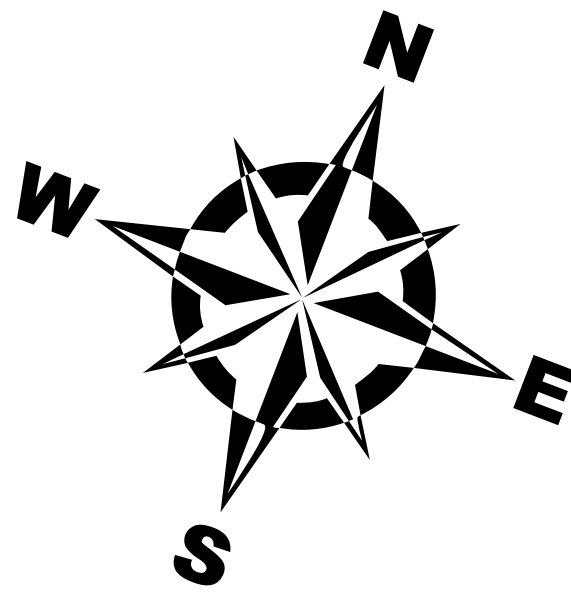
# The Municipality of McDougall

## APPENDIX 3: AGGREGATE RESOURCES

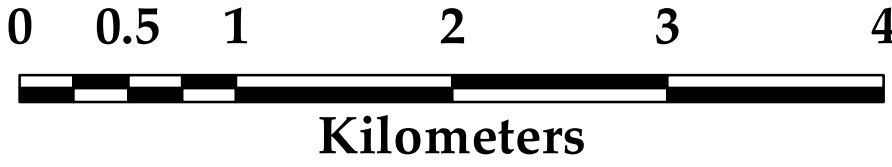


### Legend

- |  |                                    |  |                                  |
|--|------------------------------------|--|----------------------------------|
|  | Municipality of McDougall Boundary |  | Parcel and Lot Fabric            |
|  | Highway                            |  | Waterbody                        |
|  | Municipal Year Round Road          |  | Unevaluated Wetland              |
|  | Municipal Seasonal Road            |  | Provincially Significant Wetland |
|  | Private Road                       |  | Primary Sand Resource            |
|  | Railway                            |  | Secondary Sand Resource          |
|  | Watercourse                        |  | Tertiary Sand Resource           |



Scale: 1:35,000



Map Projection: NAD 1983 UTM Zone 17N

The Municipality of McDougall does not warrant the accuracy, completeness, content, or currency of the information provided.

This is not a legal Plan of Survey.

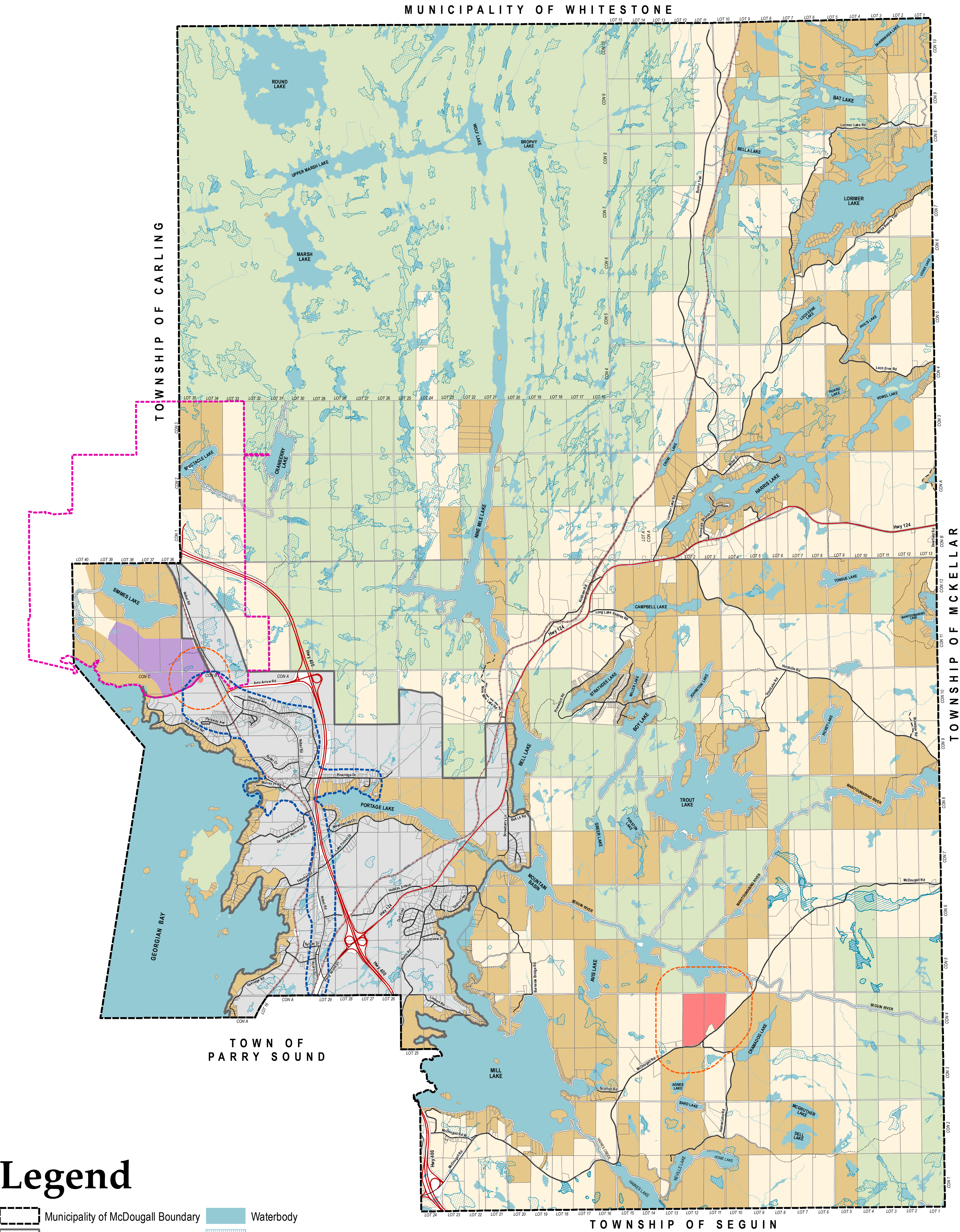
Contains information licensed under the Open Government Licence - Ontario

December 14, 2021



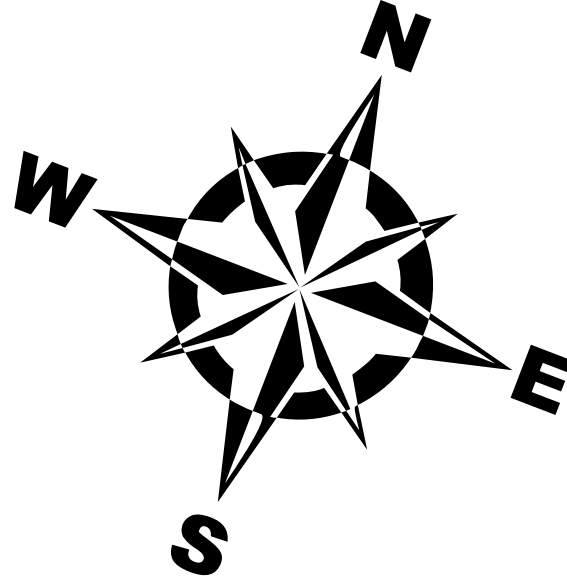
# The Municipality of McDougall

## SCHEDULE A: LAND USE PLAN

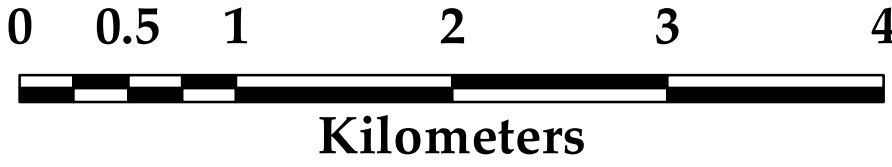


### Legend

- Municipality of McDougall Boundary
- Nobel Settlement Boundary
- Former C.I.L. (Akzo Nobel) Lands
- Municipal Water Service
- Parcel and Lot Fabric
- Highway
- Municipal Year Round Road
- Municipal Seasonal Road
- Private Road
- Railway
- Watercourse
- Waterbody
- Unevaluated Wetland
- Provincially Significant Wetland
- Rural
- Waterfront
- Nobel Settlement Area
- Industrial
- Crown Land
- Waste Disposal
- Waste Disposal - 500m Assessment Area



Scale: 1:35,000



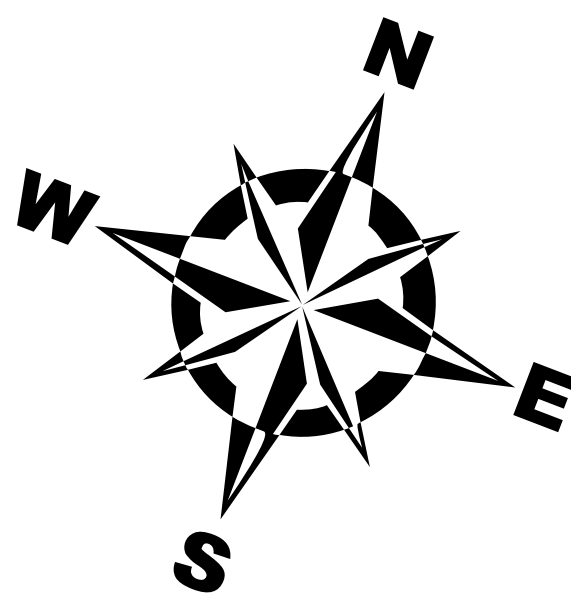
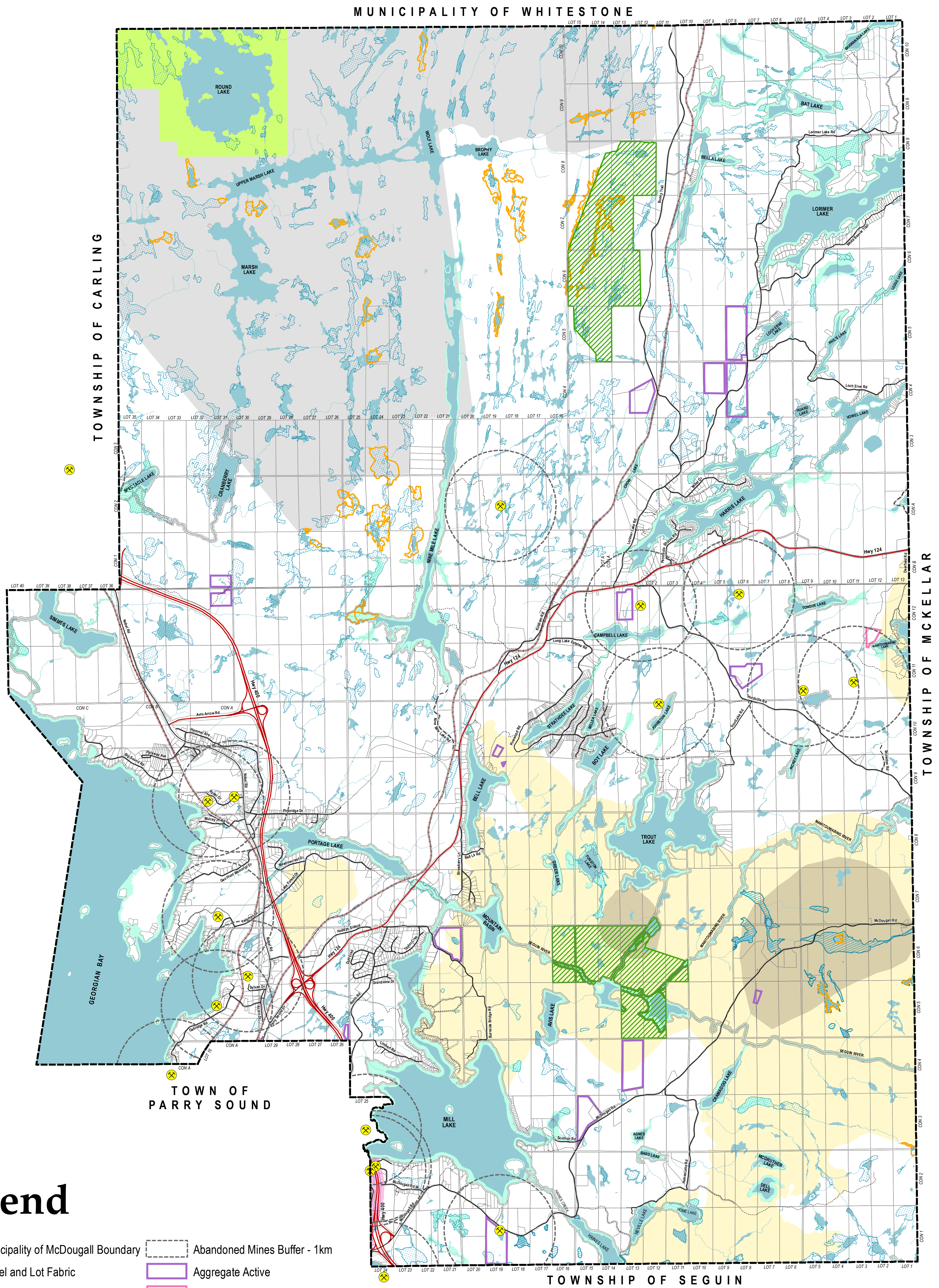
Map Projection: NAD 1983 UTM Zone 17N  
The Municipality of McDougall does not warrant the accuracy, completeness, content, or currency of the information provided.  
This is not a legal Plan of Survey.  
Contains information licensed under the Open Government Licence - Ontario

December 14, 2021

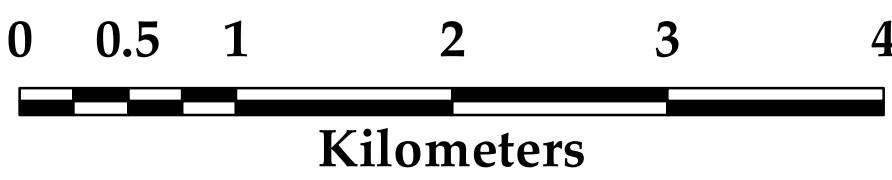


# The Municipality of McDougall

## SCHEDULE B: NATURAL HERITAGE



Scale: 1:35,000



Map Projection: NAD 1983 UTM Zone 17N

The Municipality of McDougall does not warrant the accuracy, completeness, content, or currency of the information provided.

This is not a legal Plan of Survey.

Contains information licensed under the Open Government Licence - Ontario

December 17, 2021



**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

**Present Physically:**

Mayor	D. Robinson (Chairperson)
Councillor	J. Constable
Councillor	L. Gregory
Councillor	L. Malott
Councillor	J. Ryman
Clerk	L. West
CAO/Director of Operations	T. Hunt
Chief Financial Officer	S. Brisbane
Chief Building Official	K. Dixon
Fire Chief/By-Law Manager	P. Shoebottom
Environmental Services Supervisor	S. Goman

This Committee/Council meeting was held electronically in accordance with Section 238 of the Municipal Act, 2001.

**1. CALL TO ORDER**

Mayor Robinson called the meeting to order at 7:00 p.m.

**2. DECLARATIONS OF INTEREST**

Nil

**3. PRIORITIZATION OF AGENDA**

i.) Addition to Section 21. Closed Session item 2. Human Resource Matters.

**4. ADOPTION OF MINUTES**

**Resolution No. 2022-59**

**Malott/Ryman**

i) **THAT** the minutes of the Committee/Council Meeting held on May 18, 2022 be adopted as circulated.

**“Carried”**

**5. DEPUTATIONS**

i) Derek D’Angelo, Audit Partner, and Wenting Zhou, Audit Manager, KPMG  
Re: Financial Statements of The Municipality of McDougall, Year ended December 31, 2021.  
Derek D’Angelo gave an overview of the 2021 McDougall Financial Statements. Council thanked Mr. D’Angelo and his staff along with McDougall staff for all their work in preparing the financial statements.

**THE CORPORATION OF THE MUNICIPALITY OF MCDUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

**Resolution 2022-60**

**Gregory/Constable**

**THAT** Council of The Corporation of the Municipality of McDougall does hereby approve the Financial Statements for the Year Ended December 31st, 2021, as amended, and receive the Audit Findings Report to the Members of Council for the Year Ended December 31st, 2021, as presented at the regular meeting of Council on June 1<sup>st</sup>, 2022 by the firm KPMG.

**“Carried”**

**Matters Arising.**

Nil

**6. PLANNING/BUILDING**

- i) Report of the Clerk/Planner C-2022-08.  
Re: D-2022-01 Cook/Ferrara Application to Deem Lots 228 and 229 on Registered Plan M223 no longer lots on a plan of subdivision (#10 & #12 Cornflower).  
The Clerk gave an overview of this application noting a by-law would be coming forward for council's consideration further in the agenda.

**Matters Arising.**

The CBO noted there seems to be more larger projects being built at this time than smaller projects.

**7. BY-LAW ENFORCEMENT**

Nil

**Matters Arising.**

Nil

**8. FIRE PROTECTION**

- i) Report of the Fire Chief  
Re: Open Air Burning By-law.  
The Fire Chief gave an overview of the changes made to the Open Air Burning By-law. It was the recommendation of the Fire Chief that council support the amendments to By-Law No. 2019-28 Open Air Burning.  
Council approved the amendments.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

- ii) Report of the Fire Chief 2022-04.  
Re: Fire Works Display.  
The Fire Chief gave an overview noting the fire works show was a great success due to the hard work of staff and volunteers and the great work performed by Pyroworld.

**Matters Arising.**

Nil

**9. EMERGENCY MANAGEMENT**

Nil

**Matters Arising.**

Nil

**10. RECREATION**

Nil

**Matters Arising.**

Nil

**11. PUBLIC WORKS**

Nil

**Matters Arising.**

Nil

**12. ENVIRONMENT**

- i) Waste Management.  
Nil
- ii) Report of the Environmental Services Supervisor ENV-7-2022.  
Re: Environmental Services Report.  
The Environmental Services Supervisor gave an update regarding the Landfill Leachate, Nobel Water Hydrant Flushing and the Crawford Septic Bed for council's information.



**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

**Matters Arising.**

The CAO noted the electronic recycling program has been reduced and therefore items will only be picked up at the transfer station on Municipal Drive.

**13. FINANCE**

- i) Accounts Payable.

**Resolution No. 2022-61**

**Ryman/Gregory**

**THAT** the attached lists of Accounts Payable for June 2, 2022 in the amount of \$143,289.69, and payroll for June 2, 2022 in the amount of \$44316.08 be approved for payment.

**“Carried”**

**Matters Arising.**

Nil

**14. ADMINISTRATION**

- i) Jennifer Keyes, Director, Resources Planning and Development Policy Branch, Ministry of Northern Development, Mines, Natural Resources and Forestry.  
Re: Decision Notice - Proposed Regulation Changes under the Aggregate Resources Act.  
Council received as information.

**Matters Arising.**

Nil

**15. REQUESTS FOR SUPPORT**

- i) City of Cambridge.  
Re: Free Public Transportation on Election Days.  
Council reviewed with no action indicated.
- ii) Municipality of Shuniah.  
Re: Community Schools Alliance Action Plan.  
Council reviewed with no action indicated.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

- iii) Municipality of Whitestone.  
Re: Support of Bill 279, Environmental Protection Amendment Act (Microplastics Filters for Washing Machines, 2021).  
Council reviewed with no action indicated.

**Matters Arising.**

Nil

- 16. **MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN**  
Nil

- 17. **COMMITTEE REPORTS**

- i) Report Prepared by Councillor Ryman.  
Re: Highlights from the 2022 FONOM Conference.  
Councillor Ryman noted he and Councillor Malott attended the 2022 FONOM Conference and gave an overview of the highlights.

Mayor Robinson attended the virtual meeting put on by the West Parry Sound Health Ctr. this week and noted that Belvedere Heights Home for the Aged is still in the hands of the Province regarding the return of beds.

Mayor Robinson also noted the obstetrics department is closed temporarily at the WPSHC due to staffing issues. Arrangements have been made with surrounding areas and midwives. The WPSHC has noted assurance that the closure of the obstetrics department will not be permanent.

Councillor Gregory requested she would like to make a deputation to the Long Term Care Minister if available when attending the Ottawa convention.

The Clerk noted she will check the deadline date for deputation requests and coordinate.

**Matters Arising.**

Mayor Robinson noted for councils awareness that there may be some feedback from developers in the Parry Sound and Area Industrial Park regarding a by-law that was passed by Carling Township opposing drainage restrictions on new developments.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

**18. REPORT OF THE CAO**

The CAO gave an update on the following:

- Hopefully will start to see progress on paper in the next couple weeks regarding the proposed pool complex.
- Will hopefully receive some quotes regarding fencing at the Nobel Cemetery within the next couple weeks.

**19. GENERAL ITEMS AND NEW BUSINESS**

Nil

**20. BY-LAWS**

i) By-law 2022-35.

Re: Being a By-law for prescribing standards for the maintenance and occupancy of property within the Municipality of McDougall, for prohibiting the occupancy or use of such property that does not conform to the standards, and for requiring property below the standards prescribed herein to be repaired and maintained to comply with the standards or the land thereof to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition, and to repeal By-law 2012-18.

**Read a first, Second and Third Time, Passed, Signed and Sealed this 1st day of June, 2022.**

ii) By-law 2022-36.

Re: A By-law to adopt a Delegation of Council Authority Policy that delegates routine or minor powers and duties of Council of the Municipality of McDougall to Officers and Staff of the Corporation of the Municipality of McDougall

**Read a first, Second and Third Time, Passed, Signed and Sealed this 1st day of June, 2022.**

iii) By-law 2022-37.

Re: A By-law to adopt the Corporation of the Municipality of McDougall 2022 Strategic Plan

**Read a first, Second and Third Time, Passed, Signed and Sealed this 1st day of June, 2022.**

iv) By-law 2022-38.

Re: A By-law to deem certain lots in the Municipality of McDougall not to be a part of a registered Plan of Subdivision (Plan M-223) (Cook/Ferrara).

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL  
COMMITTEE/COUNCIL MEETING**

**HELD WEDNESDAY, JUNE 1, 2022 AT 7:00 P.M.**

**MINUTES**

**Read a first, Second and Third Time, Passed, Signed and Sealed this  
1st day of June, 2022.**

**21. CLOSED SESSION**

**Resolution No. 2022-62**

**Ryman/Malott**

**BE IT RESOLVED** that the next portion of the meeting be closed to the public at 8:02 p.m. in order to address a matter pertaining to:

- i) A proposed or pending acquisition or disposition of land by the municipality or local board.
- ii) Human Resource Matters.  
Re: personal matters about an identifiable individual, including municipal employees or local board employees, and labour relations or employee negotiations.

**“Carried”**

**Resolution No. 2022-63**

**Constable/Gregory**

**THAT** Council reconvene in Open Session at 8:24 p.m.

**“Carried”**

**22. RATIFICATION OF MATTERS FROM CLOSED SESSION**

That the property matter be handled by staff as advised by Council; and  
That personnel matter be approved by Council as recommended by the CAO.

**23. CONFIRMATION BY-LAW**

- i) By-Law No. 2022-39.  
Re: To confirm the proceedings of the Committee/Council meeting held on June 1, 2022.  
**Read a first, Second and Third Time, Passed, Signed and Sealed this  
1st day of June, 2022.**

**24. ADJOURNMENT**

**Resolution No. 2022-64**

**Malott/Ryman**

**THAT** we do now adjourn at 8:26 p.m.

**“Carried”**

**CONSENT APPLICATION NO. B46/2021(McD)****Geographic Township of McDougall****Part of Lots 69 & 71 RCP Plan 328****Burnside Bridge Road****Roll #4931-0100-0409-850****Applicant: Bob Hawkins on Behalf of David and Debbie Sim.****November 25, 2021****BACKGROUND/PURPOSE**

The Sims own a parcel of land on Burnside Bridge Road across the Bridge on the south side of the road.



The owners are proposing to create three new rural lots along the Burnside Bridge Road frontage while keeping the river front lot parcel as retained.

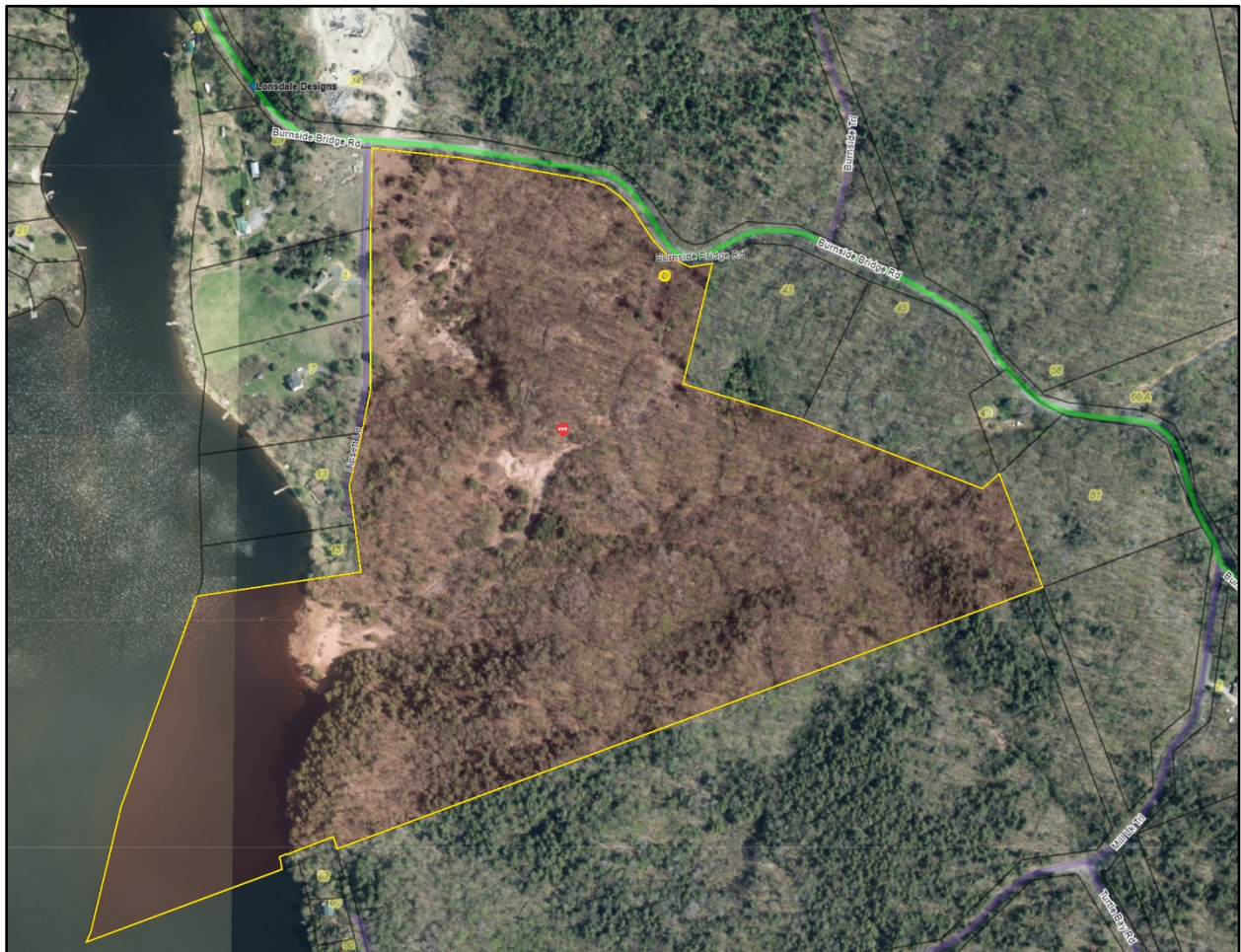
## **PROPERTY DESCRIPTION**

The Sims have a parcel of land that is 26 hectares with 365 metres of frontage along the river and an equal amount of frontage on the municipal road.

The lands are vacant with a small building currently under construction.

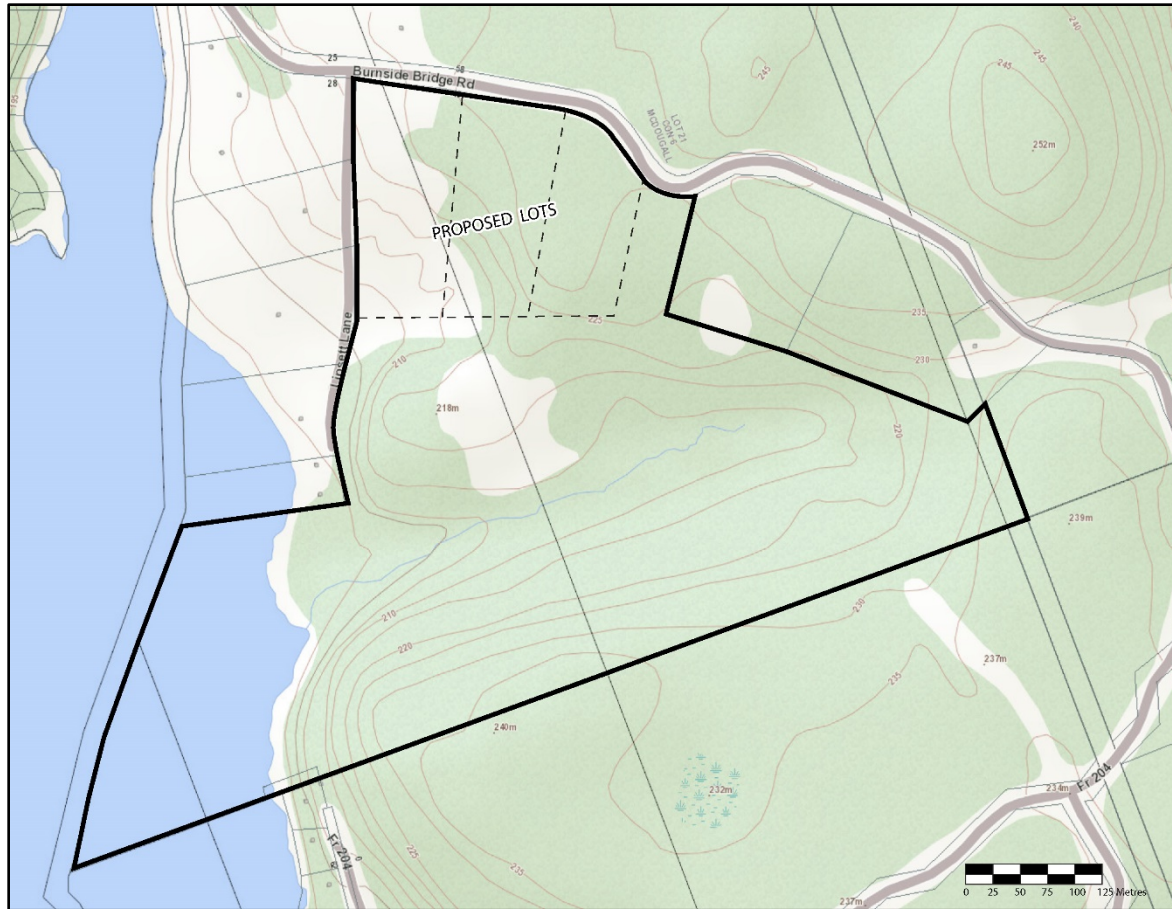
The lands were used historically as a local sandpit but material was no longer extracted after 2007.

The lands are heavily forested except for the areas where previous sand pits existed.



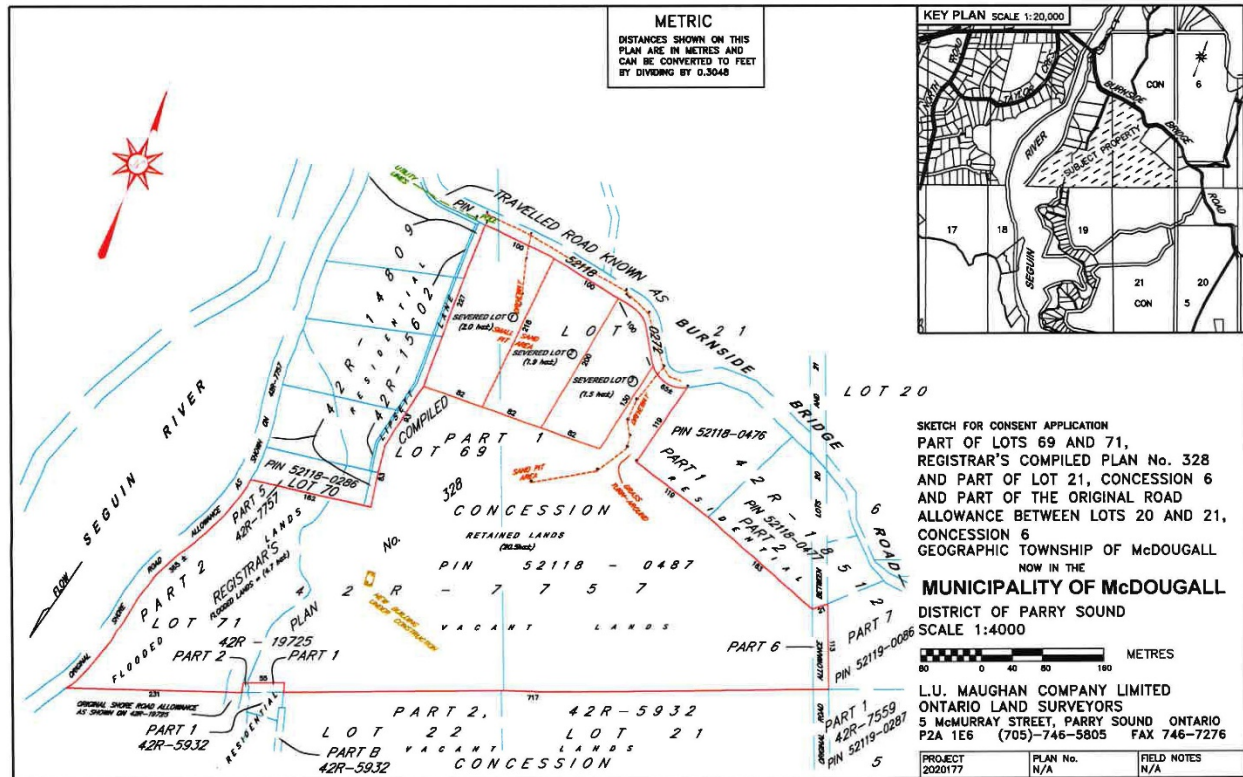
There are no wetlands on the property with a ridge that spans the south perimeter of the property. The lands adjacent to the Municipal Road are level with no constraints to development.





## **PROPOSED CONSENT**

The application proposes to create three new rural lots along the Burnside Bridge Road frontage.



Each of the lots will have a minimum frontage of 100 metres on the road with areas all in excess of 1.5 hectares.

The retained lands will continue to be a waterfront lot with access off the municipal road.

### **PROVINCIAL POLICY STATEMENTS (P.P.S.)**

The subject lands are rural lands and the P.P.S supports new lots created in the rural area. The P.P.S. must be read in it's entirety and there are a number of policies that relate to the consideration of the nearby quarry.

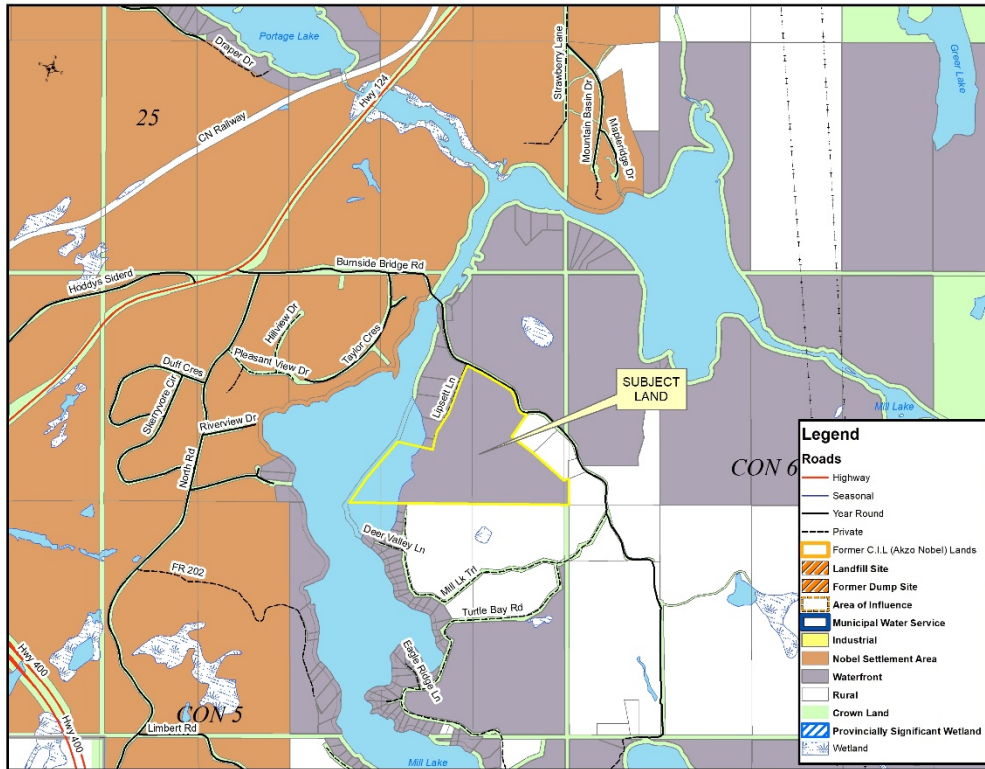
Section 2.5.2.4 states:

***2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.***

There is an active quarry on the lands immediately north of the lands that are proposed to be created.







Once the lands, or a portion of the lands have the waterfront removed, they default to the Rural designation.

**19.02.1** *This designation will generally apply to most of the inland areas of the Planning Area which do not front on recreational water bodies. Land uses permitted in this category shall include forestry, conservation uses, agricultural uses and agriculture-related and secondary agriculture uses including uses that produce value added agricultural products from farm operation on the property, market gardening uses, raising of fur bearing animals, churches, schools, hospitals, institutions, cemeteries, country clubs, open air recreational uses and any uses connected with government utilities or departments.*

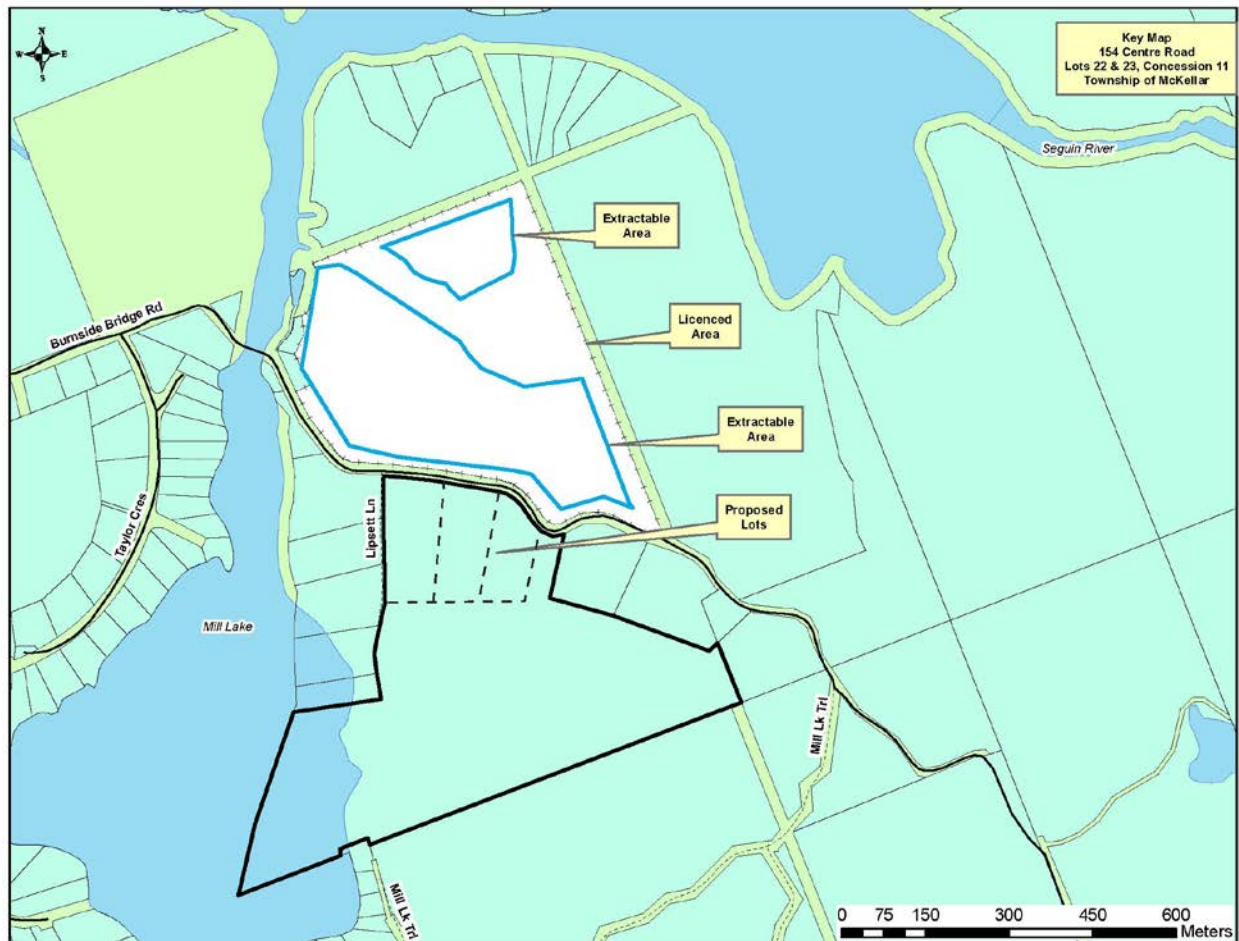
**19.02.2** *New homes and cottages, commercial and industrial development uses, pits and quarries, and tourist commercial uses will be permitted in the Rural Areas subject to all other policies of this Plan.*

**19.02.4** *Consents to create new lots in the Rural designation will be subject to the following:*

- a) the lot is located on and has access to a road which has been opened, established and publicly owned and maintained on a year round basis;*
- b) the proposed driveway location must be satisfactory to the Municipal Road Superintendent and must not be located on a curve or hill where a dangerous condition would be caused for other drivers;*
- c) the resulting development will not contribute to an unreasonable demand for the enlargement of municipal services; and*
- d) the lot sizes are generally greater than 1.0 hectares and road frontages are approximately 100 metres.*

In terms of standards, the proposed consents comply with the Rural lot standards.

There is a licensed pit on the opposite side of Burnside Bridge Road in close proximity to the proposed lots.



The official plan has policy that protects existing quarry operations from sensitive developments (i.e. new residential properties).

It is understood that the subject pit is licensed for quarrying rock and is currently active with blasting, rock removal and trucking during most weekdays. The operators have indicated that they routinely receive concerns by surrounding neighbours for quarry operations.

The official plan policy sets out the requirement for assessment under the D-Series Guidelines.

McDougall's official plan includes provisions for considering land use compatibility.

***“21.14....The approval authority will ensure, through the application of the following land use compatibility policies of this Plan, and through the application of provincial and federal policies and guidelines regarding land use compatibility, that no incompatible land uses are permitted within the Municipality.***

***The Approval Authority may request, in accordance with this Plan, appropriate studies to address identified and potential issues related to land use compatibility prior to consideration and approval of any planning applications submitted to the Approval Authority. These studies shall be in accord with applicable M.O.E.C.C. Guidelines. “21.15”***

The agent for the land owners has indicated that they acknowledge the need for a land use compatibility study.

Such a study will need to follow the M.O.E. D-1 Guideline relating to Land Use Compatibility.

The fundamental approach in such a study is identify adverse impacts and what measures are available to investigate those impacts. It is noted that the preferred mitigation measures relate to adequate separation distances.

Because of the close proximity of the existing quarry operation, it would be prudent to complete the study to assess the appropriateness to proceed with the consents.

Respectfully,



John Jackson M.C.I.P., R.P.P.

JJ : jc



# FINAL REPORT



## BURNSIDE BRIDGE ROAD

MUNICIPALITY OF MCDOUGALL, ONTARIO

LAND USE COMPATIBILITY / MITIGATION STUDY (NOISE)

RWDI # 2202279

December 24, 2021

### SUBMITTED TO

**David & Debbie Sim**

RR#2 Innerkip, Ontario

N0J 1M0

[magnoliagallery@rogers.com](mailto:magnoliagallery@rogers.com)

**Bob Hawkins, OLS**

Maughan Surveyors

5 McMurray St. Parry Sound, ON

P2A 1E6

[Bob.Hawkins@parrysoundsurveyors.com](mailto:Bob.Hawkins@parrysoundsurveyors.com)

### SUBMITTED BY

**Monika Greenfield, M.Sc.**

Senior Project Manager

[Monika.Greenfield@rwdi.com](mailto:Monika.Greenfield@rwdi.com)

**Slavi Grozev, P.Eng.**

Senior Noise and Vibration Engineer

[Slavi.Grozev@rwdi.com](mailto:Slavi.Grozev@rwdi.com)

**Michel Parent**

Senior Noise and Vibration Engineer

[Michel.Parent@rwdi.com](mailto:Michel.Parent@rwdi.com)

**RWDI AIR Inc.**

**Consulting Engineers & Scientists**

600 Southgate Drive

Guelph, ON N1G 4P6

T: 519.823.1311



## EXECUTIVE SUMMARY

RWDI Air Inc. was retained by David & Debbie Sim to complete a Land Use Compatibility Study in support of Consent Application No. B46.2021(McD) that has been submitted to the Municipality of McDougall, Ontario. The application is to allow for the subdivision of Part of Lots 69 & 71 RCP Plan 328, to create three new rural lots along the south side of Burnside Bridge Road frontage, excluding the river front lot parcel.

This assessment focuses on sound emissions from sources at the existing Georgian Rock Company Ltd. Quarry located on the north side of Burnside Bridge Road, and the potential effect on sensitive receptors (dwellings) that could be constructed on the three proposed rural lots. Quarry operation noise sources typically include a loader, excavator, drill, and truck traffic. A mobile crusher, under its own environmental permit, is brought on to the site when necessary. Two worst-case operating scenarios and two typical operating scenarios for current and potential future operations were developed for this assessment, based on measurements of similar equipment on file at RWDI and from published sound levels for typical construction equipment, as the quarry was not operating at the time of this assessment. Sound levels assigned to the quarry sources in each scenario were modelled using the Cadna/A software package.

The modelling results were assessed against provincial noise guidelines (NPC-300 limits) at points of reception on the three proposed lots. Under the assumed current “typical operations” scenario, the quarry was found to be in compliance with applicable limits at certain portions of the lots. If future quarry operations are extended to include the lands located to the southeast of the current operational area, there is potential for the modelled results to exceed the applicable limits.

No mitigation was assumed for the quarry, as this information was not available at the time of this assessment. It is likely that there are stockpiles, ground depressions and earthen berms that may reduce the off-site sound levels. Therefore, the modelled results are considered to be conservative. The report recommends that a warning clause be included in any building permits to be issued for these lots by the Municipality. A number of potential mitigation measures are also listed for future consideration, should a builder wish to construct homes on these lots.



# TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2</b>	<b>ASSESSMENT CRITERIA .....</b>	<b>1</b>
<b>2.1</b>	<b>Noise Sensitive Receptors .....</b>	<b>2</b>
<b>3</b>	<b>QUARRY DESCRIPTION .....</b>	<b>4</b>
<b>3.1</b>	<b>Operations .....</b>	<b>4</b>
<b>3.2</b>	<b>Modelled Scenarios .....</b>	<b>4</b>
<b>3.3</b>	<b>Modelled Equipment .....</b>	<b>5</b>
<b>3.4</b>	<b>Impulsive Sources .....</b>	<b>6</b>
<b>4</b>	<b>ANALYSIS .....</b>	<b>6</b>
<b>4.1</b>	<b>Current Typical Operations .....</b>	<b>6</b>
<b>4.2</b>	<b>Future Typical Operations .....</b>	<b>7</b>
<b>4.3</b>	<b>Current Potential Worst-Case Operations .....</b>	<b>8</b>
<b>4.4</b>	<b>Future Potential Worst-case Operation .....</b>	<b>9</b>
<b>5</b>	<b>SITE-SPECIFIC MITIGATION RECOMMENDATIONS .....</b>	<b>10</b>
<b>6</b>	<b>CONCLUSIONS .....</b>	<b>11</b>
<b>7</b>	<b>REFERENCES .....</b>	<b>12</b>



# LIST OF TABLES

Table 1: Summary of Guideline D-6 .....2

Table 2: NPC-300 Sound Level Limits.....3

# LIST OF FIGURES

Figure 1: Sensitive Receptors with Relevant Setback Distances .....3

Figure 2: Current Typical Operations Predicted Sound Level Contours .....7

Figure 3: Future Typical Operations Predicted Sound Level Contours .....8

Figure 4: Current Potential Worst-case Operations Sound Level Contours .....9

Figure 5: Future Potential Worst-case Operations Sound Level Contours ..... 10

Figure 6: Sound Level Contours for Two Storey and One Storey Houses ..... 11

# APPENDIX A

**Appendix A:** Consent Application





# 1 INTRODUCTION

RWDI Air Inc. was retained by David & Debbie Sim to complete a Land Use Compatibility Study in support of Consent Application No. B46/2021 (McD) that has been submitted to the Municipality of McDougall. The application seeks to allow for the subdivision of Part of Lots 69 & 71 RCP Plan 328 (subject lands owned by the Sim's) to create three new rural lots along the south side of Burnside Bridge Road frontage, located in the Municipality of McDougall, Ontario, exclusive of the river front lot parcel. The intent of this study is to identify where potential incompatible land uses could arise due to noise and to provide conceptual recommendations to prevent incompatibilities.

This assessment focuses on sound emissions from sources at the existing Georgian Rock Company Ltd. Quarry (the quarry) located on the north side of Burnside Bridge Road, and the potential effect of the sound emissions on sensitive receptors (dwellings) that could be constructed on the new rural lots. At the time of this noise impact assessment, the subject lands are unoccupied. A copy of the Consent Application No. B46/2021 (McD) is provided in **Appendix A**.

# 2 ASSESSMENT CRITERIA

The Municipality of McDougall Official Plan (Official Plan) requires a land use planning report to assess the potential impacts from commercial and industrial sources on surrounding land uses, and to provide mitigation measures to reduce any potential negative impacts. The Official Plan requires the assessment to be completed following methods outlined in the Ontario Ministry of the Environment, Conservation and Parks (MECP) NPC-300, and with additional guidance drawn from the MECP Guideline D-6 for assessing compatibility between Industrial Facilities and Sensitive Land Uses (MECP, 1995).

The Official Plan and Guideline D-6 are intended to minimize encroachment of industrial facilities on sensitive land uses. The documents provide guidance and regulations to address potential zoning incompatibilities due to emissions such as noise, vibration, odour, and dust.

Both documents provide a classification scheme for industries based on their potential for emissions that could cause annoyance. Potential influence areas and recommended minimum separation distances are provided for each class of industry in **Table 1**.

**Table 1: Summary of Guideline D-6**

Industry Class	Definition	Potential Influence Area	Minimum Separation Distance
I	Small scale, self-contained, daytime only, infrequent heavy vehicle movements, no outside storage.	70 m	20 m
II	Medium scale, outdoor storage of wastes or materials, shift operations, and frequent heavy equipment movement during the daytime.	300 m	70 m
III	Heavy Industrial Uses: Large scale, outdoor storage of raw and finished products, large production volume, continuous movement of products and employees during daily shift operations.	1000 m	300 m

Where a sensitive land use is within the potential influence area as defined in **Table 1**, an assessment of the potential impact and mitigation measures to prevent adverse effects is required. From a noise perspective, the quarry is classified as Class II, based on typical quarry operations. To assess the potential effect from noise, sound levels from sources at the quarry are assessed cumulatively at the nearest noise sensitive receptors.

The allowable sound level limits at the noise sensitive receptors are established in the MECP Publication NPC-300 (MECP, 2013). The NPC-300 exclusion limits are determined from the level of urbanization, or 'Class', at the noise-sensitive land use. Noise-sensitive land uses surrounding this proposed development are in a Class 2 acoustical environment. A Class 2 area refers to an acoustic environment that has sound levels characteristic of human activities during the daytime period (07:00 to 23:00) and quiet background sound levels characteristic of a rural setting during the nighttime period (23:00 to 07:00).

## 2.1 Noise Sensitive Receptors

Noise sensitive receptors include properties that accommodate a dwelling, sensitive commercial buildings, sensitive institutional buildings, or vacant lots. Sound level criteria are defined for two possible points of reception (PORs) at each noise-sensitive land use receptor: outdoor and façade. The outdoor PORs for stationary source assessment can include front yards, backyards, terraces, or patios. The façade PORs are the centre of any window or door on the most exposed wall.

No dwellings are currently located on the subject lots. All proposed severed lots are greater than 1-hectare in size, therefore the POR is placed at the center of a 1-hectare portion fronting Burnside Bridge Road, approximately 50 m from the road at a height of 4.5m above ground to represent a second storey façade POR, as required by NPC-300. For due diligence, an outdoor POR at 1.5 m above ground has also been assessed at the same location. During the analysis, moving the receptors to other locations on the subject land lots was investigated to determine the most suitable locations for compliance. Placement of receptors located closer than 70 meters from the quarry limits was not considered, as this would result in placement within the minimum separation distance for a Class II industry. It was also assumed that there will be bedroom windows facing the direction of the quarry.

There are existing sensitive receptors (dwellings) that have been identified on nearby adjacent lots within the 300 m potential influence distance and potentially within the 70 m minimum separation distance for Class II facilities.

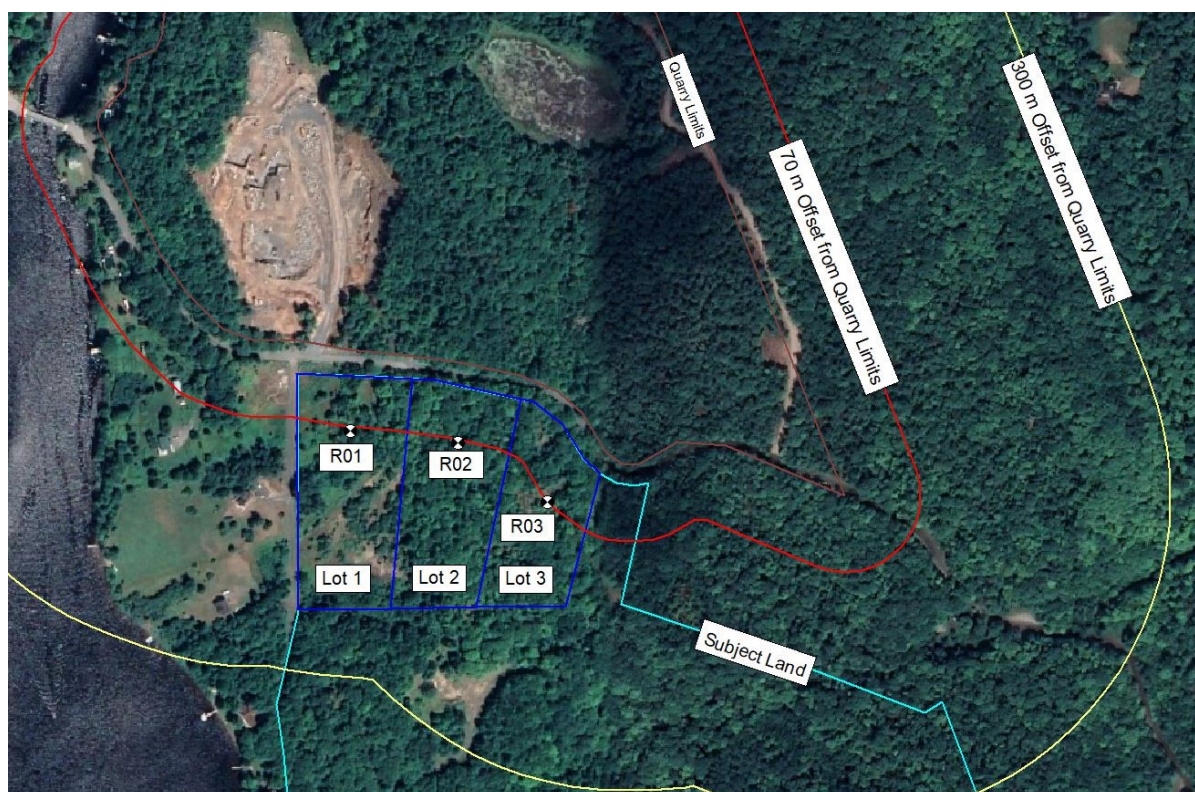
Predicted sound levels at these existing receptors are influenced by the ground topography that decreases in elevation towards the waterfront which causes the sound levels to also decrease with the elevation change. An assessment for these existing receptors on the adjacent lots is not included in this evaluation.

The NPC-300 Class 2 POR sound level limits are presented in **Table 2**.

**Table 2:** NPC-300 Sound Level Limits

Time Period	Class 2 Area Sound Level Limits (L <sub>EQ,1-hr</sub> )	
	Outdoor	Plane of Window
Daytime 0700-1900h	50 dBA	50 dBA
Evening 1900-2300h	45 dBA	50 dBA
Nighttime 2300-0700h	--	45 dBA

**Figure 1** below indicates the locations of the three sensitive receptors evaluated (R01, R02 & R03), the Subject Lands and three severed lot property lines, quarry limits and 70 m and 300 m setbacks.



**Figure 1: Sensitive Receptors with Relevant Setback Distances**

## 3 QUARRY DESCRIPTION

The Georgian Rock Company Ltd. does not hold an Environmental Compliance Approval (ECA) permit to operate at this location, nor does it have any noise requirements as part of their operating license as far as RWDI is aware. The quarry is located on the north side of Burnside Bridge Road, across the road from the subject lands. The southern quarry site limits are shown in **Figure 1**. Publicly available satellite imagery (2021, Google Earth) shows the quarry excavation footprint. Land uses adjacent to the quarry site are developed rural residential lots along the river frontage and undeveloped rural landscape north, east, and south of the quarry limits.

### 3.1 Operations

Operations at the quarry site consist of overburden stripping, drilling, extraction, processing/crushing, washing, stockpiling, and shipping of aggregate. Occasional blasting activities also occur as required, but are not typically assessed for sound emissions, so have not been included in this assessment.

Typical hours of operation for the quarry are assumed to be daytime hours as defined in NPC-300. It is expected that the quarry will potentially operate on a year-round basis, however available information indicates the quarry is currently not operating, therefore sound level measurement of equipment in operation was not possible at the time of this assessment. Operational activities for typical operations and potential worst-case include:

- Aggregate loading and shipping from stockpiles (typical); and
- Drilling and extraction at the working face, and aggregate processing of the raw material at a portable crusher plant (worst-case).

Overburden-clearing and berm construction are considered short-term construction activities and are not examined in this assessment. Construction activity is generally temporary in nature and is not part of the day-to-day operation of the site, therefore the sound levels due to these temporary events were not assessed.

### 3.2 Modelled Scenarios

The modelled operating scenarios are based on the current quarry extent and the future operations (which place the equipment within the quarry extents nearer to the subject lands lots). Typical operations involve loading and transporting aggregate and stone from the quarry. The worst-case operating scenarios include the effects of the portable crusher and the drill, in addition to the typical operations. The equipment designated to be modelled is based on a discussion with the Georgian Rock Company Ltd. and are as follows:

- Current typical operation; loading and shipping from stockpiles at current operations location.
- Future typical operation; loading and shipping from stockpiles at easterly location adjacent to the lots.
- Current potential worst-case operation; loading and shipping from stockpiles as well as drilling and processing at a portable crusher plant at current operations location.
- Future potential worst-case operation; loading and shipping from stockpiles as well as drilling and processing at a portable crusher plant at easterly location adjacent to the lots.

It is expected that the worst-case operating scenarios will only occur for less than 60-days, the permissible operating period for a portable crusher, therefore, the potential worst-case operation scenarios are infrequent events but were assessed to provide the potential worst-case predictable sound level impacts. The typical operation scenarios are considered representative of quarry activities during the daytime. Crushers are subject to mobile ECAs which carry their own set of operating conditions to ensure compliance at the nearest sensitive receptors (e.g., residences). It was assumed that the crusher operator will follow the conditions in their ECA. With this assumption in mind, the crusher was modelled in such a manner that it will comply with the applicable sound level limits at the closest existing residences to the west, and north of the quarry.

Ground terrain information was obtained through publicly available Geographic Information System (GIS) mapping. The publicly available terrain mapping does not include the current state of the quarry and therefore ground depressions, stockpiles, or perimeter berms have not been captured and their effects have not been assessed as part of this report. The quarry operator did not provide any relevant information regarding the on-site terrain and stockpiles. Ground depressions, stockpiles and perimeter berms serve to significantly reduce the noise from quarry operations and are often used as forms of on-site mitigation. In the absence of such information, modelled results are often overly conservative (i.e. sound levels are higher than they actually are).

### **3.3 Modelled Equipment**

RWDI has made some reasonable assumptions regarding noise emission levels, their associated locations, and operations times for this assessment. Sound power level data for noise generating equipment associated with the proposed land uses were obtained from measurements of similar equipment on file at RWDI and from published sound levels for typical construction equipment. It was assumed that the quarry would operate during daytime hours (0700 to 2300h). The continuous sources assumed for the typical operations scenario are as follows:

- One (1) loader servicing haul trucks
- One (1) excavator
- One (1) idling truck
- One (1) mobile crusher (subject to its own set of operating conditions)
- One (1) loader servicing the mobile crusher
- One (1) moving haul truck from the site entrance off Burnside Bridge Road to the loading site, with 2 round trips per hour.

Truck haul and loader routes were modelled using a moving point source calculation method and are modelled travelling at a speed of 10 km/h.

The continuous sources assumed for the potential worst-case operation scenario include all the above sources as well as a drill and a crusher. As noted earlier, any on-site crushers are expected to be operated in accordance with their mobile ECA and were modelled at a location that shows compliance with the NPC-300 sound level limits at existing residences.

Average database sound power levels were used in the preparation of the noise model.



### 3.4 Impulsive Sources

There are no impulsive sources of noise anticipated with the operation of the quarry.

## 4 ANALYSIS

To assess the potential impact and to define any required mitigation measures, modelling of the quarry was carried out using the Cadna/A software package, a commercially available implementation of the ISO 9613 noise propagation algorithms. Analysis results are dependant on source location and local topographical ground effects as well as equipment sound power level inputs. Information on quarry equipment (source) placement was not available at the time of modelling, therefore RWDI evaluated many different source placements for each operations scenario. Equipment location has a notable impact in the off-site sound levels and can increase sound levels by as much as 5 dB, which is a clearly audible difference. The current quarry terrain was not made available and any effects due to ground depressions (as material is extracted), stockpiles and perimeter berms could not be accounted for. Prior to implementing mitigation measures, sound pressure level measurements of the quarry equipment when it is operational should be undertaken, and model results updated to reflect actual quarry operations.

### 4.1 Current Typical Operations

The *current typical* operation scenario, that considered loading and shipping from stockpiles, results in compliance with the NPC-300 limits (at an assumed 4.5 m 2<sup>nd</sup> storey receptor) on portions of the subject land lots if the quarry operations are assumed to take place in the currently active northern portion of the quarry. No mitigation has been assumed for these scenarios, both at the quarry or at each of the proposed lots. The configuration of any future residences, for example, if the residences are to be 1 or 2 storey dwellings, as well as the location of any outdoor living areas, will better define how much of each lot will be in compliance with the NPC-300 limits.

The current typical operation scenario modelled quarry noise source locations and predicted time sound level isopleths in 5 dB increments are shown in **Figure 2**. Modelled results show the predicted sound levels during the worst-case one-hour daytime period across each of the lots without the presence of any mitigation at the quarry or at any of the proposed lots. The shaded areas represent areas where the sound level limits are modelled to be in excess of the allowable limits.

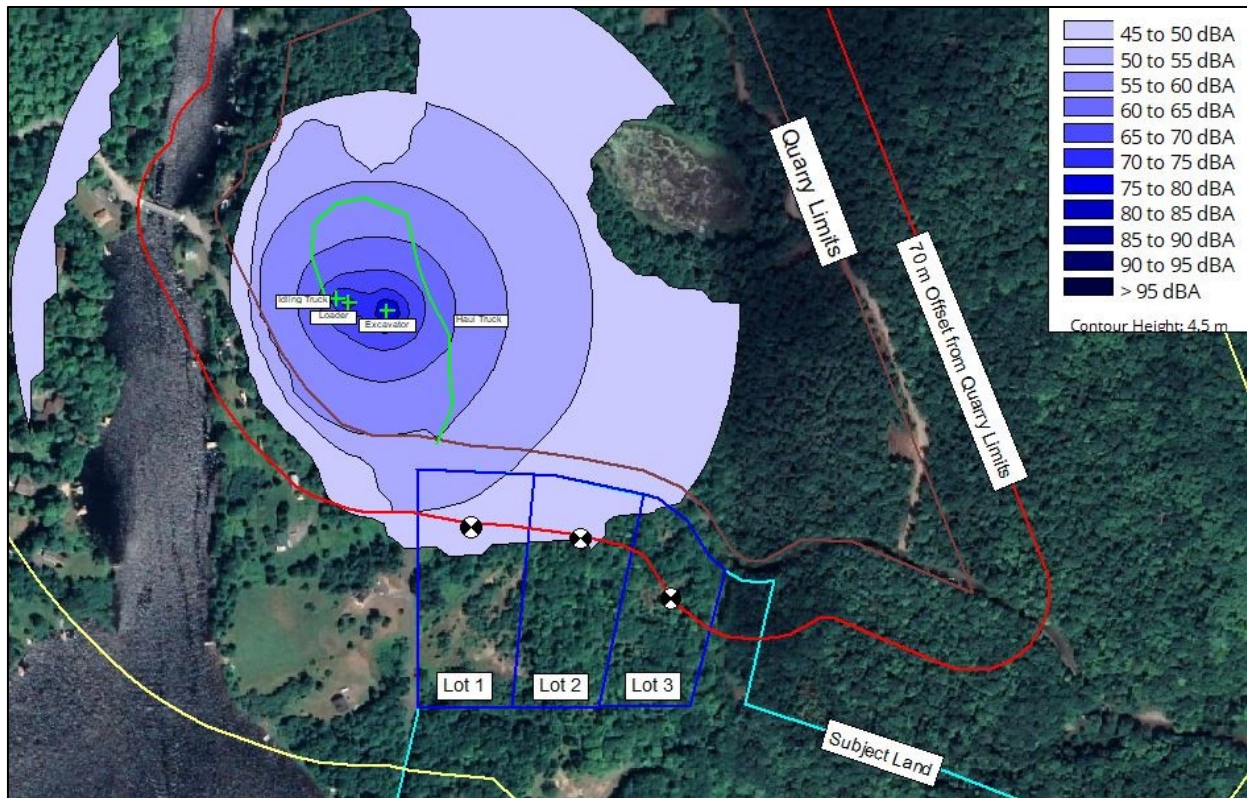


Figure 2: Current Typical Operations Predicted Sound Level Contours

## 4.2 Future Typical Operations

The quarry equipment configuration for *future typical* operations has assumed that the equipment is operating along the southern portion of the quarry, with no mitigation in place at the quarry or at any of the proposed lots. Achieving compliance with the limits at the subject land lots is challenging with this configuration, as the atmospheric and ground attenuation is not sufficient to reduce the quarry equipment sound to levels below the NPC-300 limits at the lots. This is a conservative result as the most up-to-date quarry terrain was not made available by the operator. As material is extracted, the activities take place below grade and are often shielded by the depression made in the ground. Stockpiles and any perimeter berms also help reduce off-site sound levels. Investigating the mitigation options outlined in the following section, particularly the construction of a topsoil or spill pile berm, or other physical barrier of sufficient height, along the northern portion of the lots, or along the southern portion of the quarry limits, is recommended.

The future typical operation scenario modelled quarry noise source locations and predicted sound level isopleths in 5 dB increments are shown in **Figure 3**. Modelled results show the predicted sound levels during the worst-case one-hour daytime period across each of the lots without the presence of any mitigation at the quarry or at any of the proposed lots. The shaded areas represent areas where the sound level limits have been modelled to be in excess of the allowable limits.

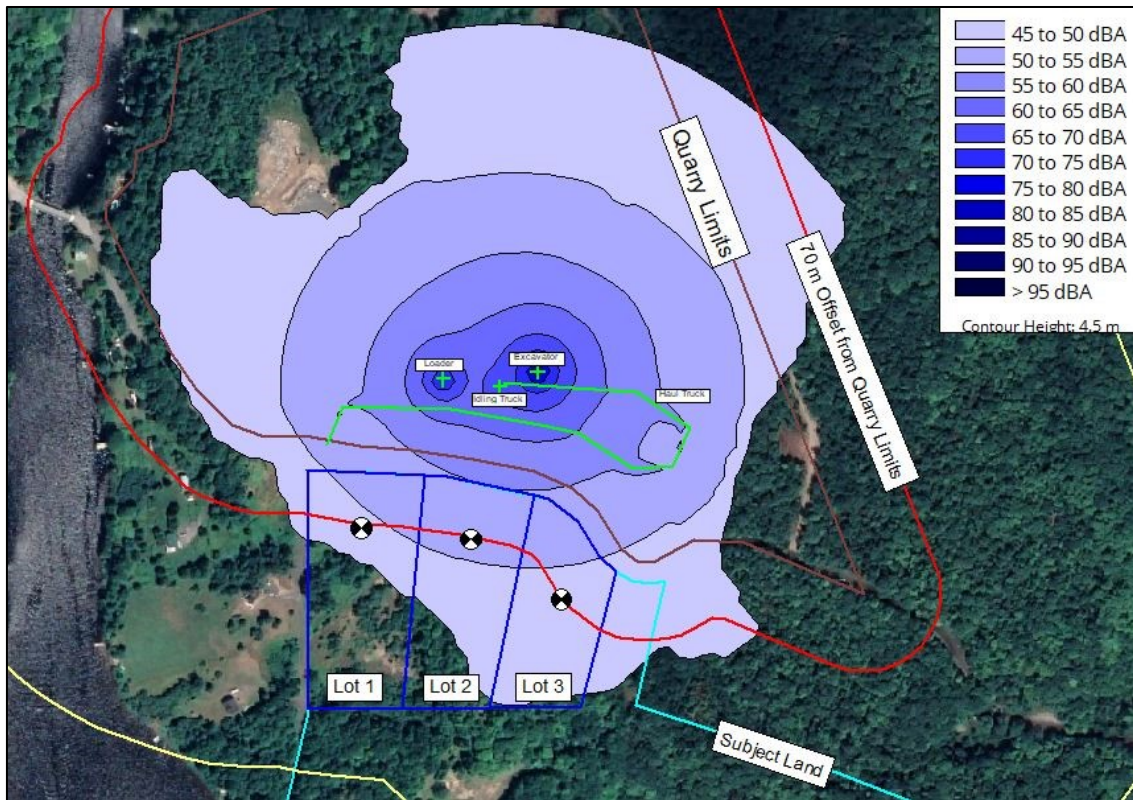


Figure 3: Future Typical Operations Predicted Sound Level Contours

### 4.3 Current Potential Worst-Case Operations

*Current potential worst-case* operations that include drilling and crushing activities also present challenges for achieving modelled compliance, as the sound levels from drilling at the current operations would further increase the quarry sound levels at the lots. As noted earlier, mobile crushers are subject to mobile ECAs with their own set of operating conditions. It has been assumed that mobile crushers are operated in accordance with their ECA conditions and are therefore already compliant at the existing residences. In these scenarios, compliance with the applicable sound level limits can only be met at the far southern portion of the three lots for both 1 and 2 storey residences.

The current potential worst-case operation scenario modelled quarry noise source locations and predicted sound level isopleth in 5 dB increments are shown in **Figure 4**. Modelled results show the predicted sound levels during the worst-case one-hour daytime period across each of the lots without the presence of any mitigation at the quarry or at any of the proposed lots. The shaded areas represent areas where the sound level limits are modelled to be in excess of the allowable limits.



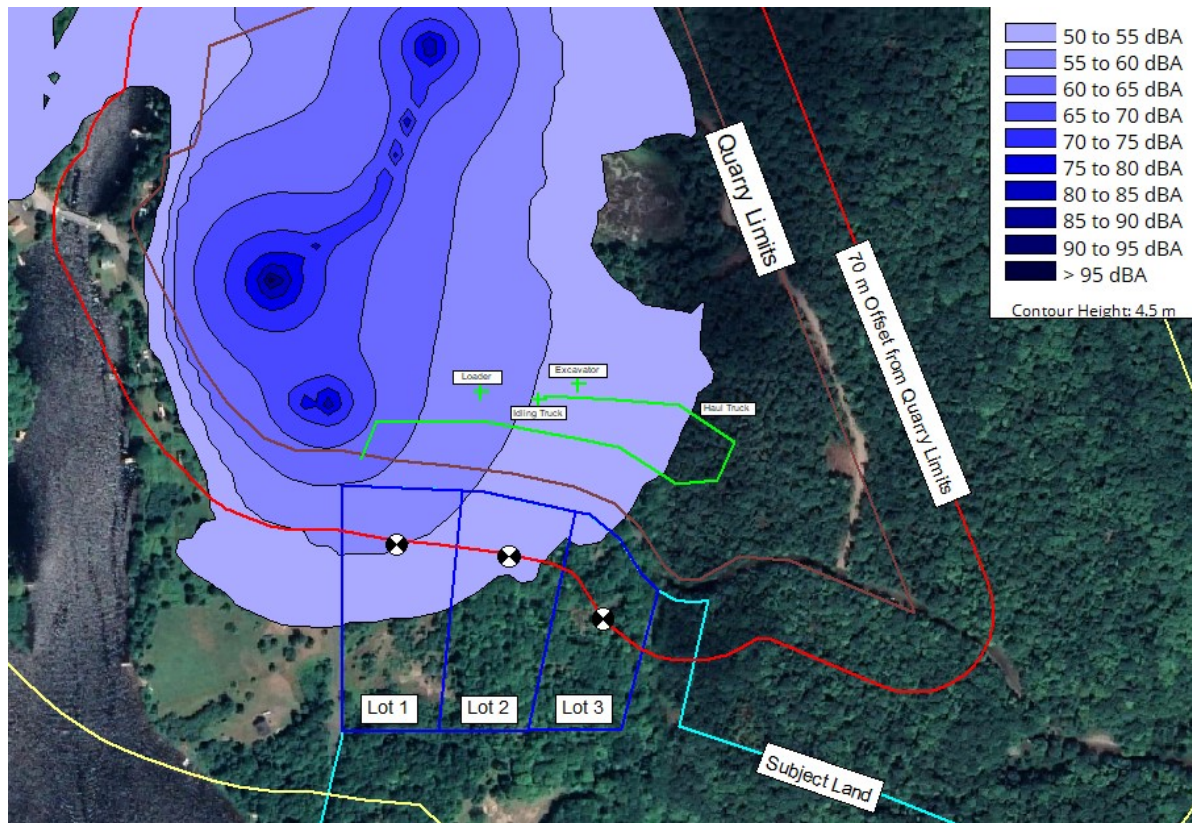


Figure 4: Current Potential Worst-case Operations Sound Level Contours

## 4.4 Future Potential Worst-case Operation

The *future potential worst-case* operation, which assumes that the operations have moved to north of the subject lands, results in similar challenges to achieving compliance at the subject land receptors as the future typical operations, albeit with higher predicted sound level impacts.

The future potential worst-case operation scenario modelled quarry noise source locations and predicted sound level isopleth in 5 dB increments, as shown in **Figure 5**. Modelled results show the predicted sound levels during the worst-case one-hour daytime period across each of the lots without the presence of any mitigation at the quarry or at any of the proposed lots. The shaded areas represent areas where the sound level limits are modelled to be in excess of the allowable limits. The entirety of Lot 3 is modelled to be out-of-compliance, whereas a small section of Lot 2 and a larger section of Lot 1 show some “acceptable” areas.

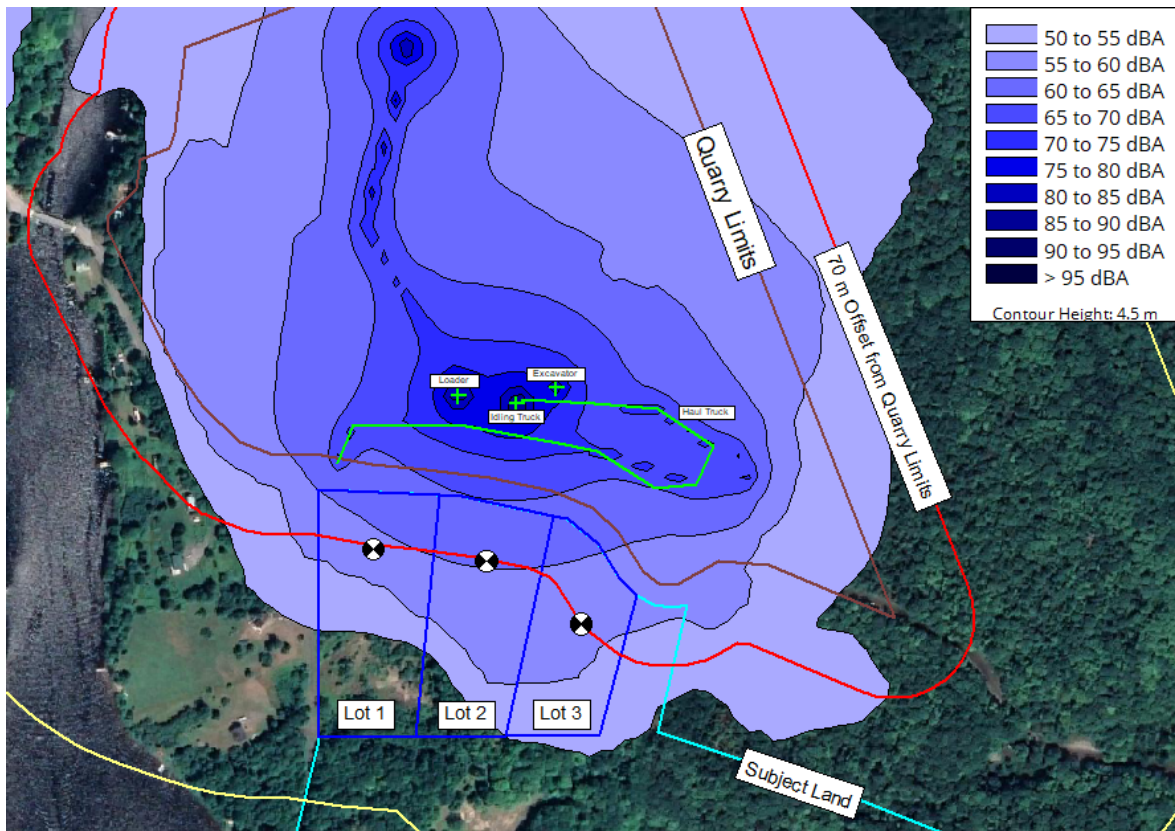


Figure 5: Future Potential Worst-case Operations Sound Level Contours

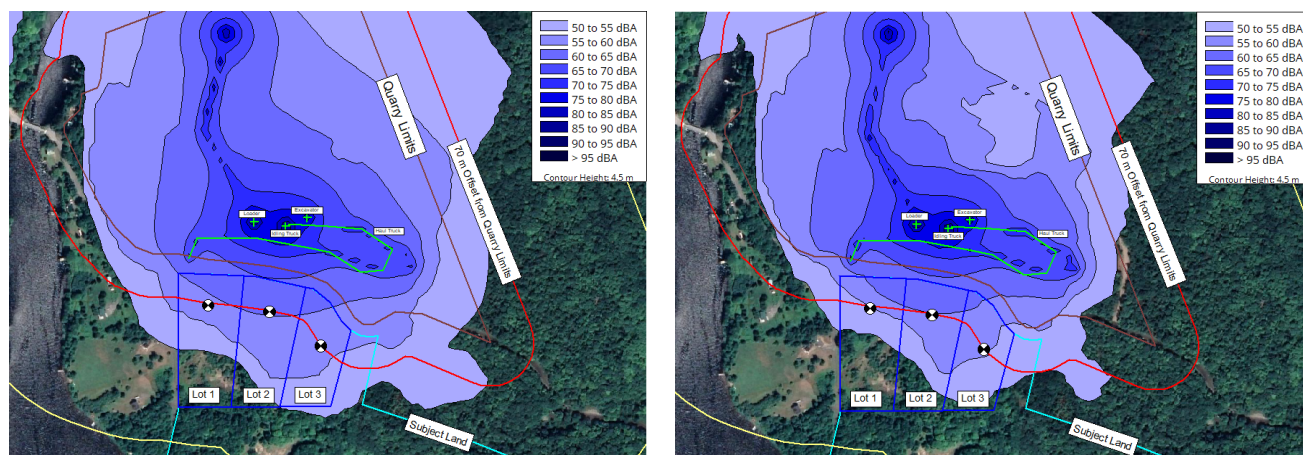
## 5 SITE-SPECIFIC MITIGATION RECOMMENDATIONS

Based on the modelling results, it is anticipated that future residential development on the proposed lots would meet the sound level limits if residences are built furthest from the quarry at the southern portion of the lots, if the quarry is operating as specified in the “typical operations” scenario. However, without mitigation, it is anticipated that the sound levels experienced at future residences to be built on the three lots would not meet the sound level limits under the “worst-case operation” scenarios (when drilling and crushing is occurring) in the northern portions of the lots, especially Lot 3. To further reduce the risk of land use incompatibilities arising, the following considerations and mitigation options are recommended to be incorporated into the design of any future development on these lands.

- 1) Consider building future residences only in the southern portion of the subject land severed lots; this will allow greater distance for attenuation of sound from quarry equipment at the receptors. The 70 m separation distance is approximately 50 m from each lots’ northern property line.
- 2) Construction of an earthen berm along the northern portion of the severed lots, or in the southern portion of the quarry limits, to provide physical shielding from quarry operations. The height and location of the berm would be determined when residence location and plans are proposed.

- 3) Foliage (i.e., tree lines) will not be sufficient to reduce quarry sound levels on the severed lots unless they are 30 m deep and at a minimum as tall as the residence and planted at the front of all severed lots. They would however act as a form of a visual shield and provide some background masking noise.
- 4) Configure (and permit) new homes to be built on the lots to best match modelled results that reflect actual operations (i.e., restrict construction to single storey dwellings, bedroom windows facing away from the quarry, etc.).

All previously indicated, isopleths illustrate the predicted sound levels at a height of 4.5 m, which is the approximate height of a second storey bedroom window. **Figure 6** illustrates the difference between sound levels at the second storey bedroom window and the first storey bedroom window for the worst-case scenario ("future potential worst-case operating scenario"). This Figure indicates that sound levels at a single storey building receptor are lower than those predicted for a two storey bedroom window, thus slightly larger areas of the lots are shown to meet the sound level criteria.



**Figure 6: Sound Level Contours for Two Storey and One Storey Houses**

Further to the above, all purchase/tenant agreements for these lots should include a noise warning clause highlighting the presence of the quarry and stating that there may be exceedances under certain operating conditions or specific activity areas on site. The following generic wording available in NPC-300 is recommended:

*"Purchasers/tenants are advised that due to the proximity of the adjacent quarry, noise from industry may at times be audible."*

## 6 CONCLUSIONS

RWDI Air Inc. was retained by David & Debbie Sim to complete a Land Use Compatibility Study in support of Consent Application No. B46.2021(McD) that has been submitted to the Municipality of McDougall to allow for the subdivision of Part of Lots 69 & 71 RCP Plan 328, for the creation of three new rural lots along the south side of Burnside Bridge Road frontage, in the Municipality of McDougall, exclusive of the river front lot parcel.

This assessment focuses on sound emissions from sources at the existing Georgian Rock Company Ltd. Quarry located on the north side of Burnside Bridge Road and the potential effect on sensitive receptors (future dwellings)





that could be constructed on the new rural lots. As little information was provided by the quarry, none of the modelled scenarios included any form of physical mitigation, such as ground depressions, stockpiles or perimeter berms. It was also assumed that any on-site mobile crushers will operate in accordance with their respectable mobile ECAs.

The sound levels attributable to the quarry were assessed against the applicable NPC-300 limits at the points of reception. Under the present, "typical operating" conditions, the quarry was found to be in compliance with applicable limits, limited to the southern portions of the lots. However, during future typical and worst-case operations where activities will move to the southeast within the quarry limits, there is a potential for the modelled sound levels to exceed the applicable limits for a much larger portion of the lots. As noted earlier, this does not include any mitigation and is considered to be a conservative representation of the future activities.

## 7 REFERENCES

1. Ministry of the Environment, Parks and Climate Change (MECP), July 1995, Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses.
2. Ministry of the Environment, Parks and Climate Change (MECP), 2013, Environmental Noise Guideline Publication NPC-300.
3. Municipality of McDougall, May 27 2015, Official Plan.

The graphic for Appendix A features a large, light gray circular shape on the right side of the page. To its left, a blue triangular shape is partially visible, separated from the gray circle by a thin white curved line.

## APPENDIX A

**CONSENT APPLICATION NO. B46/2021(McD)****Geographic Township of McDougall****Part of Lots 69 & 71 RCP Plan 328****Burnside Bridge Road****Roll #4931-0100-0409-850****Applicant: Bob Hawkins on Behalf of David and Debbie Sim.****November 25, 2021****BACKGROUND/PURPOSE**

The Sims own a parcel of land on Burnside Bridge Road across the Bridge on the south side of the road.



The owners are proposing to create three new rural lots along the Burnside Bridge Road frontage while keeping the river front lot parcel as retained.

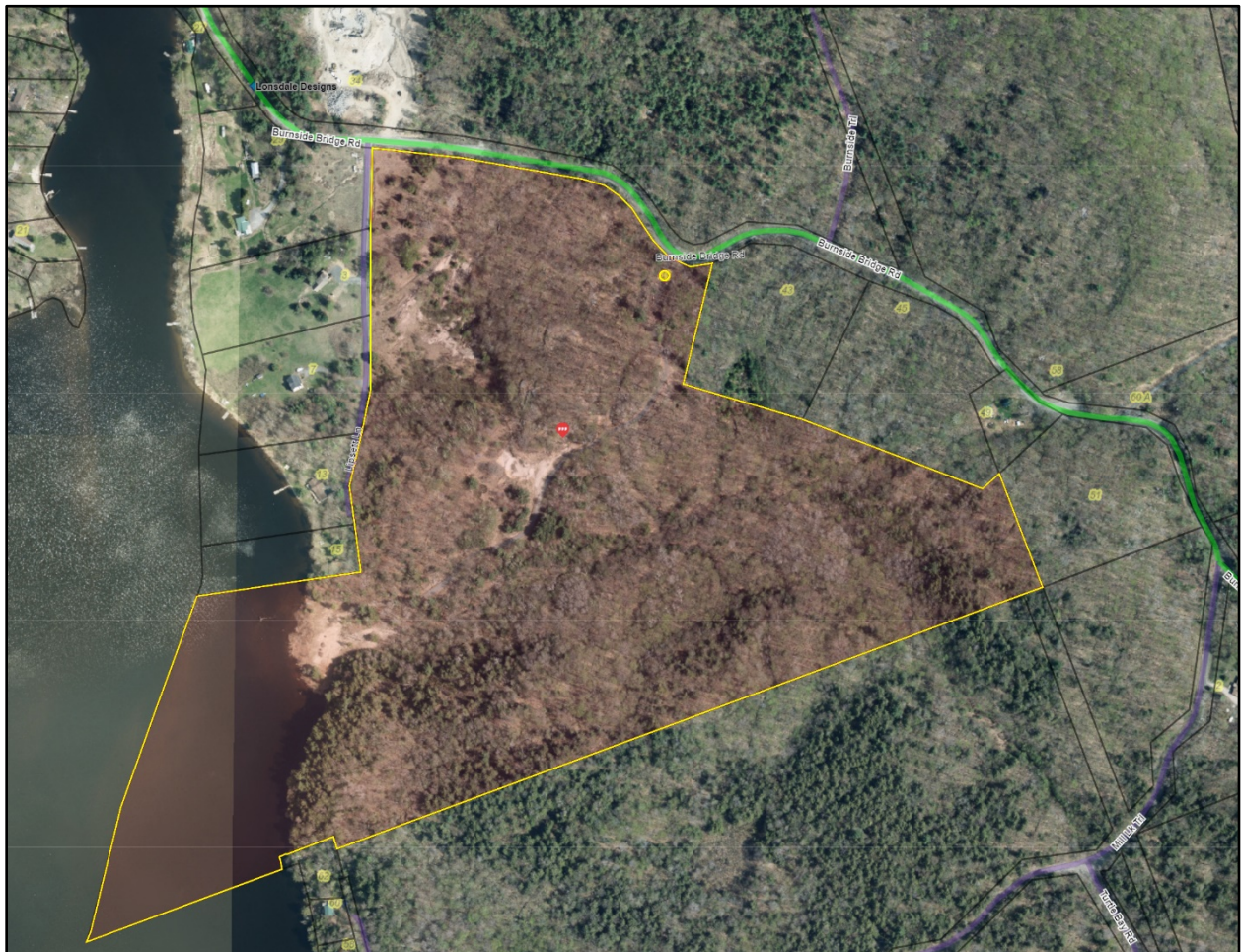
## **PROPERTY DESCRIPTION**

The Sims have a parcel of land that is 26 hectares with 365 metres of frontage along the river and an equal amount of frontage on the municipal road.

The lands are vacant with a small building currently under construction.

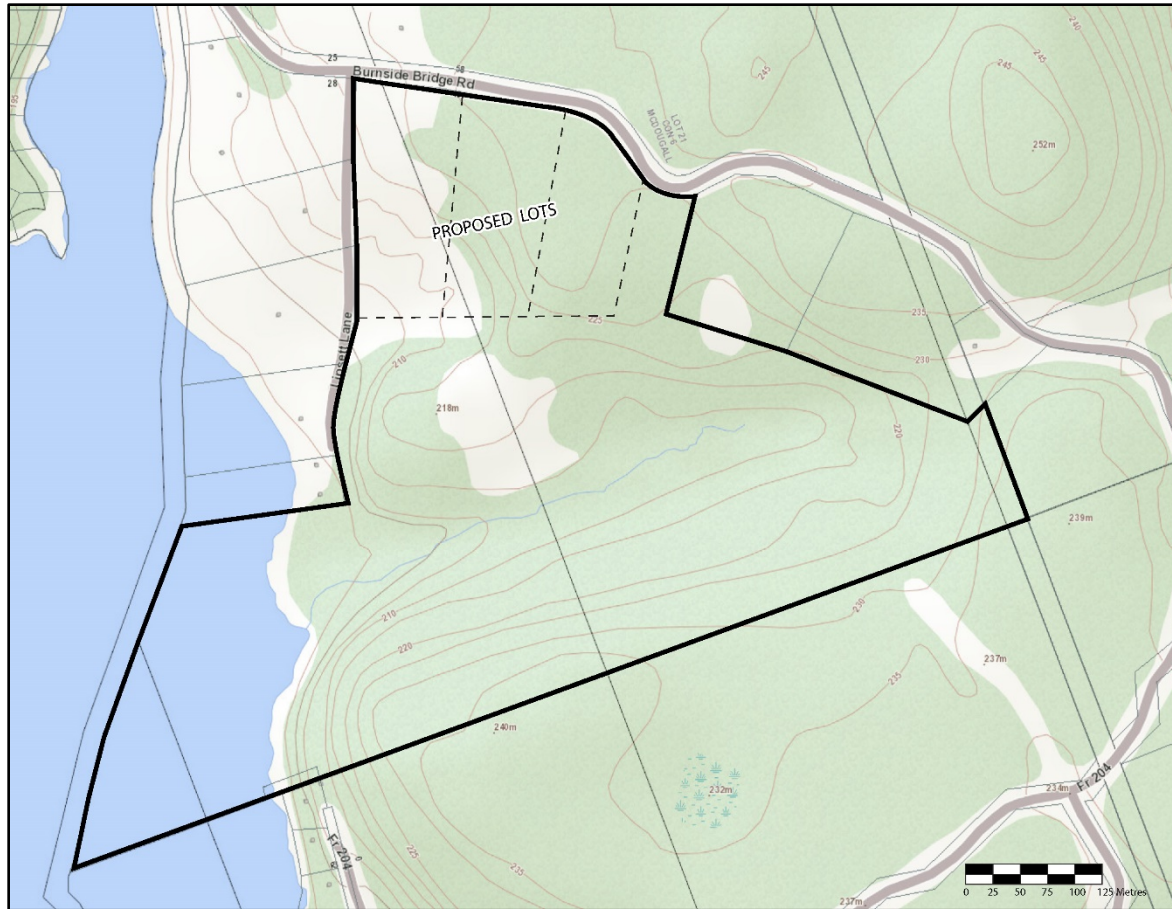
The lands were used historically as a local sandpit but material was no longer extracted after 2007.

The lands are heavily forested except for the areas where previous sand pits existed.



There are no wetlands on the property with a ridge that spans the south perimeter of the property. The lands adjacent to the Municipal Road are level with no constraints to development.

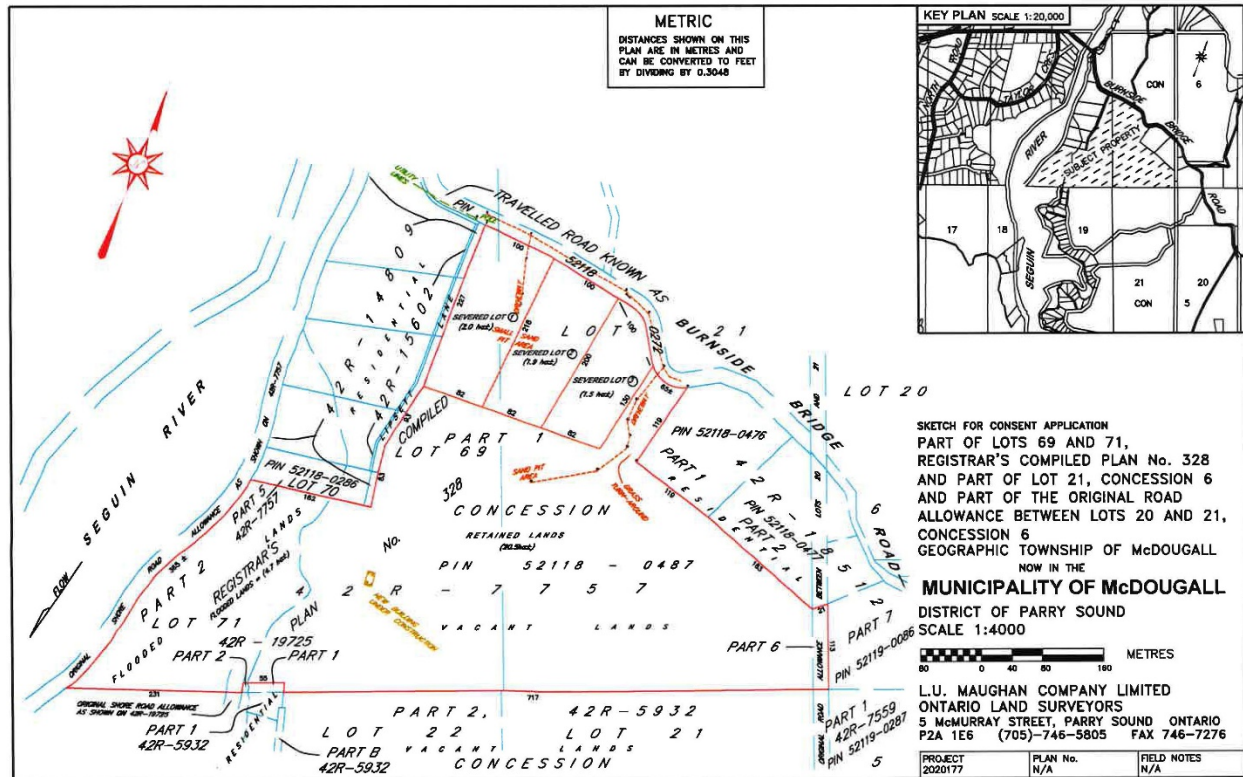




## **PROPOSED CONSENT**

The application proposes to create three new rural lots along the Burnside Bridge Road frontage.





Each of the lots will have a minimum frontage of 100 metres on the road with areas all in excess of 1.5 hectares.

The retained lands will continue to be a waterfront lot with access off the municipal road.

### **PROVINCIAL POLICY STATEMENTS (P.P.S.)**

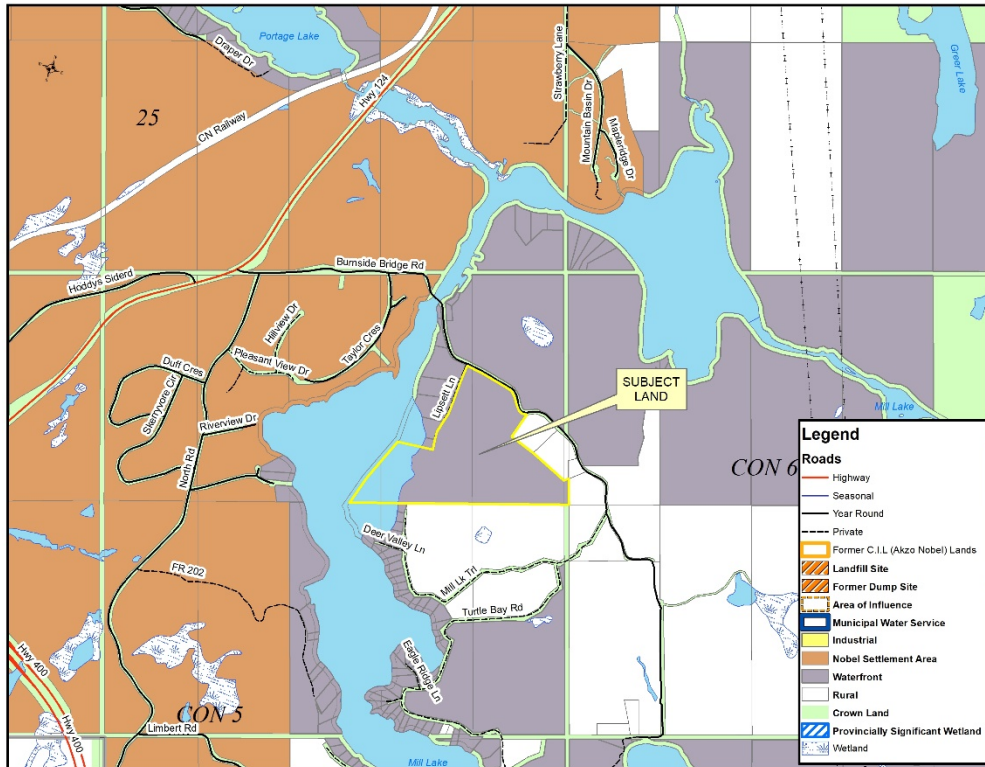
The subject lands are rural lands and the P.P.S supports new lots created in the rural area. The P.P.S. must be read in it's entirety and there are a number of policies that relate to the consideration of the nearby quarry.

Section 2.5.2.4 states:

***2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.***

There is an active quarry on the lands immediately north of the lands that are proposed to be created.





Once the lands, or a portion of the lands have the waterfront removed, they default to the Rural designation.

**19.02.1** *This designation will generally apply to most of the inland areas of the Planning Area which do not front on recreational water bodies. Land uses permitted in this category shall include forestry, conservation uses, agricultural uses and agriculture-related and secondary agriculture uses including uses that produce value added agricultural products from farm operation on the property, market gardening uses, raising of fur bearing animals, churches, schools, hospitals, institutions, cemeteries, country clubs, open air recreational uses and any uses connected with government utilities or departments.*

**19.02.2** *New homes and cottages, commercial and industrial development uses, pits and quarries, and tourist commercial uses will be permitted in the Rural Areas subject to all other policies of this Plan.*

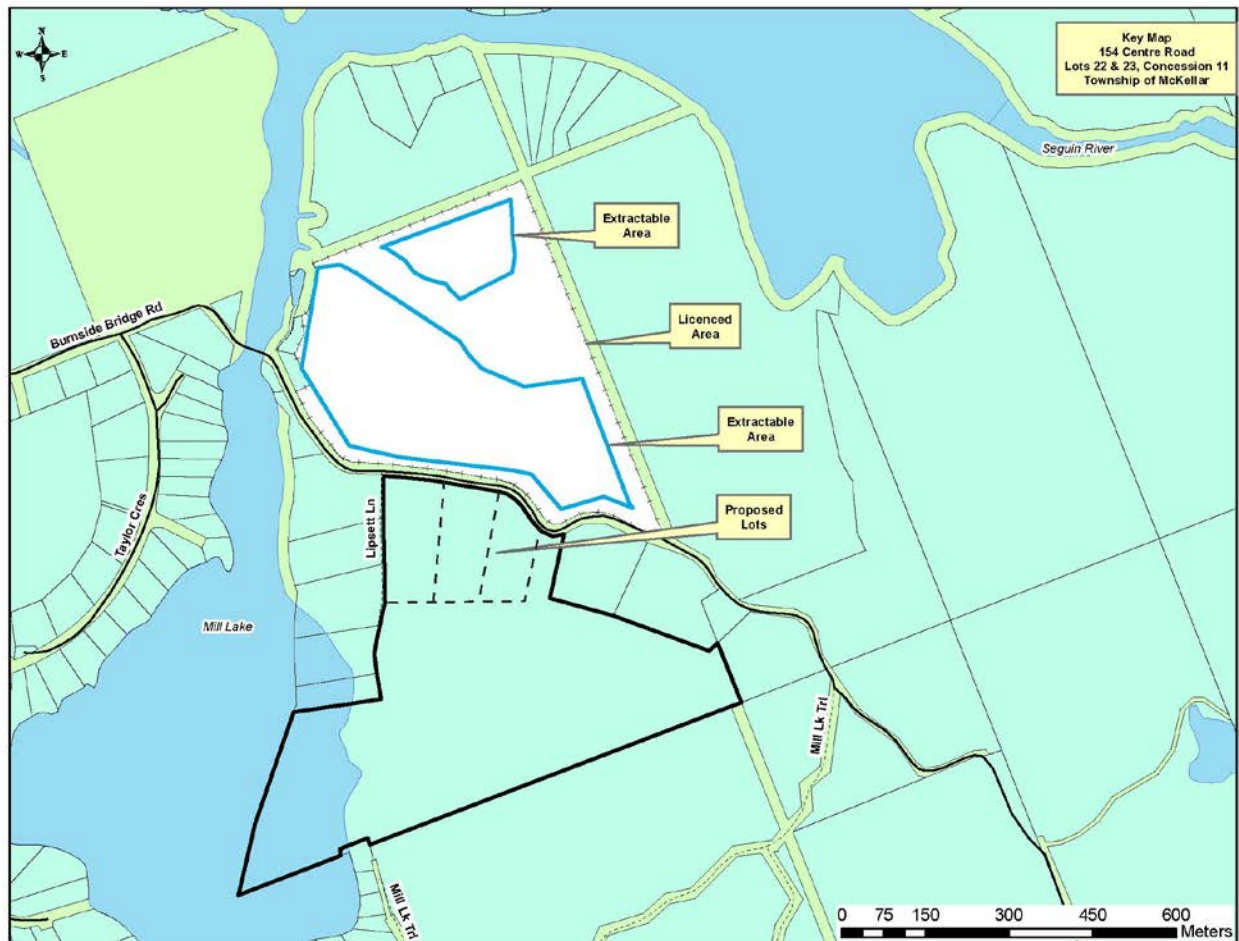
**19.02.4** *Consents to create new lots in the Rural designation will be subject to the following:*

- a) the lot is located on and has access to a road which has been opened, established and publicly owned and maintained on a year round basis;*
- b) the proposed driveway location must be satisfactory to the Municipal Road Superintendent and must not be located on a curve or hill where a dangerous condition would be caused for other drivers;*
- c) the resulting development will not contribute to an unreasonable demand for the enlargement of municipal services; and*
- d) the lot sizes are generally greater than 1.0 hectares and road frontages are approximately 100 metres.*



In terms of standards, the proposed consents comply with the Rural lot standards.

There is a licensed pit on the opposite side of Burnside Bridge Road in close proximity to the proposed lots.



The official plan has policy that protects existing quarry operations from sensitive developments (i.e. new residential properties).

It is understood that the subject pit is licensed for quarrying rock and is currently active with blasting, rock removal and trucking during most weekdays. The operators have indicated that they routinely receive concerns by surrounding neighbours for quarry operations.

The official plan policy sets out the requirement for assessment under the D-Series Guidelines.

McDougall's official plan includes provisions for considering land use compatibility.

***“21.14....The approval authority will ensure, through the application of the following land use compatibility policies of this Plan, and through the application of provincial and federal policies and guidelines regarding land use compatibility, that no incompatible land uses are permitted within the Municipality.***

***The Approval Authority may request, in accordance with this Plan, appropriate studies to address identified and potential issues related to land use compatibility prior to consideration and approval of any planning applications submitted to the Approval Authority. These studies shall be in accord with applicable M.O.E.C.C. Guidelines. “21.15”***

The agent for the land owners has indicated that they acknowledge the need for a land use compatibility study.

Such a study will need to follow the M.O.E. D-1 Guideline relating to Land Use Compatibility.

The fundamental approach in such a study is identify adverse impacts and what measures are available to investigate those impacts. It is noted that the preferred mitigation measures relate to adequate separation distances.

Because of the close proximity of the existing quarry operation, it would be prudent to complete the study to assess the appropriateness to proceed with the consents.

Respectfully,



John Jackson M.C.I.P., R.P.P.

JJ : jc

**PARRY SOUND AREA PLANNING BOARD - APPLICATION FOR CONSENT**  
**70 Isabella Street, Unit #110, Parry Sound, Ontario P2A 1M6 (Phone 705-746-5216 Fax 705-746-1439)**

No. B

**1. Applicant Information**

Name of Applicant L.V. MAUGHAN CO. LTD - R.C. HAWKINS  
Address 5 McMURRAY ST.  
PARRY SOUND, ON  
Postal Code P2A 1E6  
E-mail Address bob.hawkins@parrysoundsurveyors.com

Home Tel No. ( )  
Business Tel No. (705) 746-5805  
Home Fax Tel No. ( )  
Business Fax Tel No. (705) 746-7276

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.2 Name of Owner(s) (if different from the applicant). An owner's authorization is required in Section 12, if the applicant is not the owner.**

Name of Owner DAVID & DEBBIE SIM  
Address RR #2  
INNERKIP, ON  
Postal Code N0J 1M0  
E-mail Address magnoliagallery@rogers.com

Home Tel No. (519) 469-3074  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)**

Name of Contact "APPLICANT"  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**2. Purpose of this Application (check appropriate box)**

**2.1 Type and purpose of transaction for which application is being made**

- ☒ creation of a new lot (2)    ☐ lot additions    ☐ easement    ☐ right-of-way    ☐ lease  
☐ correction of title    ☐ charge    ☐ other (specify, e.g., partial discharge of mortgage)

Explain: \_\_\_\_\_

**3. Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, ~~charged or leased~~, if known and specify relationship to present owner, if any.**

3.1 Lot 1 UNKNOWN Lot 2 UNKNOWN Lot 3 UNKNOWN

**4. Location of the Subject Land Roll / PIN No(s) 4931 0100 0409 850**

4.1 Municipality MCDONCALL Lot(s) No. (s) 21 Concession No. 6

Street Name and No. BURNSIDE BRIDGE RD. M-Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_

Registered Plan No. Part(s) RCP 328 PIN 5218-0487  
LOTS 69-70 Parcel No. \_\_\_\_\_

May 28, 201

## 5. Easements or restrictive covenants

5.1 Are there any easements or restrictive covenants affecting the subject land? ☒ NO ☐ YES

If YES, describe the easement or covenant and its effect:

## 6. Description of Lands to be Divided and Servicing Information (Complete each subsection)

6.1

	Frontage (m)	Depth (m)	Area (ha)	Existing Uses	Proposed Uses	Existing Structures	Proposed Structures
Retained Lot	365 ± - RIVER 65 ± - ROAD	600 ±	20.5 ±	VACANT	RESIDENTIAL	HOUSE UNDER CONSTRUCTION	
Lot Addition							
Right-of-way							
Benefiting Lot							
Severed Lot 1	100	220 ±	2.0 ±	VACANT	RESIDENTIAL	NIL	HOUSE
Severed Lot 2	100	210 ±	1.9 ±	VACANT	RESIDENTIAL	NIL	HOUSE
Severed Lot 3	100	170 ±	1.5 ±	VACANT	RESIDENTIAL	NIL	HOUSE

6.2 Access (check appropriate space)

	Name	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Provincial Highway						
Municipal (maintained all year)	BURNSIDE BRIDGE ROAD	✓		✓	✓	✓
Municipal (Seasonal)						
Other public road						
Right of way						
Water Access						

If Water Access Only

N/A

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Parking and docking facilities to be used					
Approximate distance of these facilities from the subject land					
The nearest public road					

6.4 Water Supply (enter in appropriate space - E for Existing or P for Proposed)

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated piped water system					
Privately owned and operated individual well	P		P	P	P
Privately owned and operated communal well					
Other public road					
Lake or other waterbody					
Other means					

6.5 Sewage Disposal - enter in appropriate space - **E for Existing or P for Proposed**

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated sanitary sewage system					
Privately owned and operated individual septic tank	P		P	P	P
Privately owned and operated communal well					
Privately owned and operated communal septic system					
Privately owned and operated communal septic system					
Privy					
Other means					

**7. Official Plan**

7.1 What is the current designation of the subject land in the Official Plan: WATERFRONT & RURAL

**8. Current Application**

8.1 Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application and/or Plan No.

\_\_\_\_\_

8.2 Has the land ever been the subject of a consent under section 53 of the Planning Act.

☐ YES ☐ NO ☒ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.3 Is the subject land currently the subject of an official plan amendment, zoning by-law, a Minister's zoning order, a minor variance, an approval of a plan of subdivision or a consent.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.4 Are there additional consents being applied for on these holdings simultaneously with this application, or being considered for the future?

☐ YES ☒ NO ☐ UNKNOWN

**9. Original Parcel**

9.1 Has any land been severed from the parcel originally acquired by the owner of the subject land.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the date of the transfer, the name of the transferee and the land use on the severed land.

\_\_\_\_\_



## 10. Affidavit / Sworn Declaration

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit / Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the TOWN of PARRY SOUND this 11<sup>th</sup> day  
of MARCH 2021

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

**R. C. HAWKINS**  
ONTARIO LAND SURVEYOR

  
Signature of Applicant or Agent

DECLARED BEFORE ME at the TOWN of PARRY SOUND in the  
DISTRICT of PARRY SOUND this 11<sup>th</sup> day  
of MARCH 2021



A Commissioner of Oaths

Teresa Sen, a Commissioner, etc.,  
Produced/Obtained for  
L. U. MAUGHAN CO. LTD.  
on May 18, 2019

## 11. Authorizations

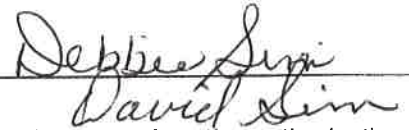
- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorizations set out below must be completed.

### Authorization of Owner for Agent to Make the Application

we DAVID & DEBBIE SIM, <sup>are</sup> the owners of the land that is the subject of this application for Consent  
and/or Zoning By-law Amendment and <sup>we</sup> authorize L. U. MAUGHAN CO. LTD. to make this application on  
my behalf.

Date March 11, 2021

Signature of Owner



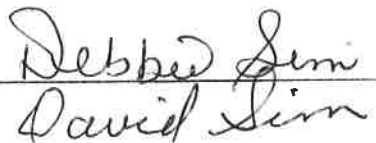
- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

we DAVID & DEBBIE SIM, <sup>are</sup> the owner<sup>s</sup> of the land that is the subject of this application for  
Consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, <sup>we</sup> authorize  
L. U. MAUGHAN CO. LTD., as <sup>our</sup> agent for this application, to provide any of <sup>our</sup> personal information that  
will be included in this application or collected during the processing of the application.

Date March 11, 2021

Signature of Owner



May 28, 2019

**12. Consent of the Owner** (this section must be completed for the application to be processed)

12.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

~~WE~~ DAVID & DEBBIE SIM, ~~are~~ <sup>am</sup> the owner~~s~~ of the land that is the subject of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, ~~I~~ <sup>we</sup> authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Date March 11, 2021

Signature of Owner Debbie Sim  
David Sim

**13. Additional Fees**

The applicant hereby agrees:

- (a) to reimburse the Parry Sound Area Planning Board for any costs incurred in processing this application which are above and beyond the amount of the application fee; and
- (b) to pay all costs legal and otherwise, that may be incurred by the Parry Sound Area Planning Board with respect to an LPAT Hearing, that may be held as a result of this application for a consent and to provide a deposit for such costs at least 45 days prior to any scheduled hearing.

Date March 11, 2021

Signature of Owner Debbie Sim  
David Sim

Plans / Sketches	
<p>SKETCHES TO BE SUBMITTED MUST BE <b>BLACK AND WHITE ON PAPER 8 1/2" x 11"</b></p> <p>ONE COPY OF SKETCH, IF REPRODUCABLE</p> <p>ALL LETTERING MUST BE LEGIBLE. USE MULTIPLE SKETCHES AT DIFFERENT SCALES IF NECESSARY</p>	
<input checked="" type="checkbox"/>	Key Map – Available on the Planning Board Website ( <a href="http://psapb.ca">www.psapb.ca</a> ) <a href="http://psapb.ca/index.php/planning-board/forms/application-forms">http://psapb.ca/index.php/planning-board/forms/application-forms</a>
<input checked="" type="checkbox"/>	North Arrow
<input checked="" type="checkbox"/>	clearly defined boundaries of severed and retained lots
<input checked="" type="checkbox"/>	if more than one severed lot, label the severed lots according to the application (Section 6)
<input checked="" type="checkbox"/>	the boundaries & dimensions of any land abutting the subject land that is owned by the owner of the subject land
<input checked="" type="checkbox"/>	the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing
<input checked="" type="checkbox"/>	the dimensions of the subject land, the part that is to be severed and the part that is to be retained
<input type="checkbox"/> N/A	the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
<input checked="" type="checkbox"/>	the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
<input checked="" type="checkbox"/>	the existing uses on adjacent land, such as residential, agricultural and commercial uses
<input checked="" type="checkbox"/>	the location, width and name of any roads within or abutting the subject land indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way
<input type="checkbox"/> N/A	the location and nature of any easement affecting the subject land

#### **PLANNING BOARD**

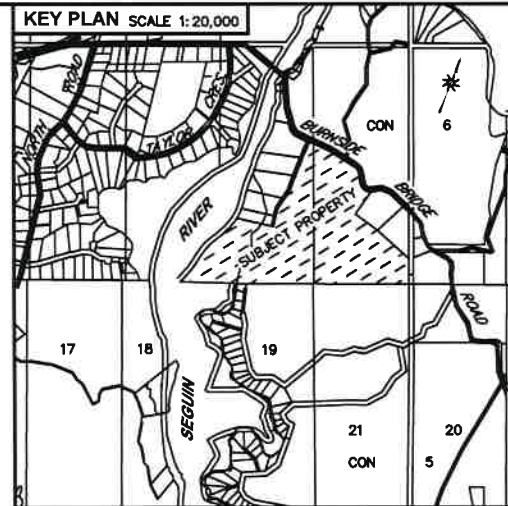
**2018 Fees**      Base Fee \$1500 + \$750 per lot/lot addition, \$250 for each additional lot addition, \$250 per right-of-way + \$500 deposit for Professional Planning Services

Change of Condition / Re-approval Fee (before lapsing) \$750    Stamping Fee for Retained Lot (Optional): \$750

A fee of \$325 payable to the Town of Parry Sound is required for any application within the Town of Parry Sound.

A fee of \$333 payable to the Township of Carling is required for any application within the Township of Carling (Township deposit will be reconciled in accordance with the Townships standard rate for their planner for actual time taken).

**NOTE:**      Additional expenses may be incurred (ie. Legal, Planning, Survey, Rezoning, Minor Variance, Parkland Fee) and are the responsibility of the applicant.



# MUNICIPALITY OF McDOUGALL

## INTERNAL CIRCULATION CHECKLIST

<b>TYPE OF APPLICATION</b>	Consent - Create 3 New Rural Lots
<b>APPLICANT NAME</b>	B46/2022 (McD) SIM

CIRCULATE TO	INDICATE WITH X	COMMENTS YES OR NO	NAME
CHIEF BUILDING OFFICIAL	x	Yes	K. Dixon
MANAGER OF PUBLIC WORKS	x	No	T. Hunt
FIRE CHIEF	x	No	P. Shoenbottom
MUNICIPAL ENFORCEMENT	x	No	P. Shoenbottom
CAO	x	No	T. Hunt
PLANNER	x	Yes	L. West
TREASURER	x	No	S. Brisbane
OTHER - Environmental Services	x		

COMMENTS OR ATTACH REPORT	
---------------------------	--

K. Dixon: These lots should be subject to site plan control to implement the recommendations of the study

L. West: Lands should be rezoned to establish increased front yard setback, and apply to site plan control to implement vegetative buffers and building criteria. Notice should also be registered on title acknowledging the quarry operations.

[illegible]

**CONSENT APPLICATION NO. B16/2022(McD)**

**PART OF LOT 11, CONCESSION 2**

**GEOGRAPHIC Township OF McDOUGALL**

**REFERENCE PLAN 42R-18789 – PART 1**

**HAINES LAKE ROAD**

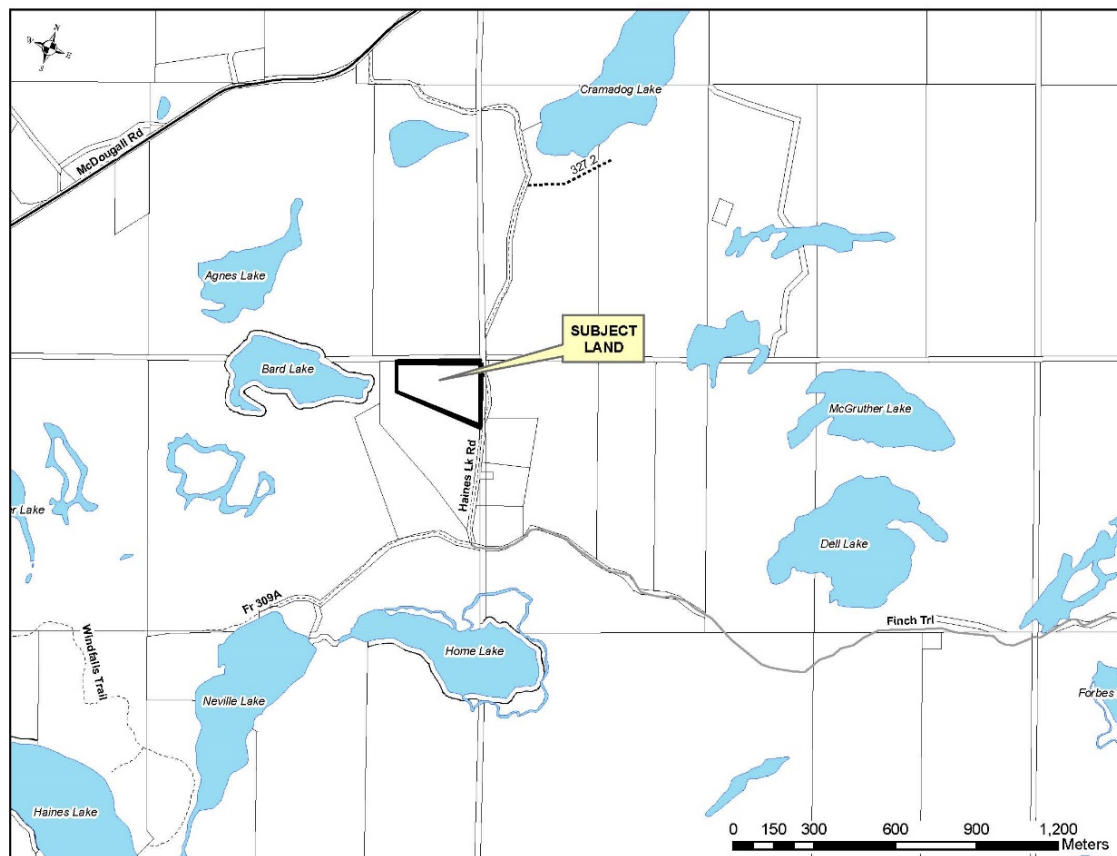
**ROLL# 4931-1010-0010-2710**

**APPLICANT: Tuan Nguyen**

**DATE: May 30, 2021**

**APPLICATION PURPOSE**

Mr. Nguyen is proposing to create a new rural lot on Haines Lake Road.

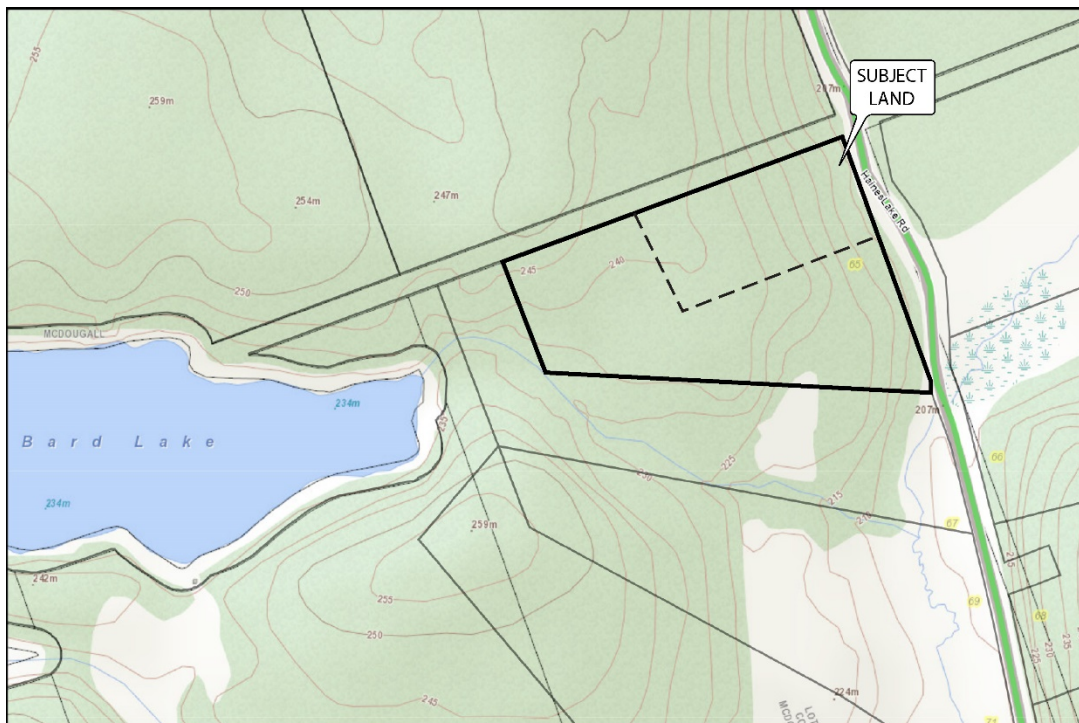






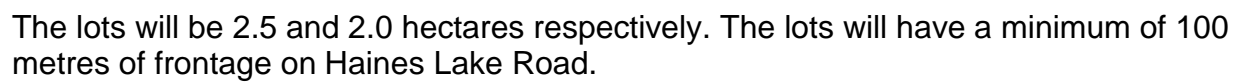


The lands have moderate to steep topography.





The owner is proposing to create one new rural lot as shown below.



The subject lands are designated Rural on the McDougall Official Plan.



The minimum standard for new lots in the Rural area are 1.0 hectares and 100 metres of road frontage (see section 19.02.4 (d)). The proposed consent will meet the performance standards set out in the official plan.

Under section 9.0 – ROADS AND TRANSPORTATION,

***“9.01 The Ministry of Transportation must approve any new entrances or changes to existing entrances.”***

### **PROVINCIAL POLICY STATEMENTS (P.P.S.)**

The subject lands are considered “Rural Lands in Municipalities” under the P.P.S. and are to be considered under policy 1.1.5.

#### ***1.1.5 Rural Lands in Municipalities***

***1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.***

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

- a) the management or use of resources;***
- b) resource-based recreational uses (including recreational dwellings);***
- c) residential development, including lot creation, that is locally appropriate;***
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;***
- e) home occupations and home industries;***
- f) cemeteries; and***
- g) other rural land uses.***

***1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.***

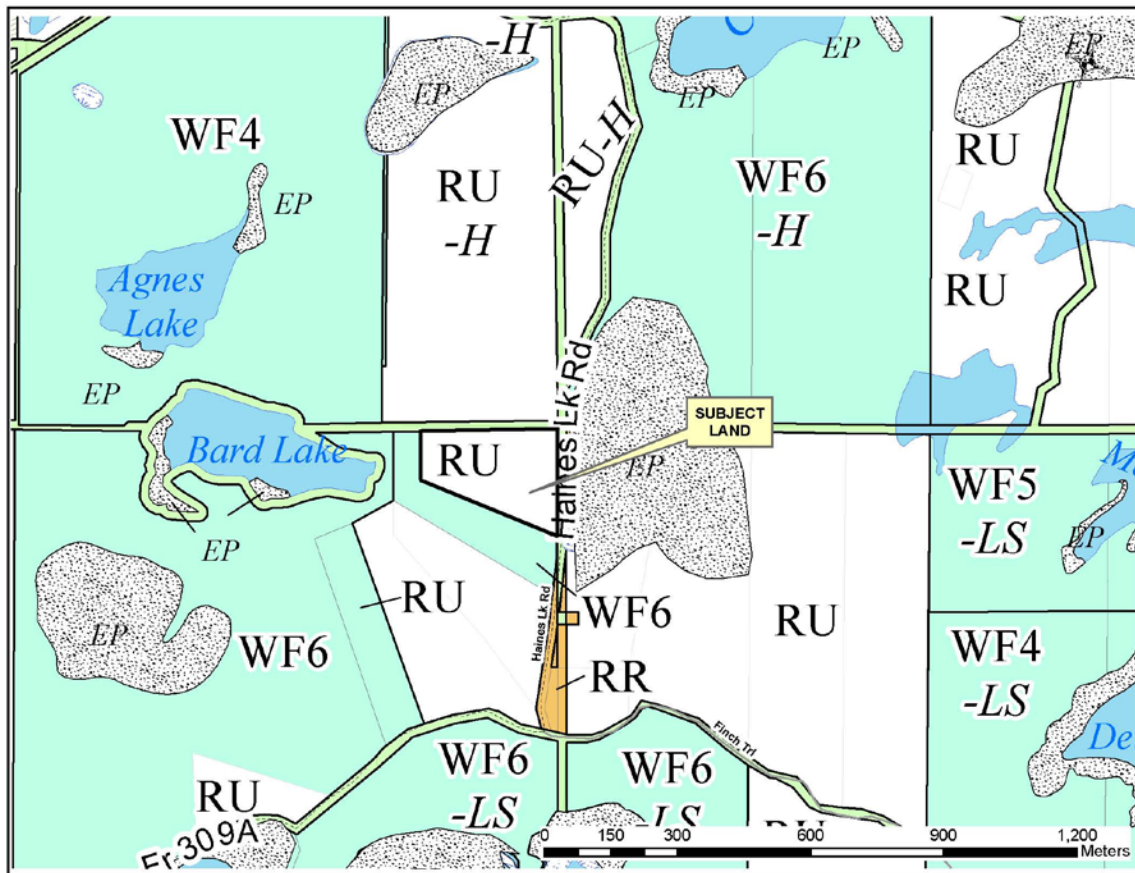
***1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.***

***1.1.5.5 Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.***

The proposed consent is consistent with these provincial policies.

## ZONING

The subject lands are zoned Rural (RU).



The minimum standards for the Rural (RU) Zone is 100 metres of frontage and 1.0 hectares of lot area.

The proposed consent complies with the performance standards of the By-Law.

## **CONCLUSION/RECOMMENDATION**

That the application to create one new rural lot by Tuan Nguyen on Haines Lake Road as applied for by Tuan Nguyen in application B16/2022(McD) be approved subject to the following conditions:

1. Payment of the required fee in lieu of parkland as required by the Municipality's fee By-Law.
2. Clearance letter from M.T.O.
3. 911 Addressing.
4. Payment of any planning fees.

Respectfully submitted,



John Jackson M.C.I.P., R.P.P.

JJ;jc

**PARRY SOUND AREA PLANNING BOARD - APPLICATION FOR CONSENT**  
**1 Mall Drive, Unit #2, Parry Sound, Ontario P2A 3A9 (Phone 705-746-5216)**

No. B 16/2022(McD)

**1. Applicant Information**

Name of Applicant TUAN NGUYEN  
Address 1831 CONCESSION 6  
RR 1 JARVIS ON  
Postal Code N0A 1J0  
E-mail Address \_\_\_\_\_

Home Tel No. ( 905 ) 308-0357  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.2 Name of Owner(s) (if different from the applicant). An owner's authorization is required in Section 12, if the applicant is not the owner.**

Name of Owner \_\_\_\_\_  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)**

Name of Contact \_\_\_\_\_  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**2. Purpose of this Application (check appropriate box)**

**2.1 Type and purpose of transaction for which application is being made**

☒ creation of a new lot      lot additions      easement      right-of-way      lease  
correction of title      charge      other (specify, e.g., partial discharge of mortgage)

Explain: \_\_\_\_\_

**3. Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known and specify relationship to present owner, if any.**

3.1 Lot 1 \_\_\_\_\_ Lot 2 \_\_\_\_\_ Lot 3 \_\_\_\_\_

**4. Location of the Subject Land** Roll / PIN No.(s) 493101000102710

4.1 Municipality McDougall Lot(s) No.(s) 11 Concession No. 2  
Street Name and No. Haines Lake Road M-Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Registered Plan No. Part(s) 42R18789 PART 1 Parcel No. \_\_\_\_\_

January 2022

## 5. Easements or restrictive covenants

- 5.1 Are there any easements or restrictive covenants affecting the subject land? ☒ NO ☐ YES  
If YES, describe the easement or covenant and its effect:

## 6. Description of Lands to be Divided and Servicing Information (Complete each subsection)

6.1

	Frontage (m)	Depth (m)	Area (ha)	Existing Uses	Proposed Uses	Existing Structures	Proposed Structures
Retained Lot	130	±395	3.85	Vacant	Residential	None	
Lot Addition							
Right-of-way							
Benefiting Lot							
Severed Lot 1	100	350	1.65	Vacant	Residential	None	
Severed Lot 2							
Severed Lot 3							

6.2 Access (check appropriate space)

	Name	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Provincial Highway						
Municipal (maintained all year)	Haines Lake Road	X		X		
Municipal (Seasonal)						
Other public road						
Right of way						
Water Access						

If Water Access Only

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Parking and docking facilities to be used					
Approximate distance of these facilities from the subject land					
The nearest public road					

6.4 Water Supply (enter in appropriate space - E for Existing or P for Proposed)

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated piped water system			P		
Privately owned and operated individual well	P				
Privately owned and operated communal well					
Other public road					
Lake or other waterbody					
Other means					



6.5 Sewage Disposal - enter in appropriate space - **E for Existing or P for Proposed**

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated sanitary sewage system			P		
Privately owned and operated individual septic tank	P				
Privately owned and operated communal well					
Privately owned and operated communal septic system					
Privately owned and operated communal septic system					
Privy					
Other means					

**7. Official Plan**

7.1 What is the current designation of the subject land in the Official Plan: Rural

**8. Current Application**

8.1 Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act.

YES ☒ NO UNKNOWN

If YES, and if known, specify the appropriate file number and status of application and/or Plan No.

8.2 Has the land ever been the subject of a consent under section 53 of the Planning Act.

☒ YES NO UNKNOWN

If YES, and if known, specify the appropriate file number and status of application.

8.3 Is the subject land currently the subject of an official plan amendment, zoning by-law, a Minister's zoning order, a minor variance, an approval of a plan of subdivision or a consent.

YES ☒ NO UNKNOWN

If YES, and if known, specify the appropriate file number and status of application.

8.4 Are there additional consents being applied for on these holdings simultaneously with this application, or being considered for the future?

YES ☒ NO UNKNOWN

**9. Original Parcel**

9.1 Has any land been severed from the parcel originally acquired by the owner of the subject land.

YES ☒ NO UNKNOWN


If YES, and if known, specify the date of the transfer, the name of the transferee and the land use on the severed land. \_\_\_\_\_

## 10. Affidavit / Sworn Declaration

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit / Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the \_\_\_\_\_ Town \_\_\_\_\_ of Parry Sound \_\_\_\_\_ this 11th \_\_\_\_\_ day  
of April \_\_\_\_\_ 20 22 \_\_\_\_\_

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

  
\_\_\_\_\_  
Signature of Applicant or Agent

DECLARED BEFORE ME at the \_\_\_\_\_ Town \_\_\_\_\_ of Parry Sound \_\_\_\_\_ in the  
District \_\_\_\_\_ of Parry Sound \_\_\_\_\_ this 11th \_\_\_\_\_ day  
of April \_\_\_\_\_ 20 22 \_\_\_\_\_

  
\_\_\_\_\_  
A Commissioner of Oaths

Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2024

## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorizations set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for Consent  
and/or Zoning By-law Amendment and I authorize \_\_\_\_\_ to make this application on  
my behalf.

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

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for  
Consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize  
\_\_\_\_\_, as my agent for this application, to provide any of my personal information that  
will be included in this application or collected during the processing of the application.

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

January 2022


**12. Consent of the Owner** (this section must be completed for the application to be processed)

12.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

I, TUAN NGUYEN, am the owner of the land that is the subject of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Date April 11, 2022


Signature of Owner 

**13. Additional Fees**

The applicant hereby agrees:

- (a) to reimburse the Parry Sound Area Planning Board for any costs incurred in processing this application which are above and beyond the amount of the application fee; and
- (b) to pay all costs legal and otherwise, that may be incurred by the Parry Sound Area Planning Board with respect to an OLT Hearing, that may be held as a result of this application for a consent and to provide a deposit for such costs at least 45 days prior to any scheduled hearing.

Date April 11, 2022

Signature of Owner 



McDougall Rd

Cramadog Lake

321.2

Agnes Lake

**SUBJECT  
LAND**

Bard Lake

Haines Lk Rd

McGruther Lake

Dell Lake

Fr 309A

Windfalls Trail

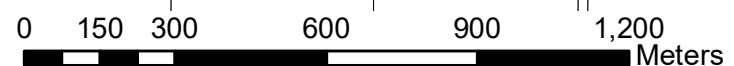
Home Lake

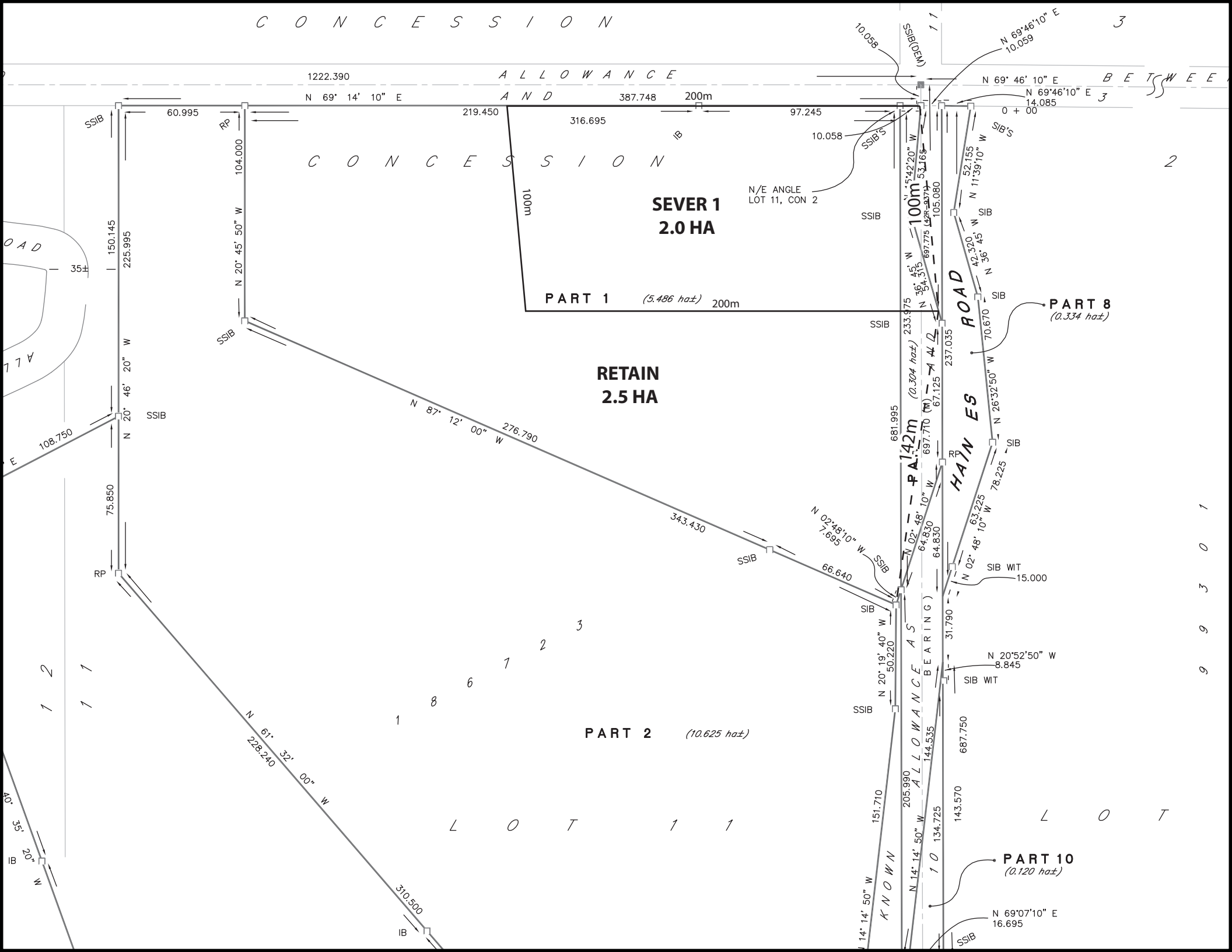
Finch Trl

Neville Lake

Haines Lake

Forbes Lake





C O N C E S S I O N

1222.390

A L L O W A N C E

N 69° 14' 10" E

A N D

387.748

200m

10.058

SSIB(DEM)

N 69° 46' 10" E  
10.059

3

B E T W E E N

C O N C E S S I O N

**SEVER 1  
2.0 HA**

N/E ANGLE  
LOT 11, CON 2

SSIB

**PART 1**

(5.486 ha±)

200m

**RETAIN  
2.5 HA**

N 87° 12' 00" W  
276.790

3

2

1

6

8

1

**PART 2**

(10.625 ha±)

N 61° 32' 00" W  
228.240

L O T

1 1

L O T

**PART 10**  
(0.120 ha±)

N 69° 07' 10" E  
16.695

SSIB

N 14° 14' 50" W  
143.570

10 134.725

144.535

205.990

151.710

687.750

143.570

687.750

143.570

687.750

143.570

687.750

143.570

687.750

SSIB

N 20° 19' 40" W  
50.220

31.790

64.830

64.830

64.830

64.830

64.830

64.830

64.830

64.830

64.830

64.830

64.830

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

SSIB

N 02° 48' 10" W  
7.695

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

66.640

# MUNICIPALITY OF McDOUGALL

[illegible]

<b>TYPE OF APPLICATION</b>	Consent - 1 New Rural Lot
<b>APPLICANT NAME</b>	B16/2022 (McD) Nguyen

CIRCULATE TO	INDICATE WITH X	COMMENTS YES OR NO	NAME
CHIEF BUILDING OFFICIAL	x	No	K. Dixon
MANAGER OF PUBLIC WORKS	x	No	T. Hunt
FIRE CHIEF	x	No	P. Shoenbottom
MUNICIPAL ENFORCEMENT	x	No	P. Shoenbottom
CAO	x	No	T. Hunt
PLANNER	x	Yes	L. West
TREASURER	x	No	S. Brisbane
OTHER - Environmental Services	x		

## COMMENTS OR ATTACH REPORT

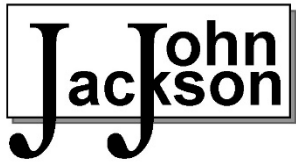
L. West: Subject lands are outside of the landfill impact area. Staff recommend the following conditions, in addition to the conditions set out by the PSAPB;

1. Approval of driveway location to the satisfaction of the Municipality's Director of

No clearance required by MTO

[illegible]





**Planner, Inc.**

1 Mall Drive Unit #2, Parry Sound, Ontario P2A 3A9

Tel: (705) 746-5667

E-Mail: JJPlan@Vianet.ca

**CONSENT APPLICATION NO. B17/2022(McD)**

**PROPOSED LOT ADDITION(S)/RIGHT-OF-WAY**

**PART OF LOT 1, CONCESSION 12**

**GEOGRAPHIC Township OF MCDOUGALL**

**P.I.N. 52121-0189**

**APPLICANT: ANDRZEJ AND TERESA JANIK**

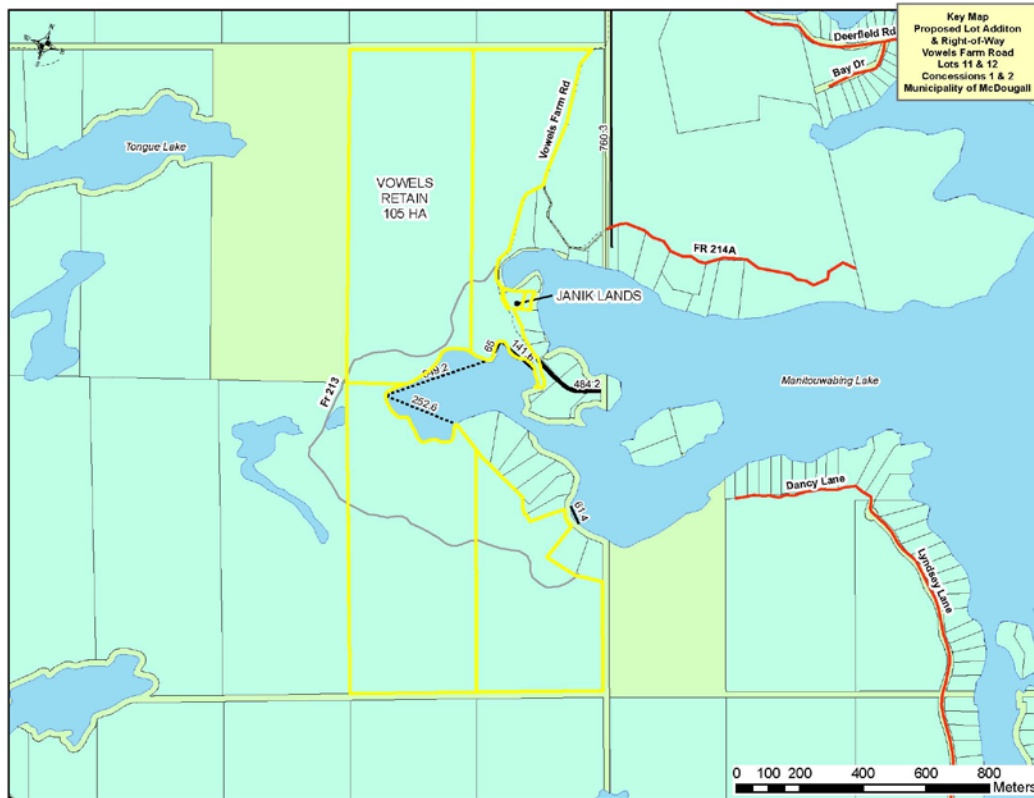
**May 26, 2022**

**APPLICATION PURPOSE**

Janiks have an existing cottage on Lake Manitouwabing that needs to have its access regularized.

This consent will include a proposed lot addition and right-of-way to provide a correct and registered right-of-way to the Janik lands over the Vowels land.

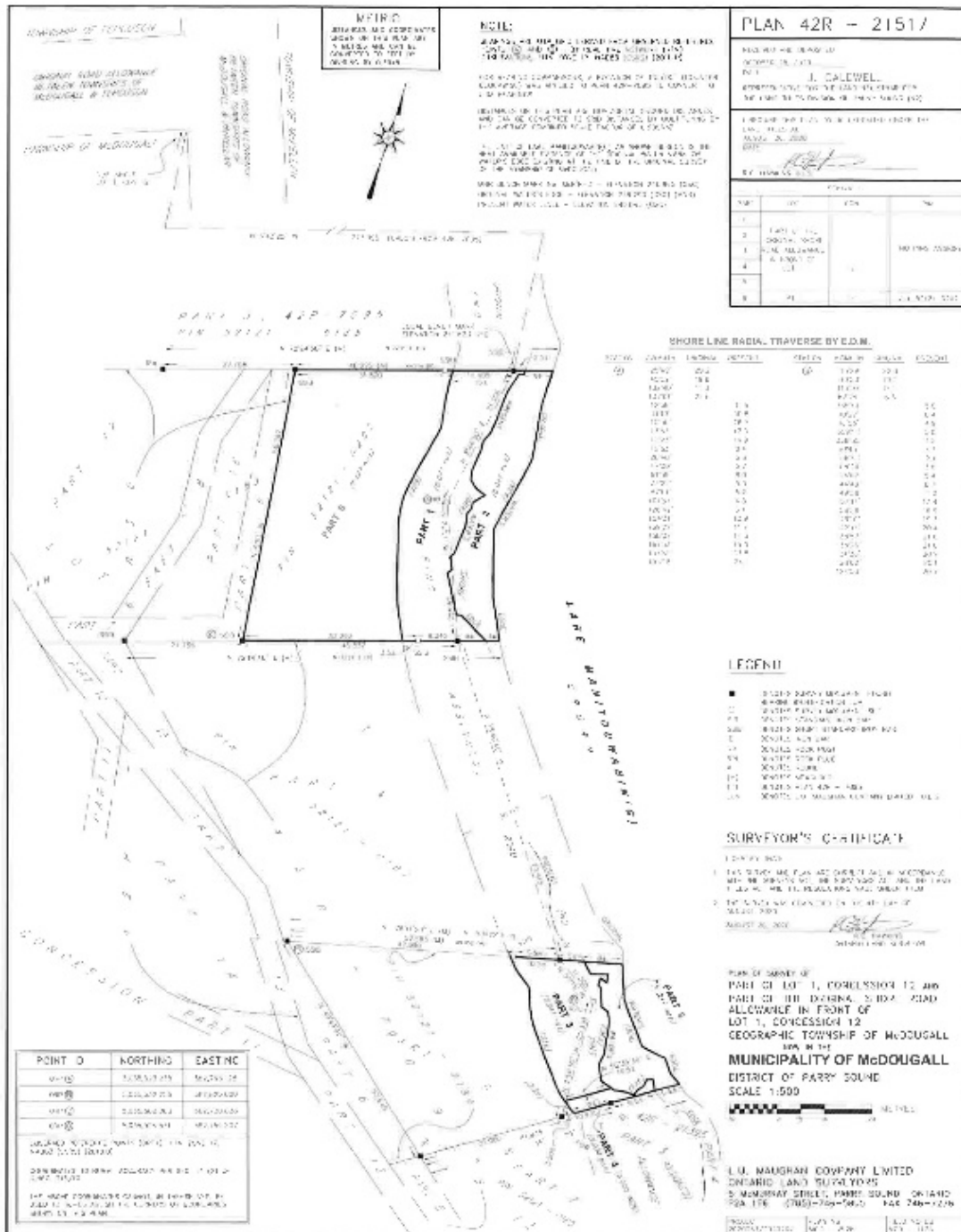
The Janiks have a signed agreement of purchase and sale.



Presently, the existing driveway is across a neighbouring property.

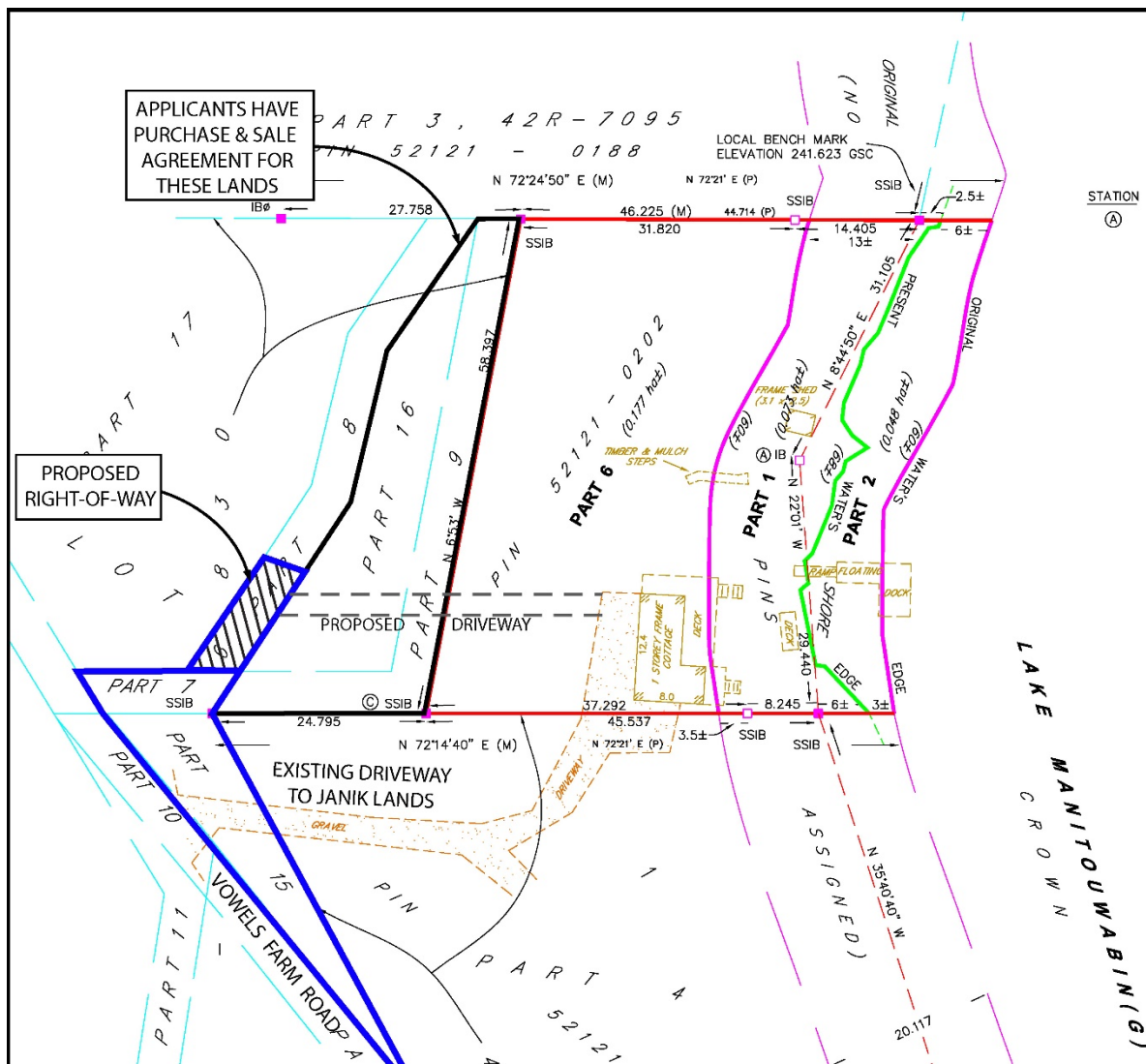


The Janiks own Parts 1,2 and 6 of Plan of Survey 42R-21517.



They have a legal registered right-of-way to their cottage lot over Vowels land (Parts 8, 9, 16 – 42R-7095). However, the actual driveway is across the neighbouring property to the south.

This application will add a portion of the Vowels land as a lot addition and confirm the registered right-of-way along the new driveway, all of which will avoid any additional surveys.



## PLANNING ANALYSIS

There are no policy issues respecting the proposed transaction to regularize the lot addition and rights-of-way from Vowels to Janik in Part of Lot 1, Concession 12 in the geographic Township of McDougall.

## **RECOMMENDATION**

It is recommended that the consent application for a lot addition and rights-of-way included Vowels land as applied for by Andrzej and Teresa Janik in Application No. B17/2022(McD) be approved subject to:

1. Confirming that the lot addition merges with benefitting lot; and
2. Payment of any applicable fees.

Respectfully,

A handwritten signature in blue ink that reads "John Jackson". The signature is written in a cursive, flowing style.

John Jackson M.C.I.P., R.P.P.

JJ; jc

**PARRY SOUND AREA PLANNING BOARD - APPLICATION FOR CONSENT**  
**70 Isabella Street, Unit #110, Parry Sound, Ontario P2A 1M6 (Phone 705-746-5216 Fax 705-746-1439)**

No. B19/2022(mcd)

**1. Applicant Information**

Name of Applicant Andrzej Janik and Teresa Janik  
Address 4011 Medland Drive  
Burlington, Ontario  
Postal Code L7M 4W7  
  
E-mail Address ajkinaj@gmail.com

Home Tel No. ( 905 ) 635 - 6731  
Business Tel No. ( 905 ) 320 - 2009 CELL  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.2 Name of Owner(s) (if different from the applicant). An owner's authorization is required in Section 12, if the applicant is not the owner.**

Name of Owner \_\_\_\_\_  
Address \_\_\_\_\_  
  
Postal Code \_\_\_\_\_  
  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)**

Name of Contact \_\_\_\_\_  
Address \_\_\_\_\_  
  
Postal Code \_\_\_\_\_  
  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**2. Purpose of this Application (check appropriate box)**

**2.1 Type and purpose of transaction for which application is being made**

☐ creation of a new lot      ☒ lot additions      ☐ easement      ☒ right-of-way      ☐ lease  
☐ correction of title      ☐ charge      ☐ other (specify, e.g., partial discharge of mortgage)

Explain: To have a legal access to the existing property

**3. Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known and specify relationship to present owner, if any.**

3.1 Lot 1 Andrzej Janik and Teresa Janik Lot 2 \_\_\_\_\_ Lot 3 \_\_\_\_\_

**4. Location of the Subject Land Roll / PIN No.(s) 52121-0189**

4.1 Municipality McDougall Lot(s) No.(s) PT1 Concession No. 12  
Street Name and No. N/A M-Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Registered Plan No. Part(s) 42R-6830 PTS 12 & 14 TO 17 Parcel No. N/A

May 28, 2019



## 5. Easements or restrictive covenants

5.1 Are there any easements or restrictive covenants affecting the subject land? ☐ NO ☒ YES

If YES, describe the easement or covenant and its effect:

Access to neighbouring property

## 6. Description of Lands to be Divided and Servicing Information (Complete each subsection)

6.1

	Frontage (m)	Depth (m)	Area (ha)	Existing Uses	Proposed Uses	Existing Structures	Proposed Structures
Retained Lot	±600	±400	105	Vacant	Vacant	None	None
Lot Addition		±14	0.08	Vacant	Residential	None	None
Right-of-way	5	±12		right-of-way	Property Access	None	None
Benefiting Lot	57.7	±47.7	0.25	Residential	Residential	Cottage, Shed	Unknown
Severed Lot 1							
Severed Lot 2							
Severed Lot 3							

6.2 Access (check appropriate space)

	Name	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Provincial Highway						
Municipal (maintained all year)						
Municipal (Seasonal)						
Other public road						
Right of way	Driveway from Vowels Farm Road		X			
Water Access						

If Water Access Only

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Parking and docking facilities to be used					
Approximate distance of these facilities from the subject land					
The nearest public road					

6.4 Water Supply (enter in appropriate space - **E** for Existing or **P** for Proposed)

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated piped water system					
Privately owned and operated individual well					
Privately owned and operated communal well					
Other public road					
Lake or other waterbody		E			
Other means					

6.5 Sewage Disposal - enter in appropriate space - **E for Existing or P for Proposed**

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated sanitary sewage system					
Privately owned and operated individual septic tank		E			
Privately owned and operated communal well					
Privately owned and operated communal septic system					
Privately owned and operated communal septic system					
Privy					
Other means					

**7. Official Plan**

7.1 What is the current designation of the subject land in the Official Plan: Waterfront

**8. Current Application**

8.1 Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application and/or Plan No.

\_\_\_\_\_

8.2 Has the land ever been the subject of a consent under section 53 of the Planning Act.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.3 Is the subject land currently the subject of an official plan amendment, zoning by-law, a Minister's zoning order, a minor variance, an approval of a plan of subdivision or a consent.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.4 Are there additional consents being applied for on these holdings simultaneously with this application, or being considered for the future?

☐ YES ☒ NO ☐ UNKNOWN

**9. Original Parcel**

9.1 Has any land been severed from the parcel originally acquired by the owner of the subject land.

☐ YES ☒ NO ☐ UNKNOWN

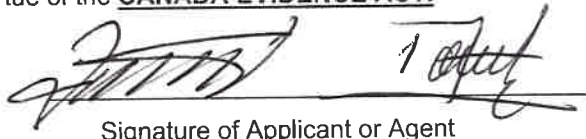
If **YES**, and if known, specify the date of the transfer, the name of the transferee and the land use on the severed land. \_\_\_\_\_

## 10. Affidavit / Sworn Declaration

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit / Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the Town \_\_\_\_\_ of Parry Sound \_\_\_\_\_ this 12th \_\_\_\_\_ day  
of April \_\_\_\_\_ 20 22 \_\_\_\_\_

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

  
Signature of Applicant or Agent

DECLARED BEFORE ME at the Town \_\_\_\_\_ of Parry Sound \_\_\_\_\_ in the  
District \_\_\_\_\_ of Parry Sound \_\_\_\_\_ this 12th \_\_\_\_\_ day  
of April \_\_\_\_\_ 20 22 \_\_\_\_\_.

  
A Commissioner of Oaths

Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2024

## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorizations set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for Consent  
and/or Zoning By-law Amendment and I authorize \_\_\_\_\_ to make this application on  
my behalf.

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

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for  
Consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize  
\_\_\_\_\_, as my agent for this application, to provide any of my personal information that  
will be included in this application or collected during the processing of the application.

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

**12. Consent of the Owner** (this section must be completed for the application to be processed)

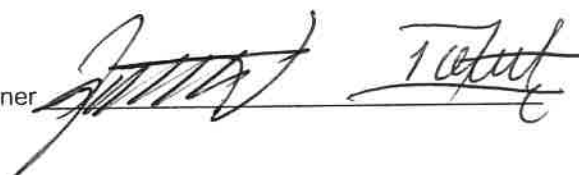
12.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

I, Andrzej Janik and Teresa Janik, am the owner of the land that is the subject of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Date April 12, 2022

Signature of Owner



**13. Additional Fees**

The applicant hereby agrees:

- (a) to reimburse the Parry Sound Area Planning Board for any costs incurred in processing this application which are above and beyond the amount of the application fee; and
- (b) to pay all costs legal and otherwise, that may be incurred by the Parry Sound Area Planning Board with respect to an LPAT Hearing, that may be held as a result of this application for a consent and to provide a deposit for such costs at least 45 days prior to any scheduled hearing.

Date April 12, 2022

Signature of Owner





# MUNICIPALITY OF McDOUGALL

INTERNAL CIRCULATION CHECKLIST	
1. <input type="checkbox"/> All required documents are present and complete.	
2. <input type="checkbox"/> All documents are properly filed and indexed.	
3. <input type="checkbox"/> All documents are properly labeled and dated.	
4. <input type="checkbox"/> All documents are properly stored and secured.	
5. <input type="checkbox"/> All documents are properly handled and disposed of.	
6. <input type="checkbox"/> All documents are properly maintained and updated.	
7. <input type="checkbox"/> All documents are properly reviewed and approved.	
8. <input type="checkbox"/> All documents are properly signed and stamped.	
9. <input type="checkbox"/> All documents are properly filed and indexed.	
10. <input type="checkbox"/> All documents are properly labeled and dated.	
11. <input type="checkbox"/> All documents are properly stored and secured.	
12. <input type="checkbox"/> All documents are properly handled and disposed of.	
13. <input type="checkbox"/> All documents are properly maintained and updated.	
14. <input type="checkbox"/> All documents are properly reviewed and approved.	
15. <input type="checkbox"/> All documents are properly signed and stamped.	

<b>TYPE OF APPLICATION</b>	Consent - Lot Addition/Right-of-Way
<b>APPLICANT NAME</b>	B17/2022 (McD) Janik

CIRCULATE TO	INDICATE WITH X	COMMENTS YES OR NO	NAME
CHIEF BUILDING OFFICIAL	x	No	K. Dixon
MANAGER OF PUBLIC WORKS	x	No	T. Hunt
FIRE CHIEF	x	No	P. Shoenbottom
MUNICIPAL ENFORCEMENT	x	No	P. Shoenbottom
CAO	x	No	T. Hunt
PLANNER	x	Yes	L. West
TREASURER	x	No	S. Brisbane
OTHER - Environmental Services	x		

## COMMENTS OR ATTACH REPORT

L. West: Lands subject to the lot addition are zoned RU, Council may wish to impose a condition to rezone to WF1-LS to align with the benefitting lands.

[illegible]





**Planner, Inc.**

1 Mall Drive Unit #2, Parry Sound, Ontario P2A 3A9

Tel: (705) 746-5667

E-Mail: JJPlan@Vianet.ca

**CONSENT APPLICATION NO. B18/2022(McD)**

**PART OF LOT 26, CONCESSION 8**

**STEAMWHISTLE LANE**

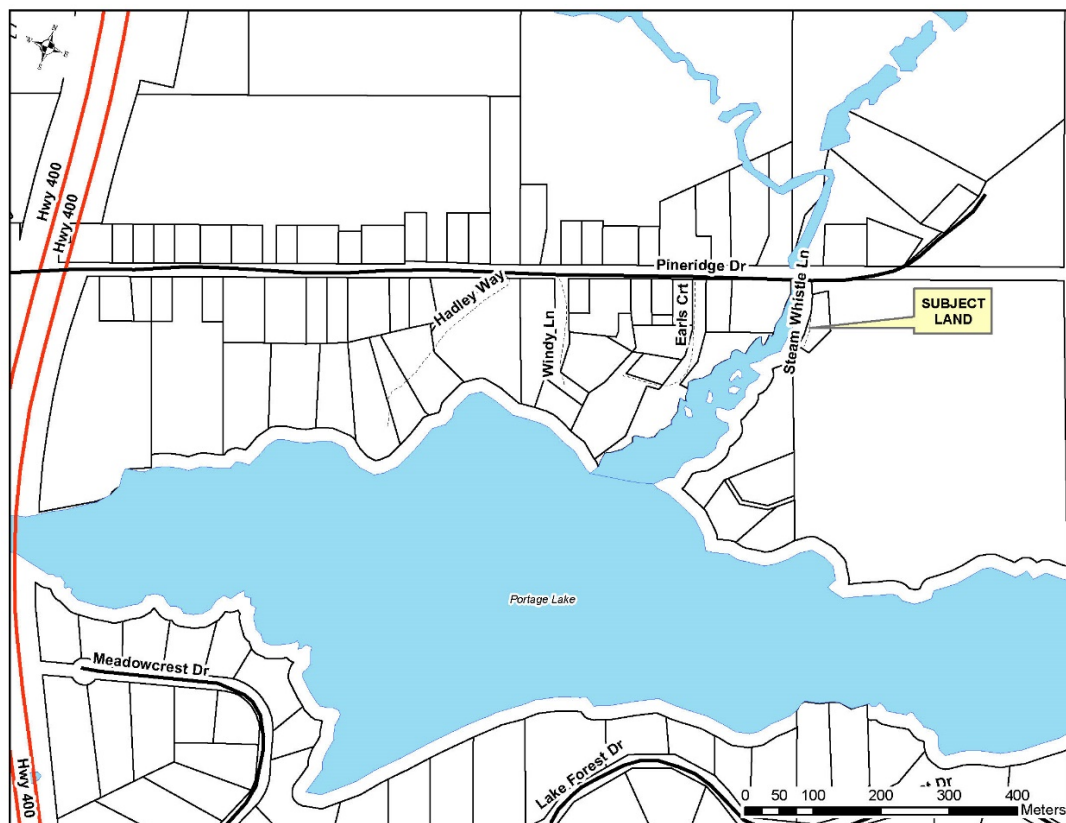
**GEOGRAPHIC TOWNSHIP OF McDOUGALL**

**APPLICANT(S): GARY AND KAREN PHILLIPS**

**MAY 24, 2022**

**APPLICATION PURPOSE**

The owner of the lands off Steamwhistle Lane have determined that the owners of the adjacent lands to their lands along Pine Ridge Road include lands that need a technical consent to recognize conditions that exist on the ground.

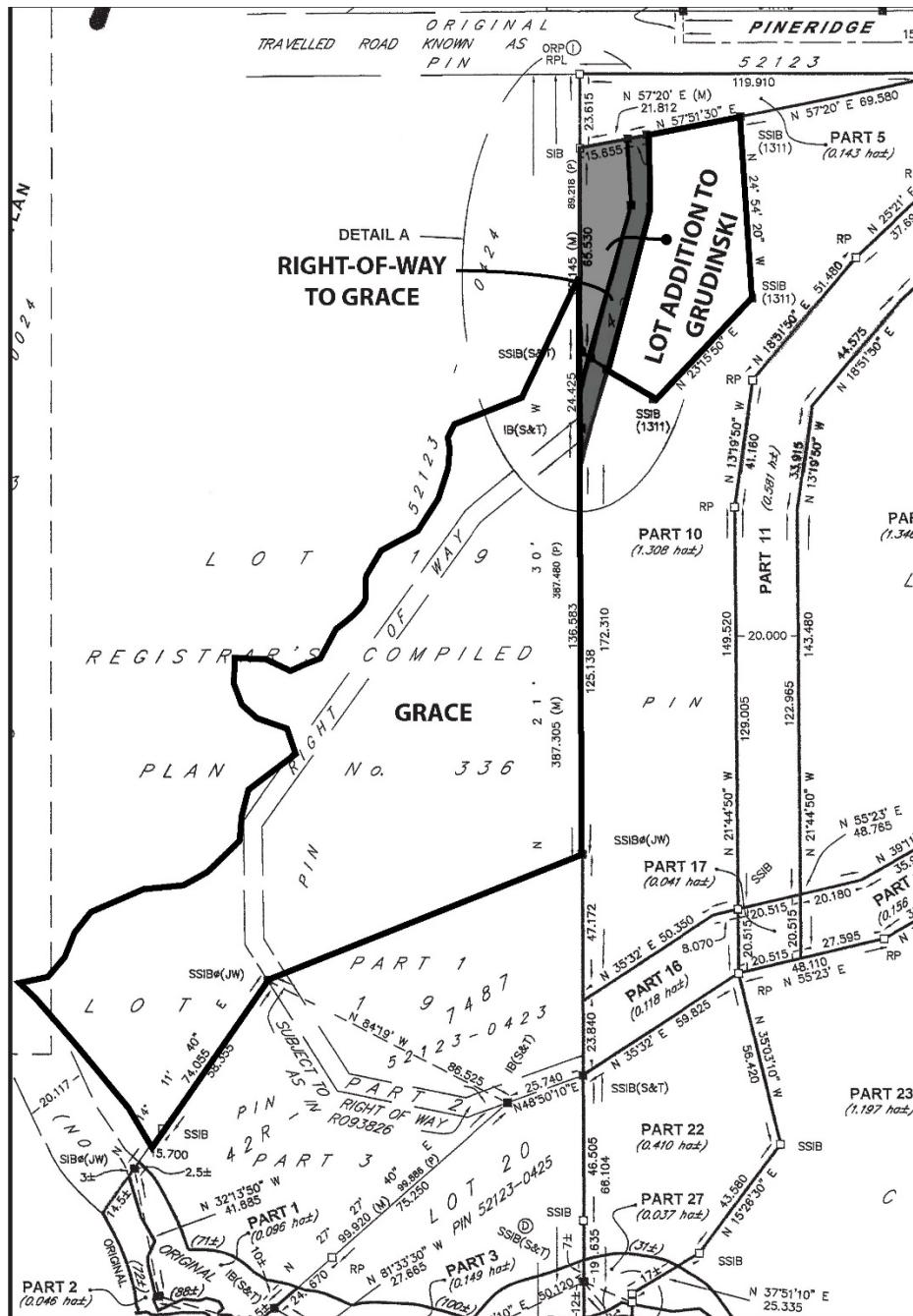


The proposed consent will regularize the conditions that exist for the subject lands.

This transaction will include a lot addition that will be subject to a right-of-way for lands beyond the lot addition.

## PROPOSED CONSENT

The transaction includes a concurrent lot addition and right-of-way as shown on the sketch below.



The air photo illustrates that there will be no change to the conditions on “the ground”.



There are not believed to be any planning issues respecting this application.

### **CONCLUSION/RECOMMENDATION**

It is recommended that consent application No. B18/2022(McD) as applied for by Gaer2Corp. and Karen Phillips be approved for a lot addition and right-of-way subject to the following conditions:

1. That the applicant have its lawyer confirm that the lot addition will merge with the benefitting lot; and
2. Payment of any applicable planning fees.

Respectfully,

A handwritten signature in blue ink that reads "John Jackson". The signature is written in a cursive, flowing style.

John Jackson M.C.I.P., R.P.P.  
JJ; jc

**PARRY SOUND AREA PLANNING BOARD - APPLICATION FOR CONSENT**  
**1 Mall Drive, Unit #2, Parry Sound, Ontario P2A 3A9 (Phone 705-746-5216)**

No. B 18/2022 (mcd)

**1. Applicant Information**

Name of Applicant GAER2 CORP. & KAREN PHILLIPS  
Address 24 STONEMAN DR.  
SEGUIN, ON  
Postal Code P2A 2W8  
  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.2 Name of Owner(s) (if different from the applicant). An owner's authorization is required in Section 12, if the applicant is not the owner.**

Name of Owner \_\_\_\_\_  
Address \_\_\_\_\_  
  
Postal Code \_\_\_\_\_  
  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)**

Name of Contact \_\_\_\_\_  
Address \_\_\_\_\_  
  
Postal Code \_\_\_\_\_  
  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**2. Purpose of this Application (check appropriate box)**

**2.1 Type and purpose of transaction for which application is being made**

creation of a new lot      ☒ lot additions      easement      ☒ right-of-way      lease  
correction of title      charge      other (specify, e.g., partial discharge of mortgage)

Explain: \_\_\_\_\_

**3. Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known and specify relationship to present owner, if any.**

3.1 Lot 1 Theodore and Christine Grace Lot 2 Ted and Susan Grudzinski Lot 3 \_\_\_\_\_

**4. Location of the Subject Land Roll / PIN No.(s) \_\_\_\_\_**

4.1 Municipality McDougall Lot(s) No.(s) 26 Concession No. 8  
Street Name and No. \_\_\_\_\_ M-Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Registered Plan No. Part(s) 42R-21786 Parts 6-9 Parcel No. \_\_\_\_\_



## 5. Easements or restrictive covenants

5.1 Are there any easements or restrictive covenants affecting the subject land? NO ☒ YES

If YES, describe the easement or covenant and its effect:

Right-of-way (Steam Whistle Lane)

## 6. Description of Lands to be Divided and Servicing Information (Complete each subsection)

6.1

	Frontage (m)	Depth (m)	Area (ha)	Existing Uses	Proposed Uses	Existing Structures	Proposed Structures
Retained Lot	124	±468	5.1	Vacant	Residential	None	Dwelling
Lot Addition	N/A	65	0.14	Vacant	Residential	None	Unknown
Right-of-way	6.1	108	0.059	Vacant	Right-of-way	None	None
Benefiting Lot	30.7	85	0.27	Residential	Residential	Dwelling	Unknown
Severed Lot 1							
Severed Lot 2							
Severed Lot 3							

6.2 Access (check appropriate space)

	Name	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Provincial Highway						
Municipal (maintained all year)	Pineridge Drive		X			
Municipal (Seasonal)						
Other public road						
Right of way	Steam Whistle Lane	X				
Water Access		X				

If Water Access Only

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Parking and docking facilities to be used					
Approximate distance of these facilities from the subject land					
The nearest public road					

6.4 Water Supply (enter in appropriate space - E for Existing or P for Proposed)

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated piped water system					
Privately owned and operated individual well		E			
Privately owned and operated communal well					
Other public road					
Lake or other waterbody	P				
Other means					

6.5 Sewage Disposal - enter in appropriate space - **E for Existing or P for Proposed**

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated sanitary sewage system					
Privately owned and operated individual septic tank	P	E			
Privately owned and operated communal well					
Privately owned and operated communal septic system					
Privately owned and operated communal septic system					
Privy					
Other means					

**7. Official Plan**

7.1 What is the current designation of the subject land in the Official Plan: Nobel Settlement Area

**8. Current Application**

8.1 Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act.

YES ☒ NO UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application and/or Plan No.

\_\_\_\_\_

8.2 Has the land ever been the subject of a consent under section 53 of the Planning Act.

☒ YES NO UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

B35 2020 MCD Phillips

8.3 Is the subject land currently the subject of an official plan amendment, zoning by-law, a Minister's zoning order, a minor variance, an approval of a plan of subdivision or a consent.

YES ☒ NO UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.4 Are there additional consents being applied for on these holdings simultaneously with this application, or being considered for the future?

YES ☒ NO UNKNOWN

**9. Original Parcel**

9.1 Has any land been severed from the parcel originally acquired by the owner of the subject land.

☒ YES NO UNKNOWN

If **YES**, and if known, specify the date of the transfer, the name of the transferee and the land use on the severed land. \_\_\_\_\_

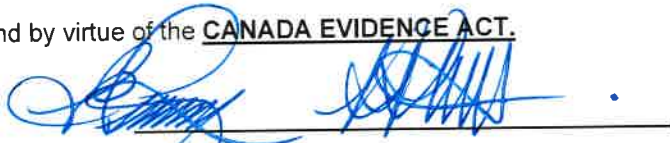


## 10. Affidavit / Sworn Declaration

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit / Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the Town of Parry Sound this 25 day  
of April 2022

I, Gaer2 Corp. & Karen Phillips of the Township of Seguin in the  
County/District/Regional Municipality of Parry Sound solemnly declare that all the statements  
contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing  
that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT.**

  
Signature of Applicant or Agent

DECLARED BEFORE ME at the Town of Parry Sound in the  
District of Parry Sound this 25 day  
of April 2022.



A Commissioner of Oaths

Patrick James Christie, a Commissioner, etc.,  
Province of Ontario, for John Jackson Planner Inc.,  
Expires October 12, 2024

## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorizations set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I, Karen Phillips, am the owner of the land that is the subject of this application for Consent and/or Zoning By-law Amendment and I authorize Gaer2 Corp. to make this application on my behalf.

Date April 25, 2022

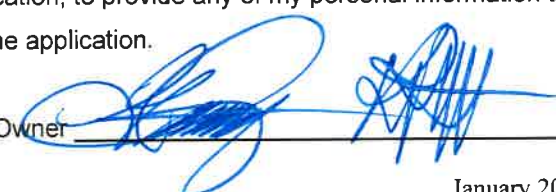
Signature of Owner 

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I, Karen Phillips, am the owner of the land that is the subject of this application for Consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize Gaer2 Corp. as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date April 25, 2022

Signature of Owner 

**12. Consent of the Owner** (this section must be completed for the application to be processed)

12.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

I, Gaer2 Corp. & Karen Phillips, am the owner of the land that is the subject of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Date April 25, 2022

Signature of Owner

**13. Additional Fees**

The applicant hereby agrees:

- (a) to reimburse the Parry Sound Area Planning Board for any costs incurred in processing this application which are above and beyond the amount of the application fee; and
- (b) to pay all costs legal and otherwise, that may be incurred by the Parry Sound Area Planning Board with respect to an OLT Hearing, that may be held as a result of this application for a consent and to provide a deposit for such costs at least 45 days prior to any scheduled hearing.

Date April 25, 2022

Signature of Owner

Plans / Sketches	
SKETCHES TO BE SUBMITTED MUST BE <b>BLACK AND WHITE ON PAPER 8 1/2" x 11"</b>	
ONE COPY OF SKETCH, IF REPRODUCABLE	
ALL LETTERING MUST BE LEGIBLE. USE MULTIPLE SKETCHES AT DIFFERENT SCALES IF NECESSARY	
	Key Map – Available on the Planning Board Website ( <a href="http://www.psapb.ca">www.psapb.ca</a> ) <a href="http://psapb.ca/index.php/planning-board/forms/application-forms">http://psapb.ca/index.php/planning-board/forms/application-forms</a>
	North Arrow
	clearly defined boundaries of severed and retained lots
	if more than one severed lot, label the severed lots according to the application (Section 6)
	the boundaries & dimensions of any land abutting the subject land that is owned by the owner of the subject land
	the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing
	the dimensions of the subject land, the part that is to be severed and the part that is to be retained
	the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
	the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
	the existing uses on adjacent land, such as residential, agricultural and commercial uses
	the location, width and name of any roads within or abutting the subject land indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way
	the location and nature of any easement affecting the subject land

## **PLANNING BOARD**

### **2022 Fees**

**Base Fee \$1500 + \$750 per lot/lot addition, \$250 for each additional lot addition, \$250 per right-of-way + \$500 deposit for Professional Planning Services**

**Change of Condition / Re-approval Fee (before lapsing) \$750 Stamping Fee for Retained Lot (Optional): \$750**

**A fee of \$325 payable to the Town of Parry Sound is required for any application within the Town of Parry Sound.**

**A fee of \$333 payable to the Township of Carling is required for any application within the Township of Carling (The Township deposit will be reconciled in accordance with the Townships standard rate for their planner for actual time taken).**

### **NOTE:**

Additional expenses may be incurred (ie. Legal, Planning, Survey, Rezoning, Minor Variance, Parkland Fee) and are the responsibility of the applicant.

ORIGINAL  
TRAVELLED ROAD KNOWN AS  
PIN

PINERIDGE

52123

DETAIL A  
RIGHT-OF-WAY  
TO GRACE

LOT ADDITION TO  
GRUDINSKI

PART 5  
(0.143 ha±)

PART 10  
(1.308 ha±)

PART 11  
(0.581 ha±)

PART 12  
(1.346 ha±)

GRACE

PLAN

No. 336

PART 17  
(0.041 ha±)

PART 16  
(0.118 ha±)

PART 23  
(1.197 ha±)

PART 22  
(0.410 ha±)

PART 27  
(0.037 ha±)

PART 2  
(0.046 ha±)

PART 1  
197487  
123-0423  
SUBJECT TO  
RIGHT OF WAY  
R093826

LOT 20  
PIN 52123-0425

PART 3  
(0.149 ha±)

LOT 19

PART 3  
(0.096 ha±)

PART 22  
(0.410 ha±)

PART 27  
(0.037 ha±)

PART 23  
(1.197 ha±)

PART 22  
(0.410 ha±)

PART 27  
(0.037 ha±)

PART 2  
(0.046 ha±)

PART 1  
197487  
123-0423  
SUBJECT TO  
RIGHT OF WAY  
R093826

LOT 20  
PIN 52123-0425

PART 3  
(0.149 ha±)

LOT 19

PART 3  
(0.096 ha±)

**MUNICIPALITY OF McDOUGALL**

[illegible]

<b>TYPE OF APPLICATION</b>	Consent - Lot Addition
<b>APPLICANT NAME</b>	B18/2022 (McD) Phillips

CIRCULATE TO	INDICATE WITH X	COMMENTS YES OR NO	NAME
CHIEF BUILDING OFFICIAL	x	No	K. Dixon
MANAGER OF PUBLIC WORKS	x	No	T. Hunt
FIRE CHIEF	x	No	P. Shoenbottom
MUNICIPAL ENFORCEMENT	x	No	P. Shoenbottom
CAO	x	No	T. Hunt
PLANNER	x	No	L. West
TREASURER	x	No	S. Brisbane
OTHER - Environmental Services	x		

## COMMENTS OR ATTACH REPORT

[illegible]

**CONSENT APPLICATION NO. B20/2022(McD)**

**PART OF LOT 13, CONCESSION A.**

**GEOGRAPHIC Township OF FERGUSON**

**PART 3 42R-10410**

**ROLL # 0200010 1301**

**528 HIGHWAY NO. 124**

**APPLICANT: James Richard Simmons**

**June 6, 2022**

**PURPOSE OF APPLICATION**

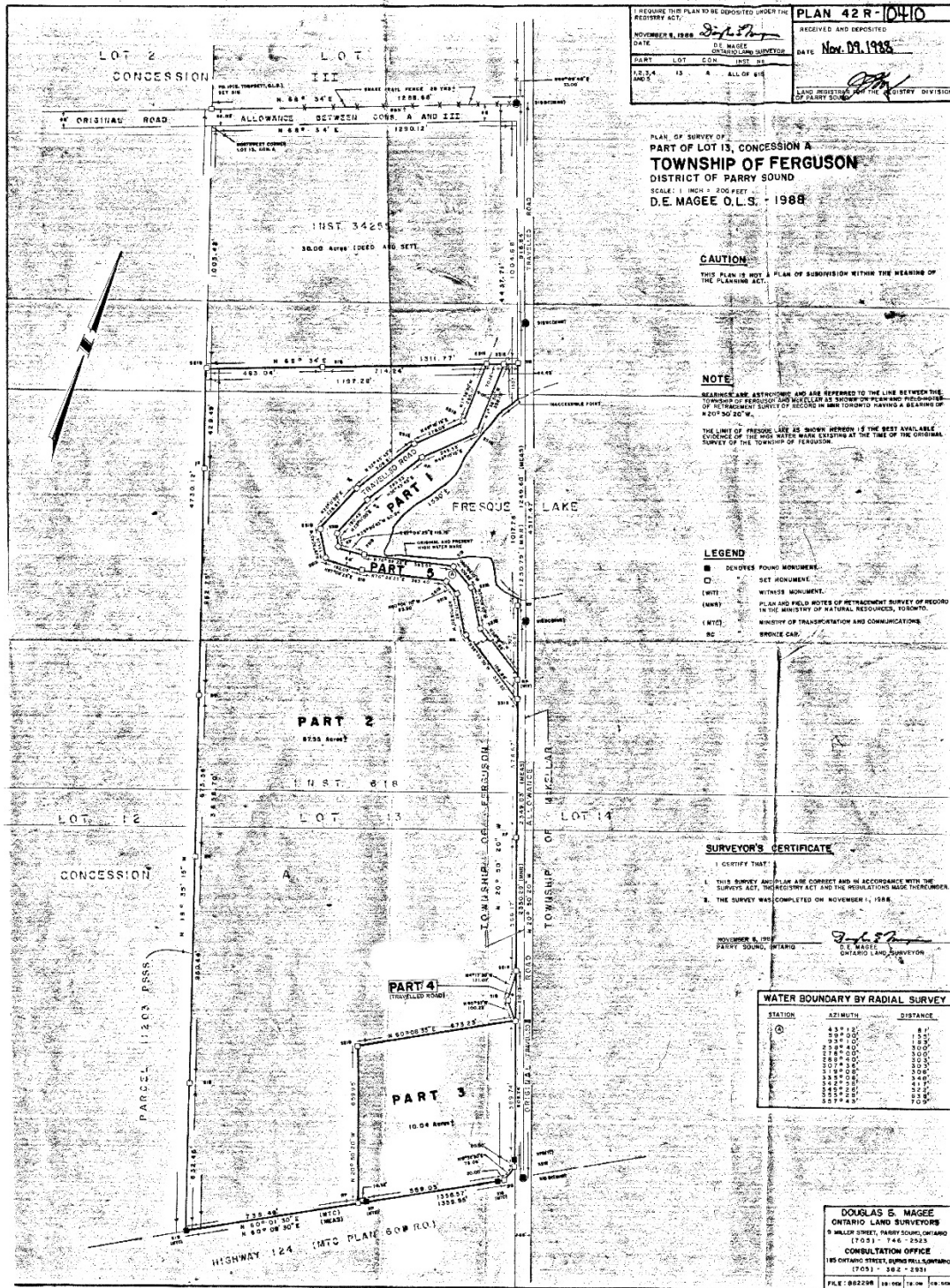
Mr. Simmons is proposing to divide his property at the corner of Highway No. 124 and McKellar Ferguson Boundary Road. The consent will create one new rural lot fronting Highway No. 124.





## PROPERTY DESCRIPTION

The property is rectangular in shape and is occupied by a dwelling and a number of outbuildings. The lands are approximately 200 metres of frontage on the highway with 4 hectares.



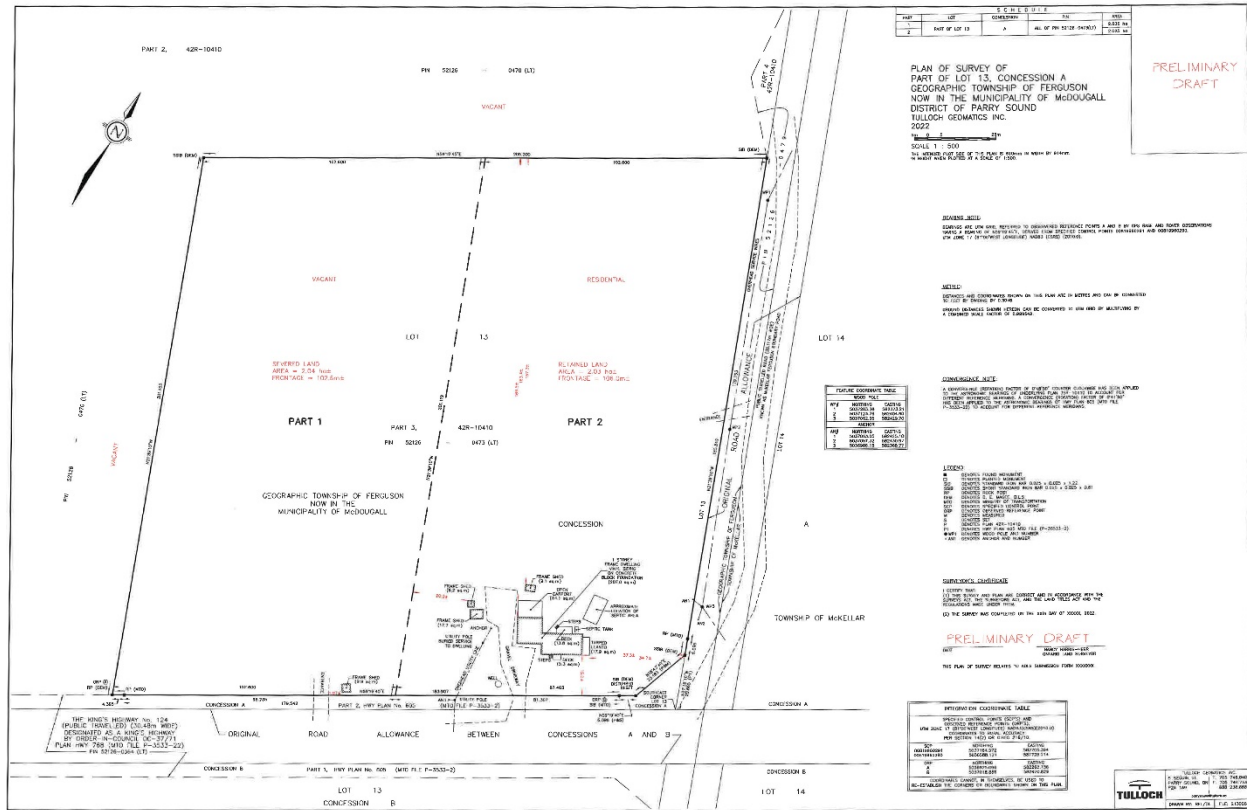
The lands were created in November, 1988.

The property includes open fields and forested areas with a small creek that drains to a wetland to the east. There are few constraints to the future development of the lands.



## PROPOSED CONSENT

The application will divide the property exactly in half.



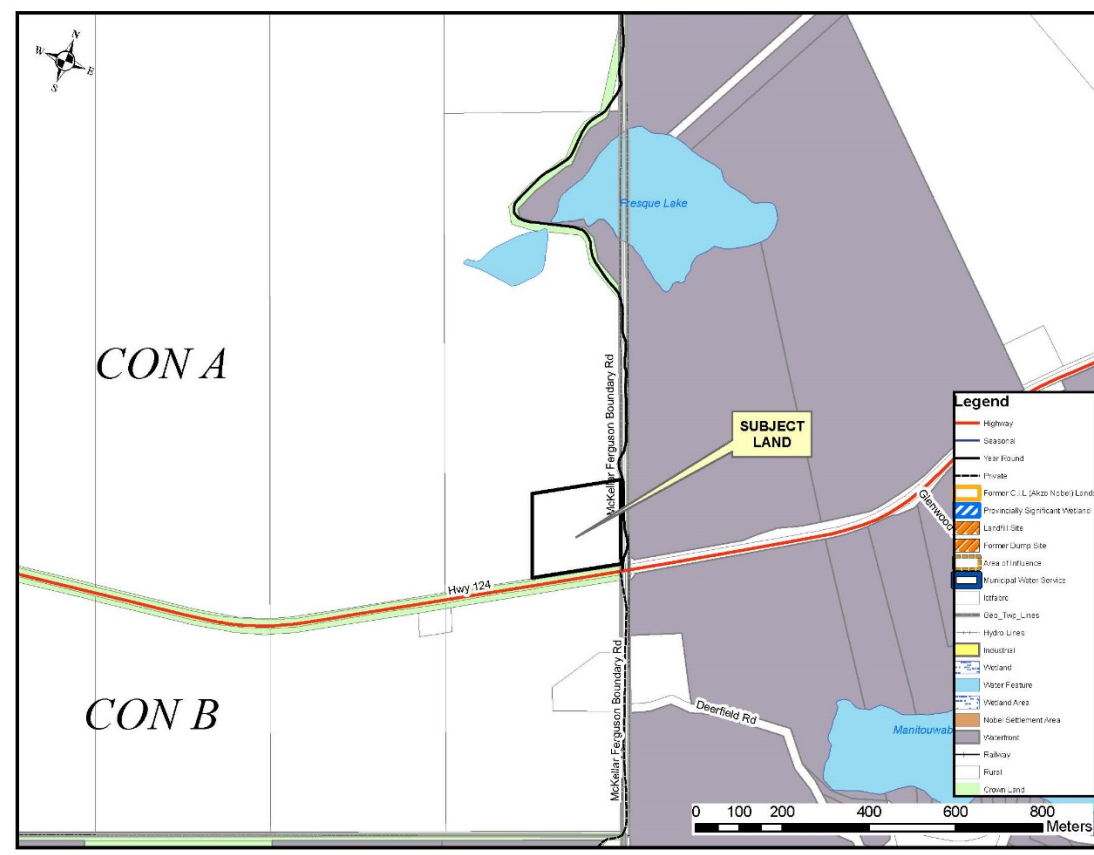
It will create two lots, each having 2 hectares and approximately 100 metres frontage on the highway.

It appears from the consent sketch, both severed and retained lands have entrances off Highway No. 124.M.T.O. will be circulated the application.



## **OFFICIAL PLAN**

The subject lands are designated Rural on the McDougall Official Plan.



The minimum standard for new lots in the Rural area are 1.0 hectares and 100 metres of road frontage (see section 19.02.4 (d)). The proposed consent will meet the performance standards set out in the official plan.

Under section 9.0 – ROADS AND TRANSPORTATION,

***“9.01 The Ministry of Transportation must approve any new entrances or changes to existing entrances.”***

## **PROVINCIAL POLICY STATEMENTS (P.P.S.)**

The subject lands are considered “Rural Lands in Municipalities” under the P.P.S. and are to be considered under policy 1.1.5.

### ***1.1.5 Rural Lands in Municipalities***

***1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.***

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

- a) the management or use of resources;**
- b) resource-based recreational uses (including recreational dwellings);**
- c) residential development, including lot creation, that is locally appropriate;**
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;**
- e) home occupations and home industries;**
- f) cemeteries; and**
- g) other rural land uses.**

**1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.**

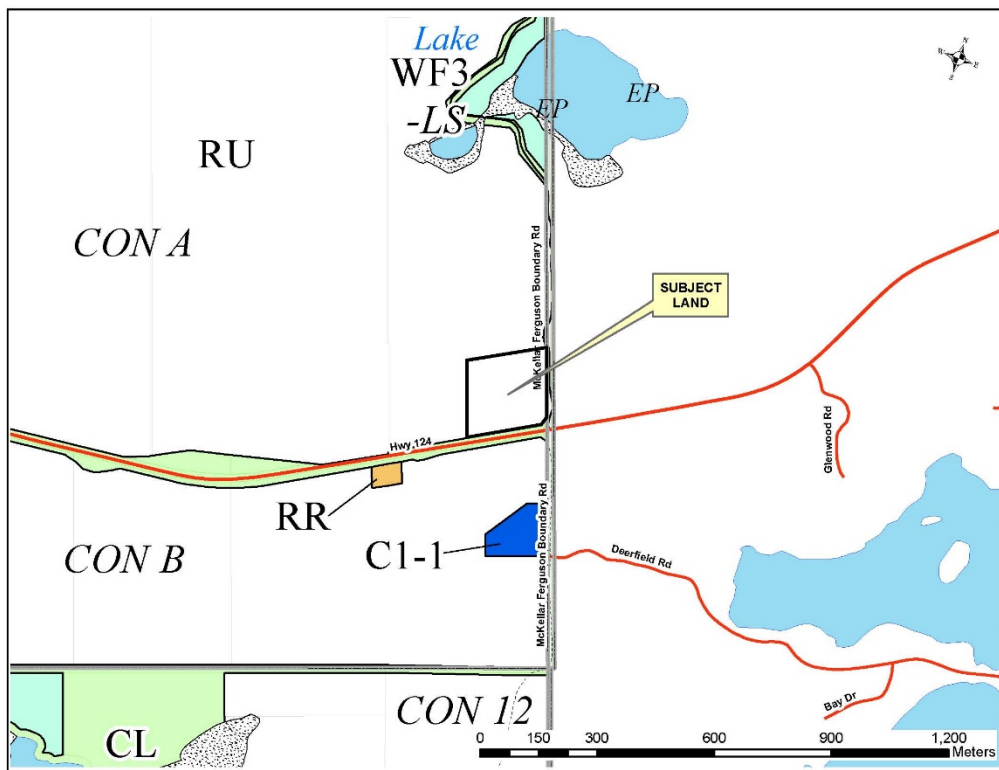
**1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.**

**1.1.5.5 Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.**

The proposed consent is consistent with these provincial policies.

## **ZONING**

The subject lands are zoned Rural (RU).



The minimum standards for the Rural (RU) Zone are 100 metres of frontage and 1.0 hectares of lot area.

The proposed consent complies with the performance standards of the By-Law.

### **CONCLUSION/RECOMMENDATION**

That the application to create one new rural lot by James Simmons at 528 Highway 124 as applied for in consent application B20/2022(McD) be approved subject to the following conditions:

1. Payment of the required fee in lieu of parkland as required by the Municipality's fee By-Law.
2. Clearance letter from M.T.O.
3. 911 Addressing.
4. Payment of any planning fees.

Respectfully submitted,



John Jackson M.C.I.P., R.P.P.

JJ;jc



**PARRY SOUND AREA PLANNING BOARD - APPLICATION FOR CONSENT**  
**70 Isabella Street, Unit #110, Parry Sound, Ontario P2A 1M6 (Phone 705-746-5216 Fax 705-746-1439)**

No. B 20/2022 (mcd)

**1. Applicant Information**

Name of Applicant TULLOCH Geomatics Inc. Attn. Nancy Harris Herr  
Address 5 Seguin Street  
Parry Sound, ON  
Postal Code P2A 1A9  
E-mail Address nancy.harris-herr@TULLOCH.ca

Home Tel No. ( )  
Business Tel No. (705) 746-8404  
Home Fax Tel No. ( )  
Business Fax Tel No. (705) 746-7685

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.2 Name of Owner(s) (if different from the applicant). An owner's authorization is required in Section 12, if the applicant is not the owner.**

Name of Owner James Richard Simmons  
Address 528 Hwy 124  
McDougall, ON  
Postal Code P2A 2W7  
E-mail Address northerjim@gmail.com

Home Tel No. (705) 346-1754  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)**

Name of Contact \_\_\_\_\_  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
E-mail Address \_\_\_\_\_

Home Tel No. ( )  
Business Tel No. ( )  
Home Fax Tel No. ( )  
Business Fax Tel No. ( )

Note: By providing your E-mail address you consent to receiving correspondence regarding this file by E-mail.

**2. Purpose of this Application (check appropriate box)**

**2.1 Type and purpose of transaction for which application is being made**

- ☒ creation of a new lot      ☐ lot additions    ☐ easement    ☐ right-of-way    ☐ lease  
☐ correction of title      ☐ charge      ☐ other (specify, e.g., partial discharge of mortgage)

Explain: \_\_\_\_\_

**3. Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known and specify relationship to present owner, if any.**

3.1 Lot 1 Unknown Lot 2 \_\_\_\_\_ Lot 3 \_\_\_\_\_

**4. Location of the Subject Land Roll / PIN No.(s) 493102000101301**

4.1 Municipality McDougall Lot(s) No.(s) 13 Concession No. A  
Street Name and No. 528 Hwy 124 M-Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Registered Plan No. Part(s) Part 3, 42R-10410 Parcel No. \_\_\_\_\_

May 28, 2019

## 5. Easements or restrictive covenants

5.1 Are there any easements or restrictive covenants affecting the subject land? ☒ NO ☐ YES

If YES, describe the easement or covenant and its effect:

## 6. Description of Lands to be Divided and Servicing Information (Complete each subsection)

6.1

	Frontage (m)	Depth (m)	Area (ha)	Existing Uses	Proposed Uses	Existing Structures	Proposed Structures
Retained Lot	106.0+/-	201.1+/_	2.03+/-	Residential	Residential	Dwelling, carport, 3 sheds	none
Lot Addition							
Right-of-way							
Benefiting Lot							
Severed Lot 1	102.6+/-	201.1+/-	2.04+/_	Vacant	Residential	none	unknown
Severed Lot 2							
Severed Lot 3							

6.2 Access (check appropriate space)

	Name	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Provincial Highway	Highway 124	X		X		
Municipal (maintained all year)						
Municipal (Seasonal)						
Other public road						
Right of way						
Water Access						

If Water Access Only

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Parking and docking facilities to be used					
Approximate distance of these facilities from the subject land					
The nearest public road					

6.4 Water Supply (enter in appropriate space - **E** for Existing or **P** for Proposed)

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated piped water system					
Privately owned and operated individual well	E		P		
Privately owned and operated communal well					
Other public road					
Lake or other waterbody					
Other means					

6.5 Sewage Disposal - enter in appropriate space - **E for Existing or P for Proposed**

	Retained	Benefiting Lot	Sever (Lot 1)	Sever (Lot 2)	Sever (Lot 3)
Publicly owned and operated sanitary sewage system					
Privately owned and operated individual septic tank	E		P		
Privately owned and operated communal well					
Privately owned and operated communal septic system					
Privately owned and operated communal septic system					
Privy					
Other means					

**7. Official Plan**

7.1 What is the current designation of the subject land in the Official Plan: Rural

**8. Current Application**

8.1 Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application and/or Plan No.

\_\_\_\_\_

8.2 Has the land ever been the subject of a consent under section 53 of the Planning Act.

☐ YES ☐ NO ☒ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.3 Is the subject land currently the subject of an official plan amendment, zoning by-law, a Minister's zoning order, a minor variance, an approval of a plan of subdivision or a consent.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the appropriate file number and status of application.

\_\_\_\_\_

8.4 Are there additional consents being applied for on these holdings simultaneously with this application, or being considered for the future?

☐ YES ☒ NO ☐ UNKNOWN

**9. Original Parcel**

9.1 Has any land been severed from the parcel originally acquired by the owner of the subject land.

☐ YES ☒ NO ☐ UNKNOWN

If **YES**, and if known, specify the date of the transfer, the name of the transferee and the land use on the severed land. \_\_\_\_\_

## 10. Affidavit / Sworn Declaration

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit / Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the Town of Parry Sound this \_\_\_\_\_ day  
of 2022

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

  
Signature of Applicant or Agent

DECLARED BEFORE ME at the Town of Parry Sound in the  
District of Parry Sound this 5<sup>th</sup> day  
of May 2022.

  
A Commissioner of Oaths

Janet Lorraine Borneman, a Commissioner, etc.,  
Province of Ontario, for Oldham Law Firm,  
A Professional Corporation.  
Expires May 11, 2024.

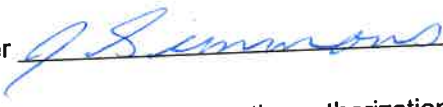
## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorizations set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I, James Richard Simmons, am the owner of the land that is the subject of this application for Consent and/or Zoning By-law Amendment and I authorize Nancy Harris Herr, TULLOCH Geomatics Inc. to make this application on my behalf.

Date May 3 2022


Signature of Owner 

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I, James Richard Simmons, am the owner of the land that is the subject of this application for Consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize Nancy Harris Herr, TULLOCH Geomatics Inc., as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date May 3 2022

Signature of Owner 

May 28, 2019

**12. Consent of the Owner** (this section must be completed for the application to be processed)

12.1 Complete the consent of the owner concerning personal information set out below.

**Consent of the Owner to the Use and Disclosure of Personal Information**

I, James Richard Simmons, am the owner of the land that is the subject of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Date May 3 2022

Signature of Owner J Simmons

**13. Additional Fees**

The applicant hereby agrees:

- (a) to reimburse the Parry Sound Area Planning Board for any costs incurred in processing this application which are above and beyond the amount of the application fee; and
- (b) to pay all costs legal and otherwise, that may be incurred by the Parry Sound Area Planning Board with respect to an LPAT Hearing, that may be held as a result of this application for a consent and to provide a deposit for such costs at least 45 days prior to any scheduled hearing.

Date May 3 2022

Signature of Owner J Simmons



# Key Plan

Lorimer Lake



Property Information

**493102000101301**

Municipality: McDougall

**MPAC Legal Description:**

FERGUSON CON A PT LOT 13 RP  
42R10410 PART 3

**Civic Address Compare:**

MPAC: 528 HIGHWAY 124

WPSGN: 528 Highway 124

Site Area: 10.04 Acres

Frontage: 589.05 ft ----- Depth: 0 ft

Variance: IRREG

Assessed Value: \$265000

Property Code: 301

Unit Class: RU

Property Access Type Code: -Y-

Hydro Service: -Y-

Water Service Type Code: -W-

Sanitary Service Type Code: -S-

McKellar

Waubamik

1km

1mi



PART 2, 42R-10410

PIN 52126 0470 (LT)

VACANT

VACANT

RESIDENTIAL

SEVERED LAND  
AREA = 2.04 ha±  
FRONTAGE = 102.6m±

RETAINED LAND  
AREA = 2.03 ha±  
FRONTAGE = 106.0m±

PART 1

PART 3, 42R-10410  
PIN 52126 0473 (LT)

PART 2

GEOGRAPHIC TOWNSHIP OF FERGUSON  
NOW IN THE  
MUNICIPALITY OF McDOUGALL

CONCESSION

TOWNSHIP OF McKELLAR

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA
1	PART OF LOT 13	A	ALL OF PIN 52126-0473(LT)	2.036 ha
2				2.025 ha

PLAN OF SURVEY OF  
PART OF LOT 13, CONCESSION A  
GEOGRAPHIC TOWNSHIP OF FERGUSON  
NOW IN THE MUNICIPALITY OF McDOUGALL  
DISTRICT OF PARRY SOUND  
TULLOCH GEOMATICS INC.  
2022

5m 0 5 25m

SCALE 1 : 500

THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 914mm  
IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500.

PRELIMINARY  
DRAFT

#### BEARING NOTE:

BEARINGS ARE UTM GRID, REFERRED TO OBSERVED REFERENCE POINTS A AND B BY GPS BASE AND ROVER OBSERVATIONS  
HAVING A BEARING OF N59°19'45"E, DERIVED FROM SPECIFIED CONTROL POINTS 00819960291 AND 00819960290,  
UTM ZONE 17 (81°00'WEST LONGITUDE) NAD83 (CSRS) (2010.0).

#### METRIC:

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED  
TO FEET BY DIVIDING BY 0.3048.

GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY  
A COMBINED SCALE FACTOR OF 0.999849.

#### CONVERGENCE NOTE:

A CONVERGENCE (ROTATION) FACTOR OF 0°40'50" COUNTER CLOCKWISE HAS BEEN APPLIED  
TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN 35R-10410 TO ACCOUNT FOR  
DIFFERENT REFERENCE MERIDIANS. A CONVERGENCE (ROTATION) FACTOR OF 0°41'50"  
HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF HWY PLAN 605 (MTO FILE  
P-3533-22) TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIANS.

FEATURE COORDINATE TABLE		
WOOD POLE		
WP#	NORTHING	EASTING
1	5037203.38	582373.21
2	5037123.78	582404.60
3	5037082.35	582429.70
ANCHOR		
AN#	NORTHING	EASTING
1	5037083.05	582425.10
2	5037057.32	582430.97
3	5036986.15	582368.71

#### LEGEND:

■ DENOTES FOUND MONUMENT  
□ DENOTES PLANTED MONUMENT  
SIB DENOTES STANDARD IRON BAR 0.025 x 0.025 x 1.22  
SSIB DENOTES SHORT STANDARD IRON BAR 0.025 x 0.025 x 0.61  
RP DENOTES ROCK POST  
DEM DENOTES D.E. IMAGE, O.L.S.  
MTO DENOTES MINISTRY OF TRANSPORTATION  
SCP DENOTES SPECIFIED CONTROL POINT  
ORP DENOTES OBSERVED REFERENCE POINT  
M DENOTES MEASURED  
S DENOTES SET  
P DENOTES PLAN 42R-10410  
P1 DENOTES HWY PLAN 605 MTO FILE (P-3533-2)  
● WP1 DENOTES WOOD POLE AND NUMBER  
\* AN1 DENOTES ANCHOR AND NUMBER

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE  
SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE  
REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE XXth DAY OF XXXX, 2022.

PRELIMINARY DRAFT

DATE \_\_\_\_\_ NANCY HARRIS-HERR  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO ADSL SUBMISSION FORM XXXXXX.

INTEGRATION COORDINATE TABLE		
SPECIFIED CONTROL POINTS (SCPs) AND OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17 (81°00'WEST LONGITUDE) NAD83(CSR5)(2010.0) COORDINATES TO RURAL ACCURACY PER SECTION 14(2) OR 0.066 216/10.		
SCP	NORTHING	EASTING
00819960291	5037164.572	582705.394
00819960290	5036588.121	581728.214
ORP	NORTHING	EASTING
A	5036925.096	582262.736
B	5037018.866	582420.829
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

# MUNICIPALITY OF McDOUGALL

### INTERNAL CIRCULATION CHECKLIST

<b>TYPE OF APPLICATION</b>	Consent - 1 New Lot
<b>APPLICANT NAME</b>	B20/2022 (McD) Simmons

CIRCULATE TO	INDICATE WITH X	COMMENTS YES OR NO	NAME
CHIEF BUILDING OFFICIAL	x	No	K. Dixon
MANAGER OF PUBLIC WORKS	x	No	T. Hunt
FIRE CHIEF	x	No	P. Shoenbottom
MUNICIPAL ENFORCEMENT	x	No	P. Shoenbottom
CAO	x	No	T. Hunt
PLANNER	x	No	L. West
TREASURER	x	No	S. Brisbane
OTHER - Environmental Services	x		

COMMENTS OR ATTACH REPORT	
---------------------------	--

[illegible]



RECEIVED JUN 06 2022

MAYOR DALE ROBINSON  
5 BARAGER BLVD., RR#3  
MCDUGALL ON P2A 2W9

Ottawa, June 2022

Dear MAYOR DALE ROBINSON and Council,

The economic contributions from rural communities are integral to Canada's success. Rural areas are home to many key industries such as manufacturing, forestry, agriculture, and energy.

Yet, municipalities under 20,000 residents receive less support from the federal government in comparison to their much larger counterparts. Red tape duplications and certain application requirements disproportionately burden small rural communities with very few staff.

This is unfair, unjust, and needs to be addressed urgently. As such, Conservative Shadow Minister for Rural Economic Development and Rural Broadband Strategy, M.P. Shannon Stubbs, Deputy Shadow Ministers M.P. Damien Kurek and M.P. Jacques Gourde, are seeking to convene a townhall with you to address federal funding for rural communities.

Rural Canadians must band together for fairer and more robust funding for communities all over rural Canada.

It is integral to our economy that the federal government works for everyone no matter where they live. The voices of rural Canadians need to be heard. We kindly ask you to express the three most important issues impacting your economic development as a rural community. We will use this feedback to ensure our work for rural Canada is as productive as possible and will determine the agenda for our proposed townhall. This is an opportunity to network, share your priorities, and solutions to the challenges we face.

We value hearing from you and should you wish to attend our forum, please email M.P. Stubbs at [shannon.stubbs@parl.gc.ca](mailto:shannon.stubbs@parl.gc.ca), M.P. Kurek at [damien.kurek@parl.gc.ca](mailto:damien.kurek@parl.gc.ca), or M.P. Gourde at [jacques.gourde@parl.gc.ca](mailto:jacques.gourde@parl.gc.ca).

Thank you for your time.

Shannon Stubbs, M.P.  
Shadow Minister for Rural Economic Development  
and Rural Broadband Strategy  
Lakeland

Damien C. Kurek, M.P.  
Deputy Shadow Minister for Rural Economic  
Development and Rural Broadband Strategy  
Battle River—Crowfoot

Jacques Gourde, M.P.  
Deputy Shadow Minister for Rural Economic  
Development and Rural Broadband Strategy  
Lévis—Lotbinière

## REPORT TO COUNCIL



<b>Report No.:</b>	C-2022-09
<b>Council Date:</b>	June 15, 2022
<b>From:</b>	Lori West, Director of Corporate Services/Clerk
<b>Subject:</b>	Application to Use Concession Road Allowance Between Concession 1 Lot 8, in the Municipality of McDougall and Concession 12 Lot in the Township of Seguin (1000186461 ONTARIO LTD ).

### **Background:**

At the January 12, 2022 meeting, Council approved By-law 2022-01, being a By-law to authorize the execution of a License Agreement for part of the original road allowance off Finch Trail, between Lot 9, Concession 12, former Foley Township, now the Township of Seguin and Lot 8, Concession 1, former McDougall Township. The subject lands have since changed ownership and a new License Agreement is required to reflect the new ownership details.

Such an undertaking requires the applicant to enter into a License Agreement for the use and maintenance of a Concession Road Allowance. The License Agreement includes clauses relating to insurance and suitable liability protection for the Municipality. The applicant has covered all costs in relation to the License Agreement Application, and has provided the required proof of insurance.

Council for the Township of Seguin approved the by-law to enter into an agreement with the new owner, and repeal the former by-law at their regular meeting on June 6, 2022.



**Figure 1 Applicants Holdings**





**Figure 2 Aerial Photograph of Proposed Private Road**

**Recommendation:**

That Council pass By-law No. 2022-41 in order to authorize the execution by the Mayor and Clerk of a License Agreement between The Corporation of the Township of Seguin, the Municipality of McDougall and 1000186461 Ontario Ltd., and that Council repeal By-law 2022-01.



## Community Services

### Legislative Services

May 31, 2022  
File #120203

The Right Honourable Justin Trudeau  
Prime Minister  
House of Commons  
Ottawa, ON K1A 0A6  
[Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

Honourable and Dear Sirs:

**Re: Bidding Wars on Apartment Rentals**

The Municipal Council of the Town of Fort Erie at its meeting of May 30, 2022 passed the following resolution:

**Whereas** Canada's housing market has not only made it difficult for many Canadians to afford to purchase a home but also to rent apartments, and

**Whereas** there is a disconnect between affordability of housing and apartment rentals versus wages that have not kept pace with them nor has it kept pace with inflation, cost of living expenses, the rising costs of goods & services including – food, gas and utility, and

**Whereas** Ontario has now become the least affordable jurisdiction suffering the worst erosion in the last 50 years, and

**Whereas** many Canadians continue to be locked out of the housing & rental market for many reasons including the affordability of a down payment, rising inflation rates, and the escalation of bidding wars, and

**Whereas** bidding wars do not stop at home purchases but have now transitioned to apartment rentals as a ripple effect of the real estate market, and

**Whereas** there is a profound psychological effect to those individuals who continue to be shut out of the housing and rental market as a direct result, and

**Whereas** both blind bids and open bids are bad for the housing and apartment market which can lead to a housing bubble, and while blind bids offer no transparency, both types create unrealistic values that helps the seller and the rental owner but hurts the purchaser and renter, and

...2

---

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)



**Whereas** there are multiple sites that encourage and teach how to win at bidding wars, and

**Whereas** there is no comprehensive data or statistics that currently tracks prices for rentals, and

**Whereas** the Government of Ontario will be introducing new legislation with respect to blind bidding only which does not prohibit the seller from entering into a bidding war but, rather, would give sellers the option to "opt for an open offer process", and

**Whereas** the changes to the *Trust in Real Estate Services Act* provides an advantage to the seller(s) and largely weakens opportunities of the buyer and renter further adding to the disparity between the two;

**Now therefore, be it resolved,**

**That:** Both the Federal & Provincial Governments enact legislation that prevents both open and closed bidding on both rental units and residential sales, and further

**That:** Both the Federal & Provincial Government prohibit sales beyond the list price, and further

**That:** A copy of this resolution be circulated to The Right Honourable Justin Trudeau, The Honourable Doug Ford, Premier of Ontario, All Members of Parliament, All Members of Provincial Parliament, and all Municipalities for their support.

**References:**

<https://www.truenorthmortgage.ca/blog/how-the-blind-offer-is-hurting-the-canadian-housing-market>

<https://www.cbc.ca/news/bidding-wars-to-rent-a-house-in-ontario-tenants-and-agents-say-it-s-a-new-reality-1.6094412>

<https://nationalpost.com/news/canada/extremely-stressful-bidding-wars-no-longer-limited-to-purchase-of-houses-now-its-rentals-too>

<https://www.blogto.com/real-estate-toronto/2022/04/ontario-new-regulations-bidding-wars-homes/>

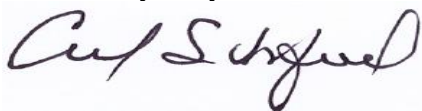
<https://www.cp24.com/news/ontario-to-allow-new-home-sales-tactic-that-would-change-the-bidding-process-1.5867054?cache=yes&clipId104062%2F7.493183>

<https://www.ontario.ca/laws/statute/s20001>

[https://www.gensqueeze.ca/housing\\_affordability\\_analysis](https://www.gensqueeze.ca/housing_affordability_analysis)

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk

[cschofield@forerie.ca](mailto:cschofield@forerie.ca)

CS:dlk

c.c. All Members of Parliament  
All Members of Provincial Parliament  
All Ontario Municipalities



## Community Services

### Legislative Services

May 31, 2022

File #120203

Sent via email: [Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)

The Right Honourable Justin Trudeau,  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

Honourable and Dear Sir:

**Re: Federal Government's Plans to Tax Vacant Foreign Owned Properties**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of May 30, 2022 passed the following resolution:

**Whereas** the Federal Government proposed a tax on vacant non-resident foreign owned properties in the 2021 budget, and

**Whereas** the intent of this tax is to reduce speculation in the real estate market which is believed to contribute to housing unaffordability in Canada, and

**Whereas** Fort Erie and other vacation destinations across Ontario have a high number of non-resident American-owned vacation properties that are vacant during the tourism off-season during the winter months, and

**Whereas** the Federal Government signaled their intent to exempt non-resident foreign owned vacation properties in Canada so long as they meet certain requirements including being located in a Census Agglomeration with a population of less than 30,000 people, and

**Whereas** Fort Erie and numerous other seasonal vacation destinations across Southern Ontario are in Census Metropolitan Areas and Census Agglomerations with populations well in excess of 30,000 people despite the communities themselves being small and medium-sized municipalities, and

**Whereas** Fort Erie and other communities across Ontario have a long history of being a vacation destination for American visitors, many of which have owned the same property for generations, and would be taxed yearly on their assessed value of their vacation property based on this proposal, and

.../2

---

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)

**Whereas** vacant property taxes would be allocated to the general revenues of the federal government and not directly benefit the municipalities where these properties are located and serviced, and

**Whereas** vacation properties that are seasonally vacant do not contribute to the speculation that is believed to contribute to housing unaffordability in Canada,

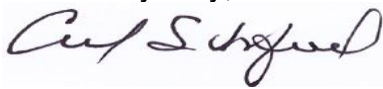
**Now therefore be it resolved,**

**That:** The Municipal Council of the Town of Fort Erie requests the Federal Government to review the proposed exemption framework for seasonal vacation properties to better reflect the reality of where these properties are located and how they are used, and further

**That:** This resolution be circulated to The Right Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Chrystia Freeland, Deputy Prime Minister of Canada and Minister of Finance, the Honourable Diane Lebouthillier, Minister of National Revenue (Canada), Tony Baldinelli, Member of Parliament for Niagara Falls, the Association of Municipalities of Ontario, and all municipalities located in Ontario.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk

[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

c.c. The Honourable Chrystia Freeland, Deputy Prime Minister of Canada and Minister of Finance

[chrystia.freeland@parl.gc.ca](mailto:chrystia.freeland@parl.gc.ca)

The Honourable Diane Lebouthillier, Minister of National Revenue (Canada) [diane.lebouthillier@parl.gc.ca](mailto:diane.lebouthillier@parl.gc.ca)

Tony Baldinelli, MP, Niagara Falls [tony.baldinelli@parl.gc.ca](mailto:tony.baldinelli@parl.gc.ca)

Association of Municipalities of Ontario [AMO@amo.on.ca](mailto:AMO@amo.on.ca)

All Ontario Municipalities

## AGENDA: INTEGRATED COMMUNITY ENERGY & CLIMATE ACTION PLANS

June 16<sup>th</sup> 2022, 9:00 am – 11:30 am

Zoom meeting: <https://us06web.zoom.us/j/82938468505>

Dial-In: +1 647 374 4685, Meeting ID: 829 3846 8505

Note Taker - Timer: Sam Cunningham

✓ = item circulated with agenda



	Issue/Question	Lead	Purpose	Desired Outcome	Preparation Prior to Meeting	Time Allotment	Start Time
1	Presentation	Chairs	Information	Simcoe County Waste Management Team		30 min	9:00
BREAK						10 min	9:30
2	Agenda	Chairs	Decision	Adopt agenda	✓	5 min	9:40
3	Welcome	Chairs	Information	Attendance of voting members		5 min	9:45
4	Minutes	Chairs	Decision	Adopt minutes of Feb 9 <sup>th</sup> , 2022	✓	5 min	9:50
5	Governance	GBB	Information Decision	<ul style="list-style-type: none"><li>• New Member: Shawanaga First Nation</li><li>• MOU Amendments Re: Voting</li><li>• Co-Chairs</li><li>• Council-Appointed Liaisons</li></ul>		15 min	9:55
6	Project Reports	Chairs	Decision	Adopt Quarterly Report – Q1	✓	5 min	10:10
7	Project Management	GBB	Information	<ul style="list-style-type: none"><li>• Staff Update</li><li>• PCP Milestones 2, 3 &amp; 4</li><li>• Update on Grants</li><li>• Advancing Adaptation</li></ul>		30 min	10:15

8	Roundtable	All	Information	Updates from members and partners		30 min	10:45
9	Adjourn	Chairs	Decision	Adjourn		5 min	11:15



# Integrated Community Energy & Climate Action Plans (ICECAP) Stakeholder Committee Meeting Minutes

held on Wednesday, February 9<sup>th</sup>, 2022 at 10:00 am via Zoom

---

## **ICECAP Corporate (Voting) Stakeholders Present:**

F. Pengra, Manager of Infrastructure and Technology, Town of Parry Sound (Co-Chair)  
D. Moffatt, Councillor, Township of Seguin (Co-Chair)  
A. Barton, Councillor, Township of the Archipelago  
C. Henderson, Manager of Development and Environmental Services, Township of the Archipelago  
R. Snowball, Township of Carling  
P. Koetsier, Mayor, Township of Georgian Bay  
J. Schnier, Director of Sustainability, Township of Georgian Bay  
J. Tynan, Board Member, Georgian Bay Biosphere  
J. Ryman, Councillor, Municipality of McDougall  
P. Hopkins, Mayor, Township of McKellar  
P. Borneman, Councillor, Town of Parry Sound  
D. O'Brien, Director of Community Services, Township of Seguin  
B. Gorham-Matthews, Municipality of Whitestone

## **ICECAP (Non-Voting) Partners Present:**

K. Boyle, Climate Change Coordinator, District Municipality of Muskoka  
C. Aspila, Director of Planning, Township of Georgian Bay  
C. Avery, Senior MLEO, Planning, Township of Georgian Bay  
D. Persad, Environmental Technician, Township of Georgian Bay  
T. Walton, Communications and Sustainability Officer, Township of Georgian Bay  
E. Kramer, Board Member, Georgian Bay Biosphere  
I. Scott, Board Member, Georgian Bay Biosphere  
A. Promaine, Georgian Bay Islands National Park, Parks Canada  
S. McCrindle, Program Coordinator, Georgian College  
G. Lind, Hydro One  
M. MacDonald, Lakeland Holding  
S. Noganosh, Magnetawan First Nation  
N. Perron, Magnetawan First Nation  
T. Faulkner, North Bay Parry Sound District Health Unit  
K. Mueller, President, Otter Lake Ratepayers Association  
A. Chiandet, Water Scientist, Severn Sound Environmental Association  
S. Mawhinney, Watershed Resilience Coordinator, Severn Sound Environmental Association

## **Georgian Bay Biosphere Staff:**

D. Bywater, Conservation Programs Manager  
I. Moy, Climate Change and Sustainability Program Coordinator



B. Pollock, Executive Director

## 1. Welcome & Quorum

ICECAP Co-Chair, Daryle Moffatt, welcomed participants and noted that attendance would be taken by Georgian Bay Biosphere (GBB) staff and recorded in the Minutes. Participants were asked to introduce themselves during the roundtable portion of the meeting.

D. Bywater provided a land acknowledgment recognizing we are all Treaty people.

It was noted that the meeting had Quorum, with 9 of 9 voting members present.

## 2. Adopt Agenda

Motion to adopt the agenda, as presented, for February 9, 2022.

### Resolution No. 2022-01

Moved by: J. Tynan

Seconded by: P. Borneman

**CARRIED**

## 3. Adopt Minutes

Motion to adopt the minutes from ICECAP Corporate Stakeholder Committee Meeting held on September 29, 2021.

### Resolution No. 2022-02

Moved by: A. Barton

Seconded by: J. Tynan

**CARRIED**

## 4. Governance

Motion to adopt amended Memorandum of Understanding and Schedules A and B, as circulated.

### Resolution No. 2022-03

Moved by: D. O'Brien

Seconded by: A. Barton

**CARRIED**

The Municipality of Whitestone was welcomed to the ICECAP partnership. Gratitude was expressed to all those involved in having Whitestone join. All area municipalities have now joined the ICEACP partnership.

## 5. Adopt Quarterly Reports

Motion to adopt Q3 and Q4 reports, as circulated.

### Resolution No. 2022-04

Moved by: C. Henderson

Seconded by: J. Tynan

**CARRIED**

## 6. Project Management

I. Moy provided a presentation on ICECAP progress from September 2021 to present and an update on current community engagement.

- Welcome to Sam Cunningham, the new Climate and Sustainability Technical Lead at the GBB
- Corporate & Community Milestones 2 and 3 in progress
- Corporate & Community engagement in progress
  - Update on Fall Climate Action Groups
  - Community Survey circulating now until March 1<sup>st</sup>, 2022
  - Stakeholder engagement underway
  - Planning for Town Hall “launch” event

D. Bywater provided an overview of a municipal grant opportunity and an update on other funding applications.

- Federation of Canadian Municipalities’ (FCM) Community Buildings Retrofit grant for municipal buildings
- Intact Foundation funding for climate resilience
- Commission for Environmental Cooperation for First Nations Adaptation Planning
- Hydro One grant for Climate Action Plan implementation

I. Moy provided an update on the *Advancing Adaptation* program that Shawanaga First Nation and the Town of Parry Sound are participating in.

- Risk Assessment workshop at the end of February
- Vulnerability and Risk Assessment phase will be completed at the end of April
- Adaptation Planning phase to begin in May, anticipated completion date is end of December 2022

## 7. Roundtable: Updates from members, communities, and partners

Severn Sound Environmental Association (SSEA):

- Severn Sound municipalities on Milestone 4 of Partners for Climate Protection (PCP) program
- Township of Georgian Bay still working through Milestone 4, implementation with SSEA
- Still looking for a replacement for Tracy Roxborough's position
- Continuing with regular water and monitoring programs for 2022

#### The Archipelago:

- Alice Barton is participating in the Climate Leadership course through FCM
- Working through the Corporate Action List, excitement from staff
- Exploring financial tools to fund climate work
- Pursuing Northern Ontario Heritage Fund Corporation (NOHFC) grant for community centre window and door replacements
- Also looking to install Electric Vehicle (EV) chargers at community centre

#### Parks Canada, Georgian Bay Islands National Park

- Continued focus on Species at Risk, climate change adaptation
- In conjunction with larger network of National Parks, investigating how to reduce emissions from Parks operations

#### Whitestone

- New member
- Goal for 2022 is to finish Milestone 1
- Looking into the recent grant opportunity for active transportation projects

#### Georgian Bay

- Successful application to FCM's Community Buildings Retrofit grant, undergoing greenhouse gas (GHG) analysis for 17 municipal buildings as part of Township's 50<sup>th</sup> year celebration
- Upcoming de-paving project which will rehabilitate a local park
- Ivy EV chargers installed and ready for use at exit 156 in Port Severn, and Tesla superchargers coming soon

#### Seguin

- Completion of Corporate Action Lists underway, conversations being held with department heads
- Pursuing an NOHFC grant for arena roof
- Looking into the FCM Community Buildings Retrofit grant
- Launched a pilot program with FoodCycler to divert organic waste from landfill
- Passed a Trail Master Plan for active transportation

#### Parry Sound

- Also partaking in the FoodCycler pilot program
- Looking at wage subsidies for a climate change position at the Town starting in April
- Working through Corporate Action Lists with Town leadership

- Participating in the ICLEI (Local Governments for Sustainability Canada) Adaptation work
- Looking at a fuel switching study for buildings and fleet
  - Around 80% of GHG emissions from Town facilities comes from only 3 buildings
- Project underway that uses LiDAR (light detection and ranging) to improve road milling techniques, greater efficiency and reduced GHG emissions
- Investigating changes to municipal procurement processes to integrate climate action considerations

#### McDougall

- Corporate Milestone 1 completed and starting the community portion this year
- Looking to get more involved with ICECAP going forward

#### Kerry Mueller – Otter Lake Ratepayer Association (OLRA)

- Here to observe and communicate messages back to OLRA
- Passed the Community Survey to ratepayers

#### District Municipality of Muskoka

- Also completing the ICLEI Canada Adaptation program
- Muskoka GHG program running again
- Corporate climate action plan also being implemented
- Working on floodplain mapping with Wahta and Moose Deer Point First Nations
- Other grants of note: Low Carbon Economy Fund (due March 25<sup>th</sup>), Disaster Mitigation and Adaptation Fund's small and large scale projects – flood and fire (open until July 20, 2022)

#### McKellar

- Progress on ICECAP is behind, but staffing at the municipality is back up to normal levels
- Lake Stewardship and Environment Committee for climate change work
- Pursuing the FoodCycler pilot program as well

#### Lakeland

- SPEEDIER (Smart, Proactive, Enabled Energy Distribution – Intelligently, Efficiently and Responsive) project installations coming to a close
- SPEEDIER GHGs now on website

#### Georgian College

- Preparing for verification and validation of GHG claims and calculations

#### Magnetawan First Nation (MFN)

- Climate change adaptation plan MFN-focused
- Applied for Nature Smart Climate Solution fund
- Continuing with work on Eddy towers and monitoring

- Community Energy Champion focusing on energy use in the community, carrying out community initiatives, most recently a Christmas initiative
- Implementing office vermicomposting with added benefit of providing food for species at risk turtle programs
- Working with Georgian Bay Forever on invasive species management, particularly phragmites

#### North Bay Parry Sound District Health Unit

- Collaborative project between Northern Health Units finishing up
- Provided a local health vulnerability and risk assessment

#### Hydro One

- Observing meeting to hear about local initiatives
- Please reach out to Gillian if assistance is required

### 8. Adjournment

Motion to adjourn.

#### **Resolution No. 2022-05**

Moved by: J. Ryman

Seconded by: J. Tynan

**CARRIED**

Meeting adjourned at 11:30 AM on February 9, 2022.

No date has been set for the next meeting.

# 2022 Q1 Highlights

## Community Climate Action Survey

- Respondents from every ICECAP member community
- Open for six weeks from January to March, 2022
- 12 prizes donated from local businesses
- 35+ hours of staff time to review and analyze results



## Climate Action Groups

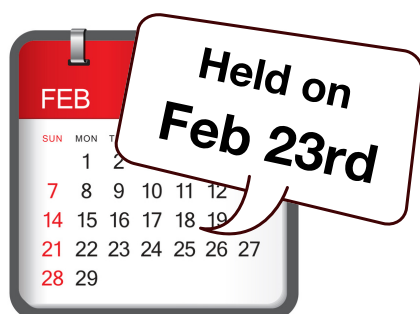
- 30 volunteer experts participating
- 10 meetings
- 249 proposed actions to reduce emissions
- 3 groups: Buildings, Transportation, Waste



- Group launched in February
- Ages 13-25
- 5 members and growing
- 2 community initiatives underway
- 3 meetings held

## Climate Change Adaptation Planning

- Continuing Climate Change Adaptation Program with ICLEI Canada
- Town of Parry Sound and Shawanaga First Nation participating



## Risk Assessment Workshop

- 24 participants
- 5 facilitators
- 27 climate change impacts assessed
- Now moving to the "Adaptation Planning" Phase



# 2022 Q1 Highlights

## Stakeholder Committee

- Meeting held on February 9th
- Amended MOU adopted as circulated
- Updates shared from all members and partners
- Next meeting: June 16th, 9am - 12pm

**Save the Date!**  
**June 16, 9am**



## Communications and Media

- Community Climate Action Survey media release: Jan 18th
- Presentation to McKellar's Lake Stewardship & Environmental Committee: Feb 10th
- Deputation to McDougall Council: Feb 16th
- Tackling Food Waste webinar mini series, Rock What You've Got and Backyard Composting: Mar & Apr
- Climate Action brochure finalized



## New Staff



### Welcome, Sam Cunningham!

Sam joined the Biosphere Team as our new Climate and Sustainability Technical Lead.



### Welcome back, Ben John!

Ben will be rejoining the Biosphere Team as our Climate and Energy Manager.



## INTEGRATED COMMUNITIES ENERGY & CLIMATE ACTION PLANS QUARTERLY PROGRESS REPORT

### Reporting Period:

January 1<sup>st</sup> – March 31<sup>st</sup>, 2022 (Q1)

### Prepared by:

Benjamin John, Climate & Energy Program Manager, Georgian Bay Biosphere

David Bywater, Director of Lands & Water Programs, Georgian Bay Biosphere

### Reviewed by:

Daryle Moffat, ICECAP Co-Chair

Forrest Pengra, ICECAP Co-Chair



## **ICECAP Partnership Quarter 1 Updates and Highlights**

1. Stakeholder Committee meeting held on February 9<sup>th</sup>
    - ICECAP MOU amended, circulated and [available online](#)
    - Previous SC meeting (September 29, 2021) minutes approved and [posted online](#)
  2. Community Climate Action Survey circulated over six weeks from January to March
    - Responses received from every ICECAP member community
    - 12 prizes were donated by local businesses
    - Received over 600 responses
  3. Youth Climate Action Group launched in February and started first project
    - Preparing a climate action mural to be shared with communities
  4. Deputation to Shawanaga First Nation's Chief and Council scheduled
  5. Key project tasks related to ICECAP regional activities, Municipalities PCP Program, and First Nations Climate Action are ongoing and on schedule.
  6. ICECAP & ICLEI
    - Workshop delivered and facilitated with ICECAP members and partners to identify climate change impacts in the region
    - This opportunity will result in a regional Climate Change Risk and Vulnerability Assessment for First Nations and municipalities
    - Moving into the Adaptation Planning Phase and another series of workshops will be scheduled in Q2
  7. Climate Action brochure finalized and preparing for launch in Q2
- 



8. As per the Corporate and Community Engagement Strategy:

- ICECAP is coordinating thematic Community Action Groups (CAGs) to facilitate the development of community climate actions/plans
- ICECAP is working with corporate liaisons to facilitate the development of corporate climate actions/plans
- Based on feedback from corporate liaisons, the corporate Milestone 2 target setting will switch from 'top down' to a 'bottom up' approach to create GHG reduction targets that are more attainable and feasible given partner-specific considerations. As a result, the milestone 2 work will carry on into the summer and will therefore bump the milestone 3 work further into 2022.

9. GBB is actively seeking funds to leverage ICECAP funds

- NOHFC application was approved and GBB has hired a Climate & Sustainability Technical Lead

10. Q1 actuals are slightly less than Q1 budget as Covid restrictions limited meetings, travel and other expenses

11. Q2 actuals forecasted to be slightly higher than budgeted

- ICECAP members requested bottom-up approach to milestone 2 target setting which requires additional time to prepare municipal-specific scenarios
  - This is anticipated to accelerate corporate implementation and position members to develop materials and information required for grant applications (e.g. building retrofits and/or fleet reduction studies)
- Increase project management time to provide deputations on ICECAP updates and plans for municipal budgeting purposes (i.e. members have requested deputations from the ICECAP team)



## 2022 WORK PLAN SUMMARY

2022 Work Plan	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1 - ICECAP Regional Activities												
<b>Coordination &amp; Governance</b>												
Networking and building of ICECAP memberships and partnerships												
Coordinate ICECAP multi-stakeholder committees (meetings (agenda, minutes, actions, motions), workshops, communications, etc.)												
<b>Communications &amp; Public Engagement</b>												
Communications and public engagement may include: website, social media, webinars, workshops, brochures, project updates, articles, Kids in the Biosphere, Lessons in a Backpack, Georgian Bay Anishinaabek Youth (GBAY), etc.												
Communications and public engagement themes may include: Climate Change, GHG Reduction Strategies, Energy Efficiency, Adaptation Strategies, etc.												
<b>Adaptation Planning &amp; Reporting</b>												
Regional Risk and Vulnerability Assessment for climate change impacts												
Regional climate change Adaptation Planning												
Adaptation Plan approved by staff and (if required) adopted by Council												
Work with partners and communities to identify adaptation needs and potential sources of funding (e.g. flood plain mapping, coastal resiliency modelling and studies)												





2022 Work Plan	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2 - Municipalities: Partners for Climate Protection Program												
<b>Administration of FCM PCP Accounts</b>												
Online administration, coordination with FCM, work plan & budget review with staff, communications to municipal councils, etc.												
<b>Corporate Milestone 2: Setting Corporate Reduction Target</b>												
Work with municipal staff to review climate mitigation actions completed to date												
Identify opportunities for energy and emissions reductions												
Develop "bottom-up" reduction target scenarios and work with municipal staff to select a target												
Work with municipal staff to select a reduction target												
Develop reduction target content and visuals for the Climate Action Plan												
<b>Community Milestone 2: Setting Community Reduction Target</b>												
Work with the Community Action Groups and key stakeholders to identify opportunities for energy and emissions reductions												
Review Carbon Calculator and Climate Action Survey results with regards to reduction target scenarios												
Review Milestone 1 (community baseline emissions) for emission reduction opportunities												
Work with municipal staff to select a community reduction target												
Develop reduction target content and visuals for the Climate Action Plan												





2022 Work Plan	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Milestone 3: Develop Climate Action Plan</b>												
Stakeholder engagement (i.e. community action groups, municipal staff, key partners, etc.)												
Develop action plans from feedback and recommendations (e.g. public engagement, committees)												
Municipal staff review Climate Action Plans and provide feedback												
Municipal staff present Climate Action Plans to Council for their consideration												
Council signs emission reduction target commitment and approves Climate Action Plan												
Submit signed emission target and Climate Action Plans to FCM												
<b>Milestone 4: Implement Climate Action Plan</b>												
Implementation of priority actions identified in Climate Action Plans												
Strategize with key stakeholders on how to pursue long term actions identified in Climate Action Plans												
Work with municipal staff to identify, and when possible, pursue funding opportunities for priority corporate actions												
Work with municipal staff to evaluate the need for regional studies, and if required, develop plans to undertake these studies (e.g. fleet study, fuel switching study, waste study)												
Work with key community partners to identify, and when possible, pursue funding opportunities for priority community actions												



2022 Work Plan	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
3 - First Nations Climate Action												
Outreach and engagement (discussions and meetings with staff and communities)												
Work with partners to determine priorities and needs (e.g. integration of PCP and ICEP (review action plans, identify synergies and opportunities for collaboration, etc.)												
Work with partners on the climate change adaptation tasks listed above (regional Risk and Vulnerability Assessment and Adaptation Plan)												



## Appendix A: Detailed Work Plan

Theme & Tasks	Task Comments	Task Status
<b>ICECAP Regional Activities</b>		
Coordination & Governance	Networking and building of ICECAP memberships and partnerships	ICECAP MOU amended and circulated following February 9 <sup>th</sup> Stakeholder Committee Meeting  GBB is actively seeking funds to leverage ICECAP funds  - An NOHFC 2-year internship application has been approved and Sam Cunningham has been hired as the Climate & Sustainability Technical Lead
	Coordinate ICECAP multi-stakeholder committees (meetings (agenda, minutes, actions, motions), workshops, communications, etc.)	
Communications & Public Engagement	Communications and public engagement can be delivered through a number of mediums, which may include: website, social media, webinars, workshops, brochures, informational packages, Kids in the Biosphere, Lessons in a Backpack, etc.	Community Climate Action Survey distributed and received over 600 responses  Social media content prepared and



Theme & Tasks	Task Comments	Task Status
	Communications and public engagement themes may include: Climate Change, GHG Reduction Strategies, Energy Efficiency, Adaptation Strategies, Sustainable Living, etc.	delivered, ICECAP members and partners tagged  GBB Climate Action Brochure finalized and preparing for launch in Q2
Adaptation Planning & Reporting	Develop approaches to include adaptation/resilience in corporate and community action plans	ICECAP is coordinating a Climate Change Adaptation train-the-trainer opportunity offered by ICLEI, along with Shawanaga First Nation and TOPS  - A workshop was facilitated with ICECAP members and partners to identify climate change impacts in the region  - This opportunity will result in a regional Climate Change Risk
	Review projected climate data for environmental implications (to corporate and community) and work with action groups to discuss impacts and identify actions	
	Work with partners and action groups to evaluate opportunities to incorporate into Action Plans and/or develop Adaptation Plans	



Theme & Tasks	Task Comments	Task Status
	Work with partners and action groups to identify adaptation needs and potential sources of funding (e.g. flood plain mapping, coastal resiliency modelling and studies)	and Vulnerability Assessment for First Nations and municipalities - Preparing for Adaptation Planning Phase and workshops to begin in Q2
<b>Municipalities: Partners for Climate Protection Program</b>		
Administration of FCM PCP Accounts	Online administration, coordination with FCM/ICLEI, work plan & budget review with staff, communications to municipal councils, etc.	Ongoing  The Municipality of Whitestone and Municipality of McDougall have signed the ICECAP MOU and are working on PCP Milestone 1
Corporate Milestone 2: Setting Corporate Reduction Target	Review corporate milestone 1	Milestone 1 review completed
	Work with municipal staff to review climate mitigation actions completed to date	Other tasks ongoing and considered in the development of the



Theme & Tasks	Task Comments	Task Status
	Identify opportunities for energy and emissions reductions	Engagement Strategy and draft Climate Action Plans
	Develop “bottom-up” reduction target scenarios and work with municipal staff to select a target	
	Develop reduction target content and visuals for the Climate Action Plan	
Community Milestone 2: Setting Community Reduction Target	Review community milestone 1 for emission reduction opportunities	Milestone 1 review completed  Other tasks ongoing and considered in the development of the Engagement Strategy and draft Climate Action Plans
	Work with Community Action Groups and key stakeholders to identify opportunities for energy and emissions reductions	
	Review Carbon Calculator and Climate Action Survey results with regards to reduction target scenarios	





Theme & Tasks	Task Comments	Task Status
	Work with municipal staff to select a community reduction target	
	Develop reduction target content and visuals for the Climate Action Plan	
Milestone 3: Climate Change Action Plan	Develop Corporate and Community Engagement Strategy	Completed
	Form and facilitate community action groups	Ongoing
	Form and facilitate corporate action groups	Ongoing
	Develop draft Climate Action Plan & incorporate feedback and recommendations from the action groups	Ongoing
	Municipal staff review Climate Action Plans and provide feedback	To be scheduled in 2022 (municipal elections may impact this task)



Theme & Tasks	Task Comments	Task Status
	Facilitate a launch event to celebrate the completion of the CAPs	To be scheduled, likely Q4 2022 to accommodate new Councils
	Municipal staff present CAPs to Council for their consideration	To be scheduled in 2022 (municipal elections may impact this task)
	Council signs emission reduction target commitment and approves Climate Action Plan	To be scheduled in 2022 (municipal elections may impact this task)
	Submit signed emission target and Climate Action Plan to FCM	To be scheduled in 2022 (municipal elections may impact this task)
Milestone 4: Implement Climate Action Plans	Implementation of Priority Actions identified in Climate Action Plans	Tasks are ongoing and implantation is occurring in parallel to Milestone 2 and 3 work. Please reach out to GBB to discuss grant opportunities and projects of interest.
	Strategize with stakeholders how to best pursue long term actions identified in CAPs	
	Work with municipal staff to identify, and when possible, pursue funding opportunities for corporate actions	



Theme & Tasks	Task Comments	Task Status
	Work with municipal staff to evaluate the need for regional studies, and if required, develop plans to undertake these studies (e.g. fleet conversion study, fuel switching study, waste study)	
	Work with community partners to identify, and when possible, to pursue funding opportunities for priority community actions	
First Nations Climate Action		
Outreach, engagement, and onboarding, and admin	Outreach, engagement and communications ongoing with several First Nations	Shawanaga First Nation have partnered with ICLEI, TOPS and GBB on adaptation work  Discussions ongoing with First Nations  ICECAP presentation booked with Shawanaga First Nation



Theme & Tasks	Task Comments	Task Status
Work with partners to determine priorities and needs	Communications ongoing to determine ICEP status and state of their plans	Ongoing
Work with partners to determine scope of work	This task follows the one above	Pending



## Appendix B: Budget

2022 Q1 Budget Summary		
2022 Q1 Actuals	2022 YTD Actuals	2022 Budget
\$40,000	\$40,000	\$177,125





RECEIVED JUN 01 2022

May 30, 2022

Municipality of McDougall  
5 Barager Boulevard  
McDougall, ON P2A 2W9

Dear Sir, or Madam:

RE: Lake Harmful Algal Blooms (HABS)

I am writing to inform you that a lake in your municipality is one where the presence of harmful algal bloom(s) (HAB) have been confirmed in the past. Because lake conditions remain the same, it is likely that the HAB will reoccur in the future. Advisories that were issued in past years for the lake still apply. We have made changes to recreational activity precautions, which are described in the enclosed documents.

We recommend providing education to residents who use the lake regarding HABs, in addition to taking the following proactive measures:

- If you use a private water system, do not use water from the lake for drinking, cooking or bathing babies or infants. Boiling the water or using home water treatment devices **will NOT** destroy the toxins that HABs produce.
- When a HAB is present, avoid swimming or other water sport activities that could increase the risk of algae material and toxins contacting your skin or being swallowed.
- Do not allow pets or livestock to swim in the water or drink the water.
- Do not eat the liver, kidneys or other organs of fish caught in the water. Also, be cautious consuming the other parts of the fish that are caught in water where a HABs occur.

While a HAB may not show the presence of toxins, there is always the risk that toxins could be produced. These toxins may stay in the water up to three weeks after the algal bloom is gone. The Health Unit and the Ministry of the Environment, Conservation and Parks (MECP) cannot determine when the water is safe to drink for private water systems.

.../2





The Health Unit will no longer be issuing media releases when future algal blooms are reported. The Health Unit will contact you to remind you about your role to advise the residents by delivering the notification door to door, posting the notification on your website or by some other acceptable method determined by your Municipality. The Health Unit will provide signs to be posted on public beaches to advise swimmers.

Additionally, the Health Unit, MECP and Mattawa and North Bay Conservation Authority (MNCA) are available to make presentations to your community upon request.

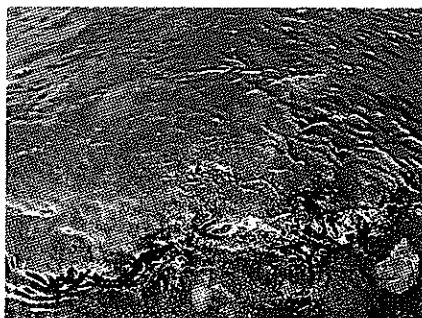
Should you require additional information, please do not hesitate to contact me at 705-474-1400 ext. 5320.

Sincerely,



Robert A-Muhong BAsC., MPH, CIPHI(c), CHE  
Manager, Environmental Health Programs

/mp  
Enclosures



Category 2



Category 3

Blue-Green Algae Blooms			
	Category 1	Category 2	Category 3
Appearance	<p>The water appears cloudy, but you can still see through it</p> <p>Particle density can vary greatly in the water column</p>	<p>The water colour appears changed due to increased number of cyanobacteria</p> <p>Algae may be in clusters or balls or flakes in the water, like a pea puree</p>	<p>This is a dense bloom; it may resemble a paint spill. Accumulated cyanobacteria on the surface of the water may form a scum.</p> <p>Algae is easily swept by the wind and deposited near the shore</p>
Swimming Precautions	Do not swim in any bloom which obscures your view into the water. Even if it is not blue-green algae, it is unsafe to swim or to allow children to play in any dense algal bloom, since you cannot see into the water. Wait until the bloom has subsided and the water is clear.		
	Health effects are not expected at this stage.	Sensitive individuals may develop mild symptoms of skin rash or eye irritation	Sensitive individuals may develop mild symptoms of skin rash or eye irritation
Drinking Water Precautions	Health effects are not expected at this stage.	Ingestion of water in this category may result in a range of health effects.	Ingestion of water in this category will likely result in a range of health effects
		Do not use the water from a Category 2 or 3 bloom for drinking, cooking or other consumption. Do not let pets or livestock consume the water. Be observant of when the water has cleared. If you treat surface water for cooking or consumption, wait <i>at least</i> a week after the bloom has subsided before resuming normal use of the treated water. The toxin is naturally reduced by dilution, degradation by other bacteria in the water, and sunlight.	
	Assess your water supply if you are in an area where there are frequent algae blooms. Since there is no confirmed domestic water treatment available yet, consider a drilled well		

\*Peterborough Health Unit

# THE CORPORATION OF THE MUNICIPALITY OF McDOUGALL

## BY-LAW NO. 2022-40

### Being a By-law Prescribing Times for Setting Fires; Precautions to be Observed and Penalties for Contraventions and to Repeal By-law No. 2019-28.

**WHEREAS** Section 7.1 of the *Fire Protection and Prevention Act*, provides that the council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires and the setting of open air fires, including establishing the times during which they may be set; and

**AND WHEREAS** the *Forest Fires Prevention Act* and O. Reg 207/96, as amended, provide rules for outdoor burning within the Fire Regions;

**NOW THEREFORE** the council of the Corporation of the Municipality of McDougall hereby enacts the following:

#### 1. DEFINITIONS

##### 1.1. In this by-law:

##### 1.1.1. **Camp Fire** means any fire that is:

- a) confined to a single pile of material that is less than 1 meter in diameter; and
- b) has a flame height less than 1 meter; and
- c) which is ignited for the purposes of cooking, warmth or socializing.

A chiminea as defined in section 1.1.3 constitutes a camp fire if the receptacle is less than 1 meter in diameter and has a flame height less than 1 meter high.

##### 1.1.2 **Chief Fire Official** means those persons defined as the Chief Fire Official in the Ontario Fire Protection and Prevention Act and the Ontario Fire Code;

##### 1.1.3 **Chiminea** means clay, porcelain or metal receptacle used for the purposes of burning.

##### 1.1.4 **Extinguish** means to put out or quench a fire completely, such that no smoke or hot or glowing embers or heat remain.

##### 1.1.5 **Fire Hazard Rating** means a Low, Medium, High or Extreme Fire Hazard as declared by the Chief Fire Official.

##### 1.1.6 **Fire season** means the period of the 1<sup>st</sup> day of April to the 31<sup>st</sup> day of October in each year or as otherwise declared by the Minister of Natural Resources and Forestry (or such otherwise constituted Ministry responsible for the *Forest Fires Prevention Act*).

##### 1.1.7 **Daytime Outdoor Fire** means any fire that is not a campfire and which is:

- a) confined to a single pile of material that is less than two meters in diameter; and
- b) has a flame height that is less than two meters; and

- c) which is ignited and maintained between 2 hours after sunrise and 2 hours before sunset.

**1.1.8 Evening Outdoor Fire** means any fire that is not a campfire and which is

- a) confined to a single pile of material that is less than two meters in diameter; and
- b) has a flame height that is less than two meters; and
- c) which is ignited during the hours of 2 hours before sunset until 2 hours after sunrise the following day.

**1.1.9 Residential Fireworks** means fireworks which members of the public can purchase and which do not require the member of the public to hold a license to purchase, possess and/or store such fireworks.

**1.1.10 Commercial Fireworks** means fireworks other than Residential Fireworks as defined in section 1.1.9.

**1.1.11 Municipality** means the Municipality of McDougall;

**1.1.12 Officer** means Chief Fire Official or designates, Assistant to the Fire Marshal, Municipal Law Enforcement Officer, and Police Officer.

**1.1.13 Open Air Fire** means any outdoor fire including a camp fire, a daytime outdoor fire and evening outdoor fire.

**1.1.14 Chinese Lantern** means a sky lantern, also known as Kongming lantern or Chinese lantern, is a small hot air balloon made of paper, with an opening at the bottom where a small fire is suspended.

## **2 GENERAL BURNING RESTRICTIONS**

- 2.1** No person shall start, tend or maintain an open air fire unless it is a camp fire, daytime outdoor fire or evening outdoor fire.
- 2.2** No person shall start or continue to allow an open air fire to burn unless conditions will allow the fire to burn safely from start to extinguishment.
- 2.3** No person who starts an open air fire shall leave the fire unattended.
- 2.4** A person who starts an open air fire or, if the person who started the fire is not present, a person in charge of an open air fire shall take all necessary steps to tend the fire, keep the fire under control, and extinguish the fire before leaving the area of such open air fire.
- 2.5** No person shall start or tend an open air fire except on land that person legally occupies or has the permission of the person who has lawful occupation of the land on which the fire is started.
- 2.6** No person shall use as fuel for an open air fire any substance other than dry wood, discarded wood by-products, brush, leaves or grass.
- 2.7** No person shall burn in an open air fire, any kitchen waste, general garbage, construction materials (excluding dry wood or

discarded wood by-products) or materials made of or containing rubber, plastic, petroleum, synthetics or tar.

**2.8** No person shall start or tend any open air fire such that it may or does cause any of the following:

**2.8.1** a decrease in visibility on any highway;

**2.8.2** an inconvenience or irritation to others;

**2.8.3** the ignition of and/or spread of fire through grass, brush, forested area or other property that was not intended to be burned;

**2.8.4** the contravention of any applicable municipal law, provincial or federal legislation, regulation, order or by-law.

**2.9** No person shall:

**2.9.1** start or maintain any open air fire during a period of Extreme Fire Hazard.

**2.9.2** start or maintain any open air fire during a period of High Fire Hazard, other than a campfire as defined in section 1.1.1 of this by-law.

**2.10** No person shall start or maintain an open air fire within two meters from any flammable materials including any flammable materials intended to be stored and used as fuel for such open air fire.

**2.11** No person shall start, tend or maintain an open air fire unless such person has adequate tools or water readily accessible to contain the fire within the fire site.

**2.12** No person shall ignite residential fireworks during a period of High or Extreme Fire Hazard.

**2.13** No person shall ignite a Chinese lantern, and or ignite and launch a Chinese lantern as defined in section 1.1.14 of this by-law.

### **3 REQUIREMENT FOR PERMIT**

**3.1** No person shall start or maintain a daytime outdoor fire during the Fire Season unless the person has a permit issued under Section 4.1 of this By-law.

**3.2** No person shall start or maintain a nighttime outdoor fire during the fire season unless the Fire Danger Rating is; Moderate or Low.

**3.3** No person shall ignite commercial fireworks unless the person has a permit issued under Section 4.1.1 of this By-law.

### **4 ISSUANCE OF PERMITS**

**4.1** The Chief Fire Official may issue a person a fire permit, substantially in the form of Schedule "A", as provided for in Section 3 of this By-law if the Chief Fire Official is satisfied that the fire can be started, tended and extinguished safely in consideration of, among other things, the declared Fire Hazard Rating, the prevailing weather, site and site conditions.

- 4.1.1** The Chief Fire Official may issue a qualified person a fire permit to ignite commercial fireworks substantially in the form of Schedule "A", as provided for in Section 3 of this By-law if the Chief Fire Official is satisfied that the commercial fireworks can be safely ignited in consideration of , the declared Fire Hazard Rating, the prevailing weather, site controls, site conditions, fire prevention and suppression methods available at the time of ignition and certification of the qualified person in charge of the commercial fireworks.
- 4.2** The person whom a permit is issued shall ensure that the material burned and the method of burning are consistent with the information provided to the Chief Fire Official in order to obtain the permit and in accordance with all conditions of the permit.
- 4.3** The Chief Fire Official may cancel or revoke any permit issued under this by-law and/or order any fire extinguished, or enact a fire ban at any time within the Municipality in the interest of public safety. Upon issuance of such cancellation, revocation, or order, no person shall refuse to extinguish an open air fire.

## **5 ENFORCEMENT AND PENALTY**

- 5.1** An Officer is hereby vested with the authority of enforcing the provisions of this bylaw.
- 5.2** An Officer may enter onto land at any reasonable time to inspect the land and to determine whether there is compliance with this By-law.
- 5.3** Every person who contravenes any of the provisions of this By-law or an order issued hereunder is guilty of an offence and on conviction is liable to the fines and other penalties prescribed by the Provincial Offences Act.
- 5.4** Any costs and expenses for services, provided by or on behalf of the Corporation of the Municipality of McDougall, or for which the said Corporation is liable in endeavoring to control or extinguish any fire caused by or resulting from a person contravening or failing to comply with any provision of this By-law, shall be a fee or charge pursuant to section 391 of the Municipal Act, 2001 and shall constitute a debt of such person to the Municipality
- 5.5** Any such fee or charge imposed pursuant to this By-law shall be payable within 15 days after the said Corporation has delivered or sent by pre-paid registered post an invoice to the person responsible, at the person's last known address, and interest shall accrue and be added to the amount at the rate of 1.25% per month commencing on the sixteenth day following the delivery or sending of the fire invoice.

## **6 VALIDITY AND SEVERABILITY**

- 6.1** Every provision of this by-law is declared to be severable from the remainder and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction such declaration shall not affect the validity of the remainder.



**7 REPEAL OF PREVIOUS BY-LAWS**

7.1 That By-law 2019-28 is hereby repealed.

**8 ADMINISTRATION**

8.1 This By-law applies to the entire geographic area of the Municipality.

8.2 This By-law shall come into effect on the date of passage.

**Read a First and Second** time this                      day of                      2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a Third** time, **Passed, Signed and Sealed** this                      day of                      2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

DRAFT



Schedule "A" to  
THE CORPORATION OF THE MUNICIPALITY OF McDougall  
BY-LAW NO 2022-40

5 Barager BLVD  
McDougall ON, P2A 2W9  
Telephone: (705)-342-5252

Date: \_\_\_\_\_

Fire Permit Application

Contractor/Company Name: \_\_\_\_\_

Property owner's name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact#: \_\_\_\_\_

Property location of burn site: \_\_\_\_\_

Person in charge of site: \_\_\_\_\_

**Burning Details & Equipment**

Materials to be burned: \_\_\_\_\_

Size of piles: \_\_\_\_\_

Number of piles: \_\_\_\_\_

Number of people assigned to control fire: \_\_\_\_\_

Heavy equipment on site: \_\_\_\_\_

Power pumps on site: \_\_\_\_\_

Hoses and sizes on site: \_\_\_\_\_

Hand tools on site (axes, shovels, other): \_\_\_\_\_

**Permittee Agrees to the Following Conditions**

1. Permittee requests approval for the following dates: \_\_\_\_\_ to \_\_\_\_\_
2. No burning in high winds
3. Permittee and land owner will be responsible for cost of extinguishing all escaped or abandoned fires
4. This permit is issued to burn brush and other wood by-products only.
5. All fires must be supervised at all times by an attendant on site.
6. All fires must be extinguished before leaving the site for the day.
7. The Fire Permit, including all conditions must be at the burning site location at all times.

**Permit Approval**

Signature (McDougall Fire Department): \_\_\_\_\_

Signature of Permittee: \_\_\_\_\_

SCHEDULE 'B' to By-law No. 2022-40  
as amended : Fire Regulation  
Municipality of McDougall

PART 1 Provincial Offences Act Contravention Set Fines

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Burning without a valid permit	3.1	\$200.00
2	Burning restricted materials	2.7	\$200.00
3	Burning in unsafe conditions	2.2	\$200.00
4	Burning during a period of Extreme Fire Hazard	2.9.1	\$200.00
5	Fire left unattended	2.3	\$200.00
6	Fail to extinguish fire	2.4	\$200.00
7	Burning during a period of High Fire Hazard	2.9.2	\$200.00
8	Ignite residential fireworks During high or extreme Fire Hazard	2.12	\$200.00
9	Ignite commercial fireworks Without a permit	3.3	\$400.00
10	Ignite and launched a Chinese Sky Lantern	2.13	\$200.00

**Note:** The penalty for the offences indicated above is Section 5 of By-law No. 2022-XX, a certified copy of which has been filed.

**THE CORPORATION OF THE MUNICIPALITY OF MCDUGALL**

**BY-LAW NO 2022-42**

Being a By-law to authorize the execution of a License Agreement between The Corporation of the Township of Seguin, the Municipality of McDougall and 1000186461 ONTARIO LTD. for part of the original road allowance between Lot 9, Concession 12, former Foley Township, now the Township of Seguin and Lot 8, Concession 1, former McDougall Township, now the Municipality of McDougall, and repeal By-law 2022-01.

**WEHEREAS**, Section 26 of the Municipal Act, 2001, S.O. 2001, c.25 as amended includes road allowances in the definition of what constitutes a highway;

**AND WHEREAS**, Section 27 of the Municipal Act, 2001, S.O. 2001, c.25 as amended provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

**AND WHEREAS**, 1000186461 ONTARIO LTD. have requested permission to cross over a portion of the original road allowance between Lot 9, Concession 12, former Township of Foley, now the Township of Seguin and Lot 8, Concession 1, former McDougall Township, now the Municipality of McDougall, a road allowance over which the Township of Seguin and the Municipality of McDougall has jurisdiction;

**AND WHEREAS**, the Council of The Corporation of the Municipality of McDougall deems it appropriate to permit the portion of original unopened road allowance to be used as access to the property, on the understanding that the property owner will assume all responsibility for the maintenance and for any liability arising out of its use.

**THEREFORE** the Council of The Corporation of the Municipality of McDougall hereby enacts as follows:

- 1. THAT** the Mayor and Clerk be and are hereby authorized and directed to execute and affix the Corporate Seal to the License Agreement between The Corporation of the Township of Seguin, the Municipality of McDougall and 1000186461 ONTARIO LTD. for the use of a portion of the original unopened road allowance between Lot 9, Concession 12, former Township of Foley, now the Township of Seguin and Lot 8, Concession 1, former McDougall Township, now the Municipality of McDougall attached as Schedule "A" to and forming part of this By-law.
- 2. THAT** By-law 2021-01 is hereby repealed.
- 3. THAT** this By-law shall come into full force and effect upon final passage thereof.

**READ** a **FIRST** and **SECOND** time this            day of            2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**READ** a **THIRD** time, **PASSED, SIGNED** and **SEALED** this            day of  
2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

THIS AGREEMENT MADE BETWEEN:

**THE CORPORATION OF THE TOWNSHIP OF SEGUIN**

(hereinafter "Seguin")  
OF THE FIRST PART

- and -

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL**

(hereinafter "McDougall")  
OF THE FIRST PART

- and -

**1000186461 ONTARIO LTD.**

(hereinafter the "Licensee")  
OF THE SECOND PART

WHEREAS Seguin and McDougall (collectively referenced as the "Municipalities") are the owners of a boundary road allowance (between the geographic Townships of Foley and McDougall) and have joint jurisdiction over such road allowance;

AND WHEREAS the Licensee is the owner of lands within the Municipalities (described in Schedule A) separated by the unopened boundary road allowance and the Licensee wishes to establish and maintain a driveway crossing such road allowance;

AND WHEREAS the Municipalities have agreed to issue license therefore on the following terms and conditions;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT IN CONSIDERATION OF THE PREMISES AND THE COVENANTS HEREINAFTER SET FORTH, AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, THE PARTIES HERETO COVENANT AND AGREE WITH EACH OTHER AS FOLLOWS:

1. LICENCE

The Municipalities hereby permit and consent to the Licensee establishing and maintaining a driveway in or upon the Licensed Area.

The Licensed Area is defined as:

Part of the unopened road allowance between the Lot 9, Concession 12, geographic Township of Foley, Township of Seguin and Lot 8, Concession 1, Municipality of McDougall described in PIN 52179-0491 and more particularly identified in the sketch attached hereto as Schedule "C". For clarity the Licensed Area is a twenty (20) metre wide "strip" across the unopened boundary road allowance.

2. TERM

This License Agreement shall be effective upon the date of execution by the Municipalities and shall continue to be in force for an indeterminate period subject to the termination provisions hereinafter set forth.

3. TERMINATION OF AGREEMENT

- a. This Agreement may be terminated by either Seguin or McDougall:
  - i. Discretionary - upon six (6) months' notice in writing by one of the Municipalities, with or without reason, to the Licensee at one of the Municipalities sole discretion; or

- ii. Default - upon default of the Licensee of the terms of this agreement; as a condition precedent to giving such notice of termination one of the Municipalities shall provide written notice of default and the Licensee shall have fifteen (15) days from the date of the notice to remedy the identified default(s) to the satisfaction of the Municipalities; where such default has not been remedied either one of the Municipalities may terminate the agreement as of a date specified in writing and require the Licensee to remove the encroachment within a reasonable time.
- b. This Agreement will automatically terminate:
  - i. upon the registration of a transfer of the ownership of the Licensed Area from the Municipalities to the Licensee;
  - ii. upon the removal of the driveway from the Licensed Area to a condition satisfactory to the Municipalities.

4. NO INTEREST IN LAND AND NON-EXCLUSIVE LICENSE

- a. The Licensee acknowledges that this Agreement shall in no way create any interest in land or easement rights.
- b. The Licensee acknowledges and agrees that the Licensed Area remains a component of an unopened road allowance over which the public is entitled to travel. Accordingly, the license granted herein is non-exclusive and the Licensee may not prohibit or interfere with the public travel along the unopened boundary road allowance.

5. CONSTRUCT, REPAIR AND REMOVAL

- a. In consideration of the permission and consent hereby given, the Licensee:
  - i. is entitled, at its own expense, to establish, maintain, repair and/or improve the driveway within the Licensed Area;
  - ii. shall, at its own expense, keep and maintain the driveway and Licensed Area in a safe, good and proper repair and condition;
  - iii. shall, upon termination of this Agreement, forthwith remove the driveway and repair any damage caused thereby at the sole expense of the Licensee without being entitled to any compensation whatsoever.
- b. The Licensee acknowledges that the authorization hereunder applies only to the Licensed Area and it is the Licensee's obligation to ensure that works authorized hereunder does not encroach upon abutting lands. The Licensee shall be responsible for obtaining the assistance of a professional surveyor for such purpose, if required by the Municipalities, and the cost thereof.
- c. If the Licensee fail to maintain in safe condition, repair or remove the driveway as required by this Agreement, the Municipalities may alter, repair or remove the same at the expense of the Licensee and the Certificate of the Clerks of the Municipalities as to the expense thereof shall be final and binding upon the Licensee. In addition to any other remedy provided for in this agreement or at law, the Municipalities may recover the same from the Licensee in any court of competent jurisdiction as a debt due and owing to the Municipalities.



6. INDEMNIFICATION FROM LIABILITY AND RELEASE

The Licensee covenants and agrees with the Municipalities that the Licensee will indemnify and save harmless the Municipalities, its officers, servants, officials and agents from any claim or demand, loss, cost, charge or expense which the Municipalities may incur or be liable for in consequence of the permission hereinbefore granted and/or the exercise by the Licensee of such permission and/or the presence of the driveway or in any matter related thereto.

The Licensee hereby release and forever discharge the Municipalities, their officers, servants, officials and agents from any claim, demand, loss, cost, charge or expense which may arise as a result of the Municipalities performing any municipal work in, upon or in proximity to the Licensed Area which may damage or interfere with the driveway.

7. DEPOSITS/PAYMENTS

- a. The Licensee shall lodge with the Municipalities, as applicable, those cash deposits more particularly described in Schedule "B", prior to the date of execution of this Agreement by the Municipalities.
- b. Without limiting the generality of section 9, in the event any expenses incurred by the Municipalities in the preparation and administration or enforcement of this agreement, exceeds the deposit, the Licensee shall pay such additional amounts to the Municipalities as invoiced. Failure to pay such invoices within the time periods set out in this agreement or in the invoices shall be considered a default of this agreement.

8. INSURANCE CERTIFICATE AND POLICY

- a. Policy of Insurance - The Licensee shall lodge with the Municipalities, on or prior to the execution of the Agreement, an insurance certificate with an Insurance Company satisfactory to the Municipalities, and insuring for the joint benefit of the Licensee and the Municipalities against any liability that may arise out of authorization granted hereunder or any use of the Licensed Area.
- b. Comprehensive General Liability - Such policy shall carry limits of liability in the amount to be specified by the Municipalities, but in no event shall it be less than \$2,000,000.00 inclusive comprehensive general liability and such policy shall contain:
  - i. a cross-liability clause;
  - ii. product/completed operation coverage;
  - iii. shall not have an exclusion pertaining to blasting, provided that any blasting required to be done shall be done by an independent contractor duly qualified to do such work or where no blasting will occur, such clause may be included where the Municipalities have received to its satisfaction, a Statutory Declaration from the Licensee that no blasting will occur on the lands subject to this agreement;
  - iv. shall include the following as an additional insured:
    1. The Corporation of the Corporation of the Township of Seguin and the Corporation of the Municipality of McDougall;
  - v. Notice of Cancellation - a provision that the insurance company agrees to notify the Municipalities 15 days in advance of any material change or cancellation of the said insurance policy.

- c. Certificate of Coverage - Any certificate of coverage filed with the Municipal solicitor shall specifically contain confirmation that the coverage as specified in paragraphs (a), and (b) above is in effect.
- d. Confirmation of Premium Payment - The Licensee shall, from time to time as required by the Municipalities, provide confirmation that all premiums on such policy or policies of insurance have been paid, and that the insurance is in full force and effect. The Licensee shall file a copy of the policy with the Municipalities.
- e. Claim in Excess of Policy Limits - The issuance of such Policy of Insurance shall not be construed as relieving the Licensee from responsibility for other or larger claims, if any, and for which it may be held responsible.

9. EXPENSES TO BE PAID BY THE LICENSEE

- a. Every provision of this Agreement by which the Licensee is obligated in any way shall be deemed to include the words "at the expense of the Licensee" unless the context otherwise requires.
- b. The Licensee shall pay such reasonable fees as may be invoiced to the Municipalities by its Solicitor, its Planner, and its Municipal Engineer in connection with all work to be performed as a result of the provisions of this Agreement.
- c. All expenses for which demand for payment has been made by the Municipalities, shall bear interest at the rate of 12% per annum commencing 30 days after demand is made.
- d. In the event that the Municipalities finds it is necessary to engage the services of an engineer or technical personnel not permanently employed by the Municipalities to review the plans of the Licensee and/or carry out on-site inspections of the work performed, the Municipalities will advise the Licensee accordingly of this need, and the costs of such outside engineers so engaged shall be the responsibility of the Licensee. The Municipalities may require a deposit for this purpose.

10. LICENCE NON-TRANSFERABLE

The Licence hereby granted may not be transferred by the Licensee without the prior consent in writing of the Municipalities, which consent may be unreasonably withheld.

11. NOTICE

For the purpose of This Agreement, notice may be given to the Licensee by prepaid registered mail to the address shown on the last transfer registered against the Licensee's Lands and such notice shall be deemed to have been given and received on the fifth day after mailing.

12. ESTOPPEL OF LICENSEE

The Licensee agree to not call into question directly or indirectly in any proceeding whatsoever, in law or in equity, or before any administrative tribunal, the right of the Municipalities to enter into This Agreement and to enforce each and every term, covenant and condition herein contained and This Agreement may be pleaded as an estoppel against the Licensee in any such proceedings.

This AGREEMENT SHALL enure to the benefit of and be binding upon the parties hereto and their permitted assigns.

IN WITNESS WHEREOF the parties hereto have executed and set their hands and seals on This Agreement:

By the Township of Seguin on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

THE CORPORATION OF THE  
TOWNSHIP OF SEGUIN

Per: \_\_\_\_\_  
Ann MacDiarmid, Mayor

Per: \_\_\_\_\_  
Craig Jeffrey, Clerk

We have the authority to bind the Corporation.

By the Municipality of McDougall on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

THE CORPORATION OF THE  
MUNICIPALITY OF McDOUGALL

Per: \_\_\_\_\_  
Dale Robinson, Mayor

Per: \_\_\_\_\_  
Lori West, Clerk

We have the authority to bind the Corporation.

By the Licensee on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
1000186461 ONTARIO LTD.  
C/O Kevin Ford, President

THIS IS SCHEDULE A TO THE LICENSE AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SEGUIN, THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL AND 1000186461 ONTARIO LTD.

---

## SCHEDULE "A"

### LEGAL DESCRIPTIONS

#### 1. Licensee's Lands

FIRSTLY: Lt 8 – 10 Con 1 McDougall being PIN 52120-0161 (LT);

SECONDLY: Lt 7 – 10 Con 12 Foley; Seguin being all of PIN 52179-0202 (LT).

DRAFT

THIS IS SCHEDULE B TO THE LICENSE AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SEGUIN, THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL AND 1000186461 ONTARIO LTD.

---

SCHEDULE "B"

CASH DEPOSITS AND SECURITY

The Licensee shall, on the dates specified herein, lodge with the Township, the following described cash deposits and security.

1. TYPE OF SECURITY

Any security required to be filed under this Agreement, shall be by Certified Cheque or Bank Draft in the amount or amounts hereinafter set out.

2. CASH DEPOSITS

The following cash deposits are estimates only and are to be paid to the Township, as applicable, prior to the execution of this Agreement by the Township. In the event that the actual costs incurred by the Township exceed the deposits, such excess shall be invoiced to the Licensee and be due and payable 30 days after demand.

For legal, planning and engineering expenses and disbursements in connection with this Agreement, a deposit of	\$1,500.00
--	------------

THIS IS SCHEDULE C TO THE LICENSE AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF SEGUIN, THE CORPORATION OF THE MUNICIPALITY OF MCDougALL AND 1000186461 ONTARIO LTD.

SCHEDULE "C"  
SKETCH OF LICENSED AREA

