AGENDA

for the

COMMITTEE OF ADJUSTMENT

Friday, September 18th, 2020

11:00 a.m.

at

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

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1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF AGENDA**

   20-09-ADJ-

   NOW THEREFORE BE IT RESOLVED that the agenda for the September 18th, 2020, Committee of Adjustment hearing be approved.

3. **DISCLOSURE OF CONFLICT OF INTEREST**

4. **ADOPTION OF MINUTES**

   20-09-ADJ-

   NOW THEREFORE BE IT RESOLVED that the minutes of the Committee of Adjustment hearing held on August 21st, 2020, be approved as circulated.

   Pages: 1 – 3

5. **DELEGATIONS**

   Nil

6. HEARING OF APPLICATIONS

i) **DODGE, Laura Fischer – Application No. A06-20**
Island 324A (Bijou Island), being Parcel 17753 PSNS,
In front of the geographic Township of Harrison

CIVIC ADDRESS: 1 A324 Island, The Archipelago

Pages: 4 - 16

PURPOSE AND EFFECT OF THE APPLICATION:

The owners are seeking relief from Section 5.22 c) iii) Reconstruction of Non-complying Buildings and Structures, of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that nothing shall prevent the reconstruction of any non-complying building that existed prior to the date of the passing of the By-law, provided the reconstruction of such building does not increase in size and it is in the same location.

The purpose and effect of the proposed application is to allow the owner to remove two accessory storage structures, being 5.03 m² (54 ft²) and 2.99 m² (32 ft²) in size and replace them with a single 8.2 m² (88 ft²) sauna. Further, the owner is proposing to replace an existing 35 m² (376 ft²) deck attached to an existing sleeping cabin with a 42.5 m² (457 ft²) deck.

ii) **MAHONEY, Ryan – Application No. A07-20**
Part Lot 24, Concession 10, being Part 8 on PSR-883 and
Part 1 on Plan 42R-18332, Conger

CIVIC ADDRESS: 70 Joe Koran Road

Pages: 17 – 31

PURPOSE AND EFFECT OF THE APPLICATION:

The owner is requesting relief from Section 5.3 k) of Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that a boathouse and dock shall not exceed 15 metres, measured as a straight line parallel to the chord of the lot frontage.

The purpose of the proposed application is to allow the construction of a boat port, a 22.7 square metre (244 square feet) dock addition and an 8.5 square metre (92 square feet) dock addition onto an existing dock that is approximately 90 square metres (970 square feet) in size.

The effect of the variance would be the construction of a boat port and dock addition, which would be approximately 15.85 metres (52.0 feet) wide along the shore, requiring a variance of approximately 0.85 metres (2.8 feet).

7. CORRESPONDENCE

Nil

8. UNFINISHED BUSINESS

Nil

9. ADMINISTRATION

Nil

10. ADJOURNMENT

NOW THEREFORE BE IT RESOLVED that the Committee of Adjustment hearing of September 18th, 2020, be discontinued at _____ .

MINUTES
of the
COMMITTEE OF ADJUSTMENT HEARING
for the
TOWNSHIP OF THE ARCHIPELAGO
held on
Friday, August 21st, 2020
at
The Township of The Archipelago's Council Chamber

MEMBERS PRESENT:

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

STAFF PRESENT:

C. Henderson, Secretary-Treasurer
J. Nawroth, Assistant Secretary-Treasurer

APOLOGIES:

G. Andrews

1. Meeting Called to Order

The meeting was called to order at 10:30 a.m.

2. Approval of Agenda

Resolution 20-09-ADJ-01

Moved by G. Walker
Seconded by B. Liverance

NOW THEREFORE BE IT RESOLVED that the agenda for the August 21st, 2020 Committee of Adjustment hearing be approved as circulated.

Disposition Carried

3. Disclosure of Conflict of Interest

NIL

4. Adoption of Minutes

Resolution 20-08-ADJ-02

Moved by L. Emery
Seconded by D. Ashley

NOW THEREFORE BE IT RESOLVED that the minutes of the Committee of Adjustment meeting held on July 16th, 2020, be approved.

Disposition Carried

5. Delegations

Nil

6. Hearing of Minor Variance Applications

i) **KEITH, Cathy and Garey – Application No. A09-20**
Lot 10 on Plan M-293, Parts 3 and 6 on Plan 42R-13422
designated as Parcel 16802 PSSS
in the geographic Township of Conger

CIVIC ADDRESS: 23 A65 Island, The Archipelago

PURPOSE AND EFFECT OF THE APPLICATION:

The applicant is seeking relief from Section 6.1.3 d) i) Maximum Ground Floor Area, of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates the maximum ground floor area allowed for a main dwelling is 80% of the total lot coverage.

The purpose of the proposed application is to allow a variance of 32.9 square metres (354 square feet) over the maximum ground floor area of 177.1 square metres (1906 square feet) for a main dwelling. The effect of the proposed variance would be a 90 square metre (969 square feet) addition to the existing main dwelling, for a maximum ground floor area of 210 square metres (2260 square feet).

The owner has stated the current structure does not allow for reasonable accommodations for her family.

Cale Henderson; Secretary Treasurer, explained the nature of the application. Ms. Keith, the owner, was in attendance in support of the application.

Resolution 20-08-ADJ-03

Moved by S. Sheard
Seconded by E. Manners

NOW THEREFORE BE IT RESOLVED that Application No. A09-20, to grant a variance from Section 6.1.3 d) i), to allow a variance of 32.9 square metres (354 square feet) over the maximum allowable ground floor area, to permit a 90 square metre (969 square feet) addition onto the existing main dwelling, for a total ground floor area of 210 square metres (2260 square feet), **be approved**, subject to:

a. A minimum 5-metre (16.4 feet) distance is required between the septic and the addition.

Disposition Carried

7. Correspondence

Nil

8. Administration

Nil

9. Unfinished Business

Nil

10. Adjournment

NOW THEREFORE BE IT RESOLVED that the Committee of Adjustment meeting of August 21st, 2020, be discontinued at 10:54 a.m.

_____ _____

CHAIR DATE

_____ _____

SECRETARY-TREASURER DATE

TO: Chair Frost and Members of the Committee of Adjustment

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

DATE: September 18, 2020

RE: Minor Variance Application A06-20
(DODGE, Laura Fischer)

LOCATION: Island 324A (Bijou Island), being Parcel 16753 PSNS,
in front of the geographic Township of Harrison

RECOMMENDATION

Staff recommends that Application No. A06-20 be approved.

PROPOSAL

The owner is seeking relief from Section 5.22 c) iii) Reconstruction of Non-Complying Buildings and Structures, of the Township's Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that nothing shall prevent the reconstruction of any non-complying building that existed prior to the date of the passing of this by-law, provided the reconstruction of such building does not increase in size and it is in the same location.

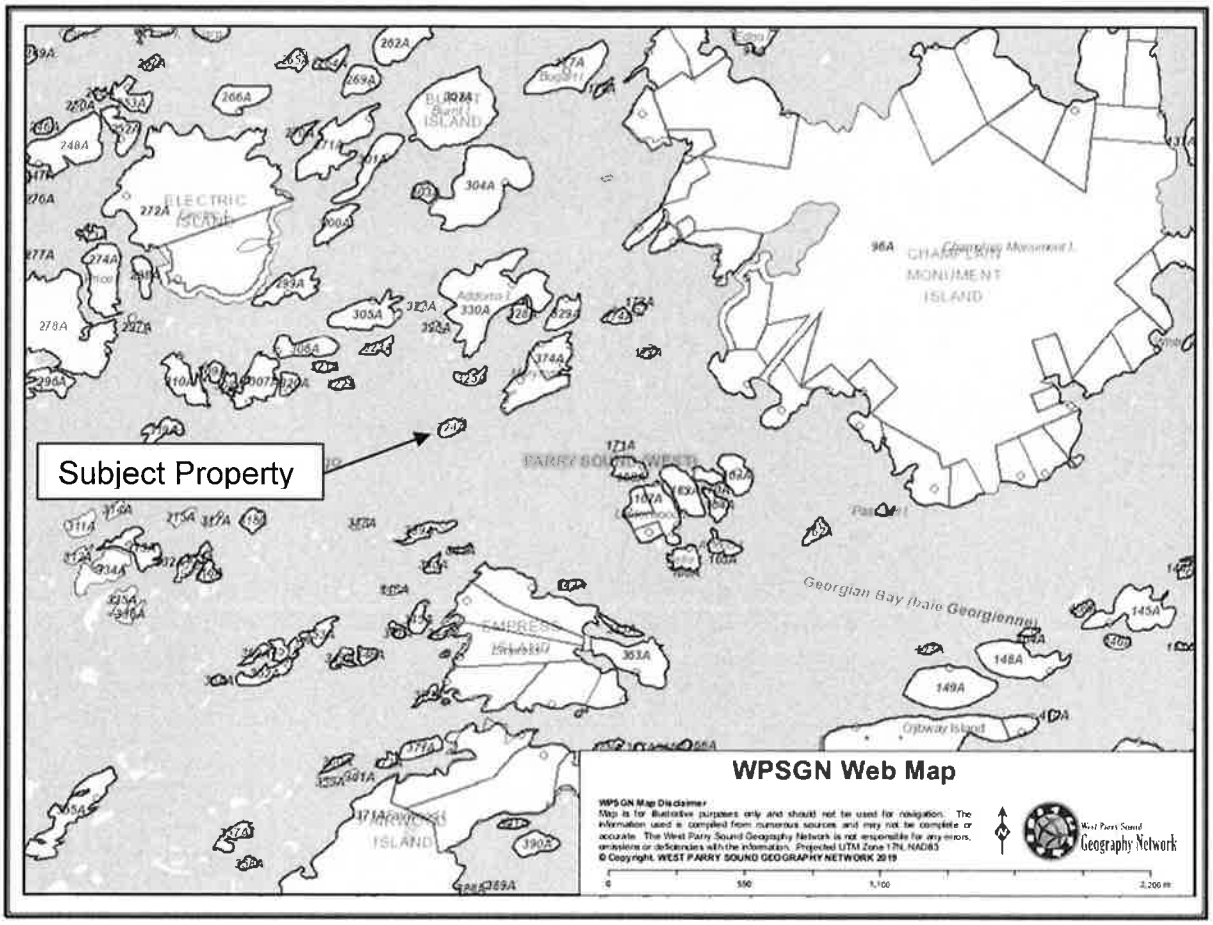
The purpose and effect of the proposed application is to allow the owner to remove two accessory storage structures, being 5.03 m² (54 ft²) and 2.99 m² (32 ft²) in size and replace them with a single 8.2 m² (88 ft²) sauna. Further, the owner is proposing to replace an existing 35 m² (376 ft²) deck attached to an existing sleeping cabin, with a 42.5 m² (457 ft²) deck.

	Existing Permitted	Proposed	Variance
Lot Coverage	271.3 m^2 (2920.3 ft^2)	270.98 m^2 (2918 ft^2)	0.32 m^2 (3.44 ft^2) Less coverage

The subject property currently contains a main dwelling (166.38 m^2 GFA), two sleeping cabins (43 m^2 & 14.4 m^2), a storage building (39.5 m^2) and other accessory buildings and structures. The applicants are proposing to remove two accessory storage structures being 5.03 m² (54 ft²) and 2.99 m² (32 ft²) in size and replace them with a single 8.2 m² (88 ft²) sauna. Further, the owner is proposing to replace an existing 35 m² (376 ft²) deck attached to an existing sleeping cabin, with a 42.5 m² (457 ft²) deck. A copy of the application is attached as Appendix A.

PLANNING INFORMATION

Official Plan Neighbourhood:	Pointe au Baril Islands
By-law No. A2000-07:	Coastal/Island Residential (CR)
Existing & Neighbouring Uses:	Residential
Property Size:	0.24 ha (0.6 ac)
Access:	Water



ANALYSIS

Property Characteristics

Staff inspected the subject property, a single ownership island. The subject property is a small island, west of Champlain Monument Island, in a relatively densely developed area of the Pointe au Baril Islands Neighbourhood. The existing development far precedes the formation of the Township, and does not comply with existing lot coverage requirements of the Zoning By-law. As a result, all existing development is considered legally non-complying. The owners are proposing to remove two accessory storage structures and replace them with a sauna, as well as replace an existing deck attached to an existing sleeping cabin, with a larger deck.

Planning Act Requirements

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

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

The application must meet all of the above tests.

i) Minor in Nature

There is no precise definition as to what constitutes minor. Minor is a relative term and must be interpreted in the particular circumstances involved in conjunction with the other tests. In this case, quantitatively the proposed construction will actually decrease the existing lot coverage by 0.32 m^2 (3.44 ft^2).

Further, there does not appear to be any significant visual impacts to the surrounding area. The sauna is proposed to be placed on the footprint of an existing storage structure that is being removed. The construction of the sauna will not increase the usability or density of the existing property.

Conclusion

Due to the proposed storage building demolition, sauna construction, and the replacement of a deck on an existing sleeping cabin, the overall impact appears to be minor in nature.

ii) Desirable for Appropriate Development

The proposed development would result in two storage buildings being removed to accommodate the construction of a sauna, as well as the replacement of an attached deck. As previously stated, the proposal will not result in any significant additional visual impacts or substantially increase the usability or density of the property.

Conclusion

The proposed development appears to be desirable for appropriate development.

iii) Zoning By-law

The subject property is located within the Coastal/Island Residential (CR) Zone of the Comprehensive Zoning By-law No. A2000-07, as amended. Section 6.1.3 c) restricts lot coverage to a maximum of 140 m^2 + 3% of the lot area, or 212.8 m^2 (2291 ft^2). However, as the existing development was established before the formation of the Township, as well as through Committee of Adjustment Application No. A03-19, the legally non-complying maximum permitted lot coverage is that which currently exists, being 271.3 m^2 (2920 ft^2).

Further, Section 5.22 c) iii) Reconstruction of Non-Complying Buildings and Structures, stipulates that nothing shall prevent the reconstruction of any non-complying building that existed prior to the date of the passing of this by-law, provided the reconstruction of such building does not increase the total floor area of the lawfully used building.

The intent of the maximum permitted lot coverage and restrictions on expansion of legally non-complying buildings is to strictly regulate the built form and to minimize the visual and environmental impacts of development. In this case, it would appear that the visual impact of the proposal would be minimal and there is no substantial increase to the usability or density of the dwelling.

Conclusion

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

iv) Official Plan

The Official Plan recognizes the importance of the waterfront area to the Township with the goal to preserve the unique and high quality of the natural environment which leads to an experience that is aesthetically appealing to property owners and to visitors who use the area.

To this end, Section 14.6 of the Official Plan States:

> *'Development must be appropriate for an area in terms of its density or prematurity.'*

Further, Section 14.23 of the Official Plan States:

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

As previously discussed, the proposal does not result in any significant visual impacts and the aesthetics of the Township's waterfront lands are preserved. Further, there is no increase in overall lot coverage, and does not impact the density of the island or the surrounding neighbourhood.

Conclusion

The proposed variance appears to conform with the intent of the relevant Official Plan policies.

CONCLUSIONS – MINOR VARIANCE

1) The requested variance would appear to be minor in nature.

2) The proposed variance can be considered to allow for appropriate residential development.

3) The proposed variance would appear to maintain the intent of Comprehensive Zoning By-law A2000-07, as amended.

4) The requested variance would appear to conform with the intent of the relevant Official Plan policies.

Respectfully submitted,

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

Jane Nawroth
Planning Assistant

APPENDIX "A"
Application

Print Form

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

Committee of Adjustment Application

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

OFFICE USE ONLY

Date Received _____ Complete Application ☐ Yes ☐ No Application No. A16-20

Date Accepted _____ Applicable Fee Paid ☐ Yes ☐ No

1. Applicant / Agent Information

Name of Applicant / Agent

ERA ARCHITECTS INC. - LYNDSEY SNEDDON

Address

625 CHURCH STREET, SUITE 60

City TORONTO Province / State ON Postal / Zip Code M4Y 2G1

Home Phone No. 647.234.1986 Business Phone No. _____ email LYNDSEYS@ERAARCH.CA

2. Owner(s) Information

Name of Owner(s)

LAURA F DODGE

Address

c/o Desmasdons Marina, 18 Desmasdons Rd

City POINTE AU BARIL Province / State ON Postal / Zip Code P0G 1K0

Home Phone No. _ Business Phone No. _____ email _____

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

3. Purpose and Type of Application

☒ Minor Variance from Comprehensive Zoning By-law ☐ Permission to extend a legal non-conforming use

From what section of the Zoning By-law is relief being sought?

6.1.3 LOT AREA

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

LOT COVERAGE - THE PROPOSAL IS TO CONSTRUCT A NEW SAUNA BUILDING ON THE ISLAND (IN LIEU OF TWO EXISTING SHEDS) & TO DEMOLISH & REBUILD NEW WOOD FRAMED DECKS OFF OF SUNSET CABIN.

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

THE SITE IS ALREADY OVER 'LOT COVERAGE' (EX NON CONFORMING) AND WE UNDERSTAND THAT ANY PROPOSED CHANGES TO EXISTING FOOTPRINTS MUST GO THROUGH THE VARIANCE APPROVAL PROCESS

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

Assessment Roll Number 4905- 140-011-02400 Lot ____ Concession ____ Island No. A324

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

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

Parcel No. _____ Other Description BIJOU ISLAND

Dimensions of Subject Property:

Depth (metres) 42.67 Frontage (metres) 80.47m Hectares 0.24

5. Land Use and Zoning

What was the date of acquisition of the subject land? SUMMER 2018

What are the existing uses of the subject land? SEASONAL DWELLING & OUT HOUSES

How long have the existing uses been carried out on the subject land? 50+ YEARS

What are the proposed uses of the subject land? NO CHANGE

What are the existing uses of abutting properties? NA

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

What is the current zoning of the subject land? RUD

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

+ 9.38.

EXISTING - List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m^2)	Total Floor Area (m^2)	Front	Rear	Side	Side
MAIN COTTAGE	1950s	1.5	157	235.7	7.5	3.87	8.34	
BUILDING A (SUNSET CABIN	1950	1	43	43	12.06	N/A	11	N/A
BUILDING B	1950	1	39.5					
BUILDING C	1950	1	14.4					
BUILDING D	1950	1	5.03	DEMO				
BUILDING E	1950	1	2.99	DEMO				

PROPOSED - List all proposed buildings and structures				PROPOSED DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	# of Storeys / Height	Ground Floor Area (m^2)	Total Floor Area (m^2)	Front	Rear	Side	Side
BUILDING F - SAUNA	1	8.2	8.2	4.32		3.04	
BUILDING A - DECK (SUNSET CABIN)	1	42.5		9.14		7.82	11.92

7. Service Information (check appropriate box)

Access

☐ Provincial Highway ☐ Municipal road, maintained all year ☐ Municipal road, maintained seasonally

☐ Other public road ☐ Right-of-way ☒ Water Access (see below)

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

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

REFER TO A003 FOR DOCKING LOCATION

11

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

Water (check appropriate box)

☒ Privately owned and operated individual well ☐ Privately owned and operated communal well

☐ Lake ☐ Other Means _____

Sewage Disposal (check appropriate box)

☒ Privately owned and operated individual septic system ☐ Privy

☐ Privately owned and operated communal septic system ☐ Other Means _____

8. History

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

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

☐ Yes ☒ No If yes, please provide Application No., if known _____

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

Location Plan

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

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

Site Plan

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

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

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

10. Affidavit or Sworn Declaration

Dated at the ERA OFFICE this 4TH day of JUNE, 2020

I, LYNDSEY SNEDDON of the ERA ARCHITECTS INC. in the

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

DECLARED BEFORE ME at the TOWN of PARRY SOUND

in the DISTRICT of PARRY SOUND this 5 day of June, 2020.

Cale Henderson
A Commissioner of Oaths

L. Maddon.
Signature of Owner or authorized Applicant / Agent

Cale Henderson, a Commissioner, etc., District of Parry Sound, for The Archipelago Area Planning Board and The Township of The Archipelago.

11. Authorizations

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

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

I/We, LAURA DODGE, am/are the owner(s) of the land that is the subject of this application and I/we authorize _____ to make this application on my/our behalf.

Date 2020/06/04 Signature of Owner Laura Dodge

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

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

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

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

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

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

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

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

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

EXISTING LOT AREA 0.24ha (0.6 acres)
RDU - SEASONAL DWELLING UNIT

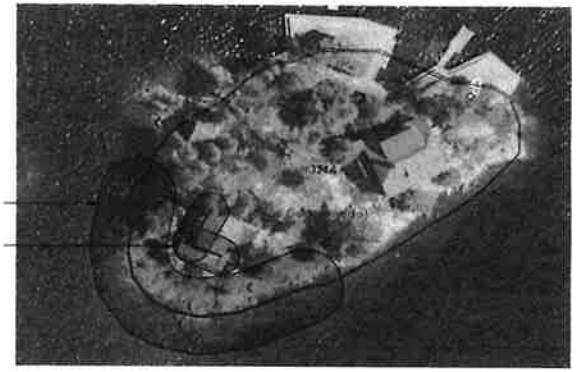
PROJECT OUTLINE
BUILDING A -
PROPOSED RENOVATION OF EXISTING STRUCTURE
NEW INTERIOR AND EXTERIOR WALL FINSIHES
NEW EXTERIOR DECKS

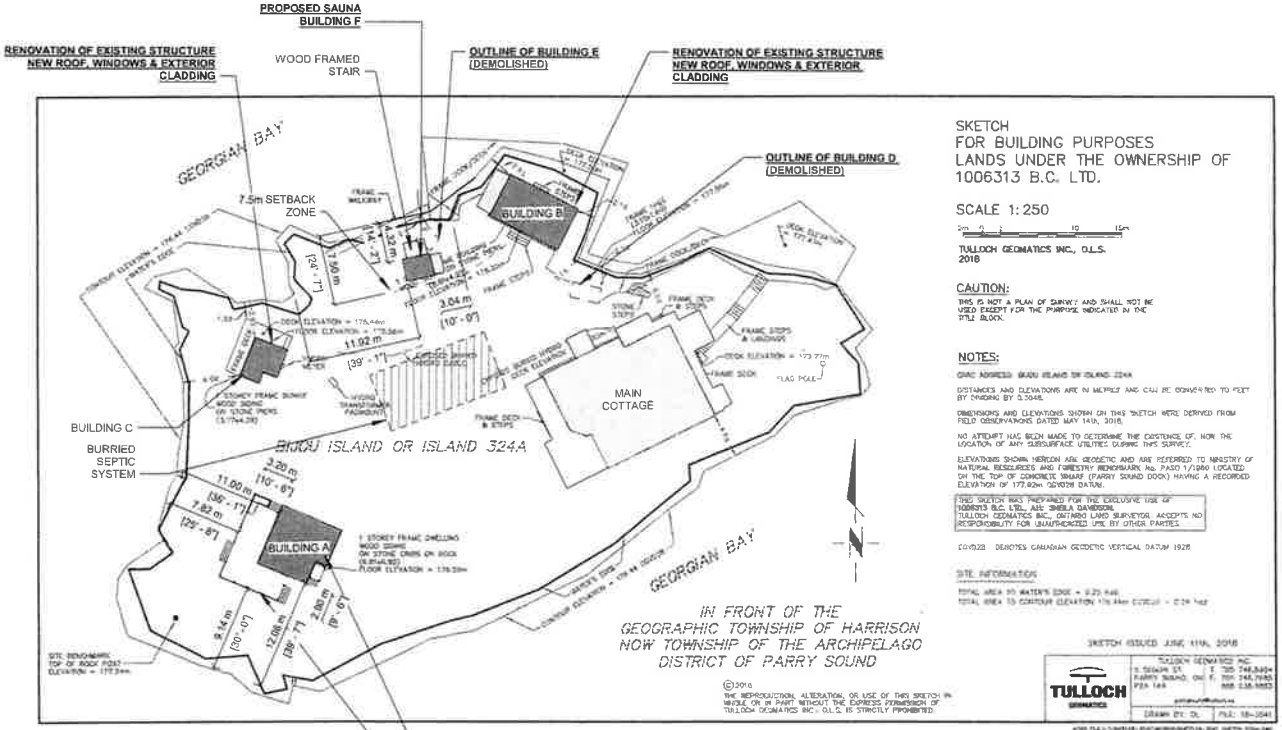
BUILDING F
PROPOSED SAUNA - (COMBINED FOOTPRINTS OF DEMOLISHED BUILDINGS D & E)

TOTAL BUILDING AREA		EXISTING		PROPOSED
MAIN COTTAGE		235.7m2 -	2539sf	NO CHANGE
BUILDING A		43.0m2 -	463sf	NO CHANGE
BUILDING B		39.5m2 -	426sf	NO CHANGE
BUILDING C		14.4m2 -	155sf	NO CHANGE
BUILDING D	10.16' x 5.33' =	5.03m2 -	54.15 sq ft.	DELETE
BUILDING E	5.16'x6.25' =	2.99m2	32.25 sq ft	DELETE
BUILDING F				8.2m2- 88sf (D&E COMBINED = 8.02m2 - 86.4sf)
		340.6m2 -	3669sf	340.8m2 - 3670sf

NEW DECKS	PROPOSED
BUILDING A	42.5m2 - 457sf

SCREEN CAPTURE FROM GIS INTERACTIVE ZONING MAP





SKETCH
FOR BUILDING PURPOSES
LANDS UNDER THE OWNERSHIP OF
1006313 B.C. LTD.

SCALE 1: 250

TULLOCH GEOMATICS INC., O.L.S.
2018

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

NOTES:
CIVIC ADDRESS: BIJOU ISLAND OR ISLAND 324A

DISTANCES AND ELEVATIONS ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DIMENSIONS AND ELEVATIONS SHOWN ON THIS SKETCH WERE DERIVED FROM FIELD OBSERVATIONS DATED MAY 14th, 2018.

NO ATTEMPT HAS BEEN MADE TO DETERMINE THE EXISTENCE OF, NOR THE LOCATION OF ANY SUBSURFACE UTILITIES DURING THIS SURVEY.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO MINISTRY OF NATURAL RESOURCES AND FORESTRY MONUMARK No. PA20 1/1980 LOCATED ON THE TOP OF CONCRETE MONUMENT (PARRY SOUND DOCK) HAVING A RECORDED ELEVATION OF 177.82m CGVD28 DATUM.

THIS SKETCH WAS PREPARED FOR THE EXCLUSIVE USE OF 1006313 B.C. LTD., Attn: SHEILA DAVIDSON.
TULLOCH GEOMATICS INC., ONTARIO LAND SURVEYOR, ACCEPTS NO RESPONSIBILITY FOR UNAUTHORIZED USE BY OTHER PARTIES.

CGVD28 DENOTES CANADIAN GEODETIC VERTICAL DATUM 1928

SITE INFORMATION

SKETCH ISSUED JUNE 11th, 2018

©2018
THE REPRODUCTION, ALTERATION, OR USE OF THIS SKETCH IN WHOLE OR IN PART WITHOUT THE EXPRESS PERMISSION OF TULLOCH GEOMATICS INC. - O.L.S. IS STRICTLY PROHIBITED.

TULLOCH GEOMATICS

1 Site Plan Proposed
1 : 500

This drawing is the property of E.R.A. Architects Inc. and may not be used or reproduced without expressed approval. Refer to the following drawings before proceeding with work. The Contractor shall verify all dimensions and levels on site and report any discrepancies to E.R.A. before beginning work. Do not scale from the drawings. Use figured dimensions only. The Contractor is responsible for any changes made to the drawings without E.R.A.'s approval.

NO.	DATE	REVISION / ISSUANCE
1	2020-06-08	ISS. FOR CofA

NOT FOR CONSTRUCTION

LEGEND

GENERAL NOTES

E.R.A. Architects Inc.

ONTARIO ASSOCIATION OF ARCHITECTS
SCOTT ANDREW WEBB
LICENCE
9087

Project

SUNSET COTTAGE - BIJOU

Address	ISLAND 324A, GEORGIAN BAY
For	LAURA DODGE
Project no.	13-085-02
Scale at 11x17	As indicated
Drawn by	LS
Reviewed by	RL SW

Drawing title

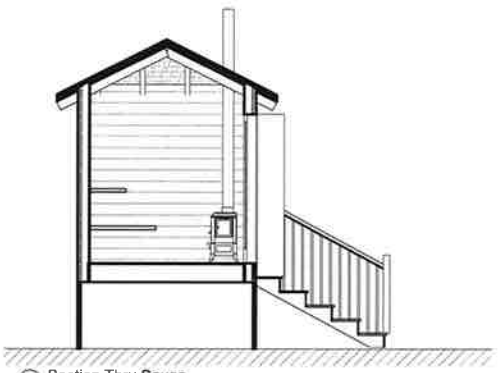
PROPOSED SITE PLAN

Sheet no.

A004

4 Sauna - S
3/16" = 1'-0"

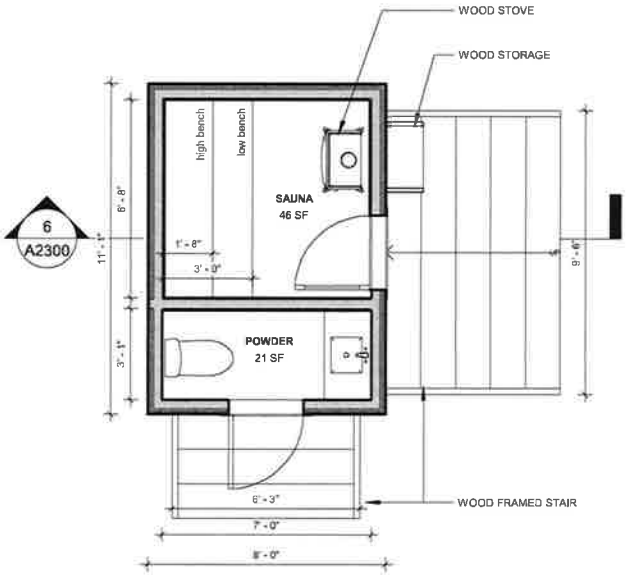
2 Sauna - E
3/16" = 1'-0"



6 Section Thru Sauna
3/16" = 1'-0"

5 Sauna - N
3/16" = 1'-0"

3 Sauna - W
3/16" = 1'-0"



1 Sauna
1/4" = 1'-0"

This drawing is the property of E.R.A. Architects Inc. and may not be used or reproduced without expressed approval. Refer to engineering drawings before processing with work. The Contractor shall verify all dimensions and levels on site and report any discrepancies to E.R.A. before beginning work. Do not scale from the drawings. Use figured dimensions only. The Contractor is responsible for any changes made to the drawings without E.R.A.'s approval.

NO.	DATE	REVISION / ISSUANCE
1	2020-06-08	ISS. FOR CofA

NOT FOR CONSTRUCTION

LEGEND

GENERAL NOTES

1.

E.R.A. Architects Inc.

ONTARIO ASSOCIATION OF ARCHITECTS
SCOTT ANDREW WEIR
LICENCE
3287

Project

SUNSET COTTAGE - BIJOU

Address	ISLAND 324A, GEORGIAN BAY
For	LAURA DODGE
Project no.	13-085-02
Scale at 11x17	As indicated
Drawn by	LS
Reviewed by	RL SW

Drawing title

PROPOSED SAUNA

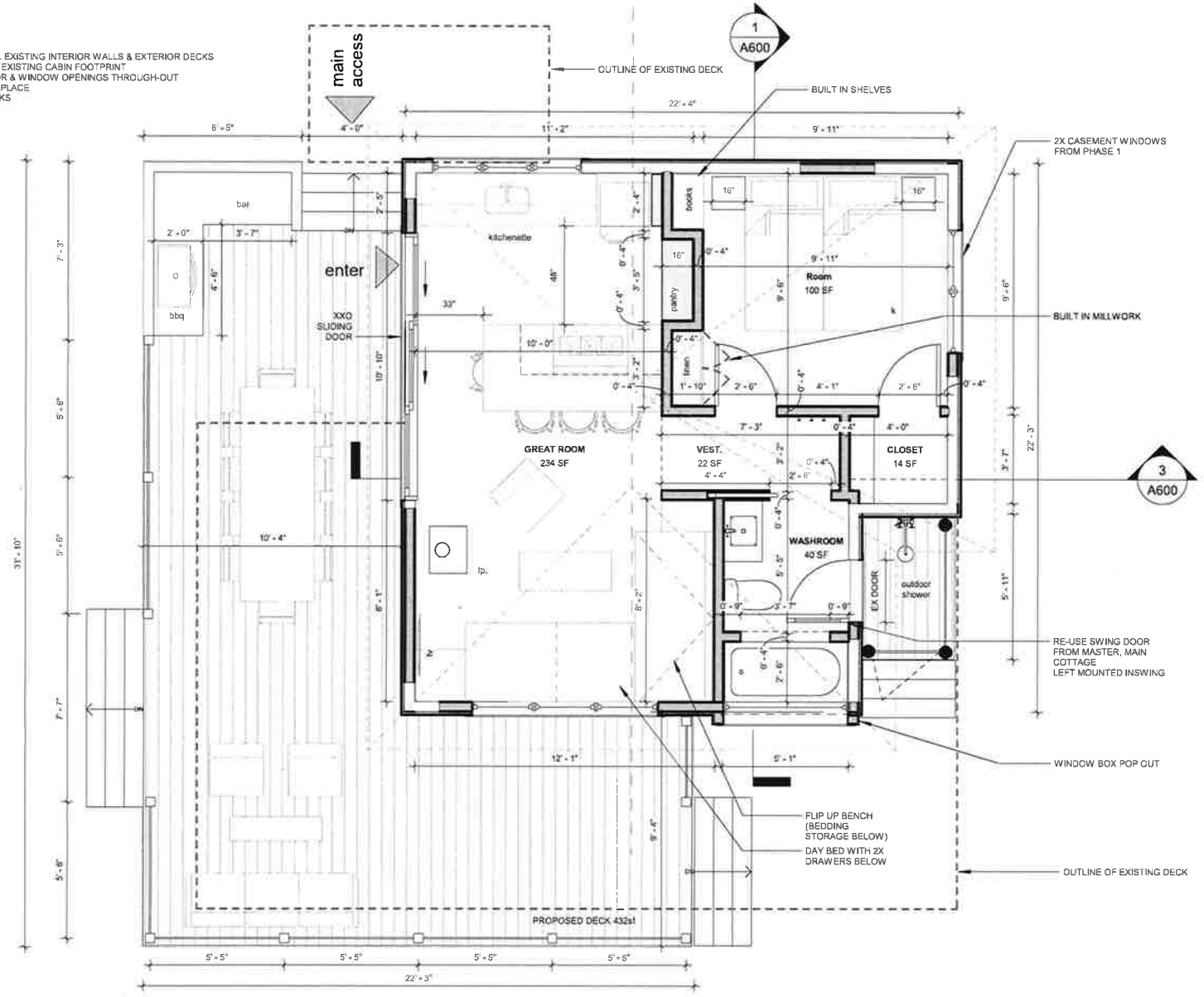
Sheet no.

A2300

5

GENERAL NOTES:

- DEMO ALL EXISTING INTERIOR WALLS & EXTERIOR DECKS
- MAINTAIN EXISTING CABIN FOOTPRINT
- NEW DOOR & WINDOW OPENINGS THROUGH-OUT
- NEW FIREPLACE
- NEW DECKS



This drawing is the property of E.R.A. Architects Inc. and may not be used or reproduced without expressed approval. Refer to all applicable drawings before proceeding with work. The Contractor shall verify all dimensions and levels on site and report any discrepancies to E.R.A. before beginning work. Do not scale from the drawings. Use figured dimensions only. The Contractor is responsible for any changes made to the drawings without E.R.A.'s approval.

NO.	DATE	REVISION / ISSUANCE
1	2020-06-08	ISS. FOR CofA

NOT FOR CONSTRUCTION

LEGEND

GENERAL NOTES

1.

EXISTING CONSTRUCTION

NEW CONSTRUCTION

E R A
info@eraarch.ca | www.eraarch.ca
t: 416.963.4497 | f: 416.963.5761
70 St Mary Street, Suite 801
Toronto, ON, Canada M4Y 1P9
E.R.A. Architects Inc.

ONTARIO ASSOCIATION OF ARCHITECTS
SCOTT ANDREW WEIR
LICENCE
9067

Project

SUNSET COTTAGE - BIJOU

Address	ISLAND 324A, GEORGIAN BAY
For	LAURA DODGE
Project no.	13-085-02
Scale at 11x17	1/4" = 1'-0"
Drawn by	LS
Reviewed by	SW RL

Drawing title

SUNSET CABIN - PROPOSED FLOOR PLAN

Sheet no.

A301

TO: Chair Frost and Members of the Committee of Adjustment

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

DATE: September 18, 2020

RE: Minor Variance Application A07-20 (MAHONEY, Ryan)

LOCATION: 70 Joe Koran Road, Crane Lake
Part Lot 25, Concession 10, being Part 8 on PSR-883 and Part 1 on Plan 42R-18332, in the geographic Township of Conger

---

RECOMMENDATION

Staff recommends that Application No. A07-20 be approved.

PROPOSAL

The owner is requesting relief from Section 5.3 k) of Comprehensive Zoning By-law No. A2000-07, as amended, which stipulates that a boathouse and dock shall not exceed 15 metres, measured as a straight line parallel to the chord of the lot frontage.

The purpose and effect of the proposed application is to allow the construction of a boat port and dock expansion onto an existing dock, with a cumulative width of 15.85 metres (52 feet), requiring a variance of 0.85 metres (2.8 feet).

A copy of the application is attached as Appendix A and a Site Plan is attached as Appendix B.

A07-20 MINOR VARIANCE SUMMARY			
	Permitted	Proposed	Variance
Maximum permitted width along shore	15 m (49 ft)	15.85 m (52 ft)	0.85 m (2.8 ft)

PLANNING INFORMATION

Official Plan Neighbourhood:	Crane Lake Neighbourhood
By-law No. A2000-07:	Inland Lakes Residential (IR)
Existing & Neighbouring Uses:	Residential & Natural State
Property Size:	0.8 ha (2 ac)
Frontage:	100 m (330 ft)
Access:	Municipal Road

ANALYSIS

Background

The Subject property is located on Joe Koran Road, fronting a small bay on the eastern side of Crane Lake. Approximately 7 other residential properties front the small bay. The subject property is relatively large for Crane Lake, having an area of 0.8 ha (2 acres) and 100 metres (330 ft) of frontage. The property is already developed with a main dwelling and a dock, containing one slip. The existing dock was constructed in 2010, and was originally planned to include a boatport with a single slip. The owner is now proposing to complete the boatport, but is proposing a second slip, increasing the total width above the maximum permitted width.

Planning Act Requirements

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

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

The application must meet all of the above tests.

i) Minor in Nature

There is no precise definition as to what constitutes minor. Minor is a relative term and must be interpreted in the particular circumstances involved in conjunction with the other tests. The maximum width permitted for a boatport, including attached docks, is 15 m (49 ft). The applicant is proposing a boatport width, including docks, of 15.85 metres (52 ft), representing a variance of 0.85 metres (3 ft) or an increase of approximately 6 percent.

The boatport is to be located on the existing dock and will be visible from the adjacent properties. However, the increase in size, being only 0.85 metres (3 ft) larger than what is permitted, will not create any additional significant visual impacts on the surrounding area.

Conclusion

The proposed minor variance appears to be minor in nature.

ii) Desirable for Appropriate Development

A boathouse is permitted on the Island, as the property has a lot area of 0.8 ha (2 ac). The property would also be permitted one additional docking location. Although the boathouse is visible from the surrounding area, the increase in width is negligible and will not significantly increase the impacts or use of the boatport and existing dock.

Conclusion

The proposed appears to be desirable for appropriate development.

iii) Zoning By-law

The subject property is zoned 'Inland Lakes Residential (IR)'. Section 5.3 k) of the Zoning By-law imposes a maximum width of a boathouse, including docks, of 15 metres (49 ft). The intent of limiting the area and width of a boathouse is to limit the built form along the shore, in order to achieve harmony between the buildings and the natural environment; effectively mitigating the impact of new development along the shore.

The proposed boatport and dock, with a larger width, does not appear to create any significant visual impacts on the surrounding area, nor does it substantial increase the usability of the boatport. Further, the boatport has open walls and a minimal floor area of approximately 63 square metres (675 square feet), the built form does not appear to significantly impact the surrounding area.

Conclusion

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

iv) Official Plan

The Official Plan recognizes the importance of the waterfront area to the Township, with the goal to preserve the unique and high quality of the natural environment, which leads to an experience that is aesthetically appealing to property owners and to visitors.

To this end, Section 14.23 of the Official Plan States:

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

Section 14.33 of the Official Plan states:

> *'The use of structures to store and/or moor boats along or at the shoreline of properties is a planning concern in The Archipelago, particularly where the said structures are large and/or obtrusive on the natural landscape. The Zoning By-law implementing this policy may provide for size limitations for such structures and appropriate setback and height regulations.*
>
> *Docks, boathouses and boatports that exceed the regulations set out in the Zoning By-law will be reviewed and assessed in accordance with the following criteria:*
>
> *a) the size of the structure relative to the shoreline frontage and area of the property;*

The applicant is proposing a boatport and attached dock with a width of 15.85 m (52 ft) on a 0.8 ha (2 ac) lot, with approximately 100 m (330 ft) of frontage. The property meets the minimum requirements to be eligible for a boathouse.

b) the need for such a structure;

The owner is proposing to contruct a boatport over the existing dock slip and include a second slip.

c) the visibility of the structure from adjoining channels and properties;

The proposed boatport and attached dock are located at the end of a small bay on Crane Lake and will be visible from adjacent properties. Although the boatport is visible, the increase in width is not visible from the surrounding area.

d) the public reaction to the oversized structure as determined in the processing of a planning application to allow for the structure;

No correspondence has been received.

e) the elevation of the boathouse and/or boatport and special design and locational features used to lessen its impact;

Drawings have been provided, depicting the elevation of the proposed boatport. The proposed height of the boatport complies with the height requirements.

f) the location and size of the structure relative to existing buildings and structures on the adjoining land;

The boatport is located in front of the existing main dwelling. The increase in width is not entirely attributed to the boatport, as the dock currently exists. The proposal does not appear to create any significant impacts.

g) the proposed internal uses of the boathouse space; and,

The internal use of the proposed boatport space is to contain two boat slips.

h) the neighbourhood policies that may affect limits of shoreline structures.

There are no neighbourhood policies applicable that affect limits of shoreline structures.

All oversized boathouses will be subject to site plan control.'

Conclusion

The proposed variance appears to conform to the intent of the relevant Official Plan policies.

CONCLUSIONS – MINOR VARIANCE

1) The requested variance would appear to be minor in nature.

2) The proposed variance can be considered to allow for appropriate residential development.

3) The proposed variance would appear to maintain the intent of Comprehensive Zoning By-law A2000-07, as amended.

4) The requested variance would appear to conform to the intent of the relevant Official Plan policies.

Respectfully submitted,

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

APPENDIX "A"
Application

Township of Archipelago

Committee of Adjustment

Planning Department

Re: Mahoney property - 70 Joe Koran Road

In an effort to meet the guidelines set out by the Township of Archipelago and its respectful by-laws, we find that we are in need of consideration regarding the property at Lot 25 Concession 10 Conger, for the purpose of a functioning and attainable water-front access point. As defined in the attached photographs of the property, the owners request that a minor variance of 3' be permitting allowing them to build a boathouse/boat port on an existing dock with additional width, which will give them not only storage and protection but allow them the water-front family access that they currently only have with the existing dock.

A permit had been granted previously and the initial dock with boat port had begun construction. The boat port however was not completed and thus remains unfinished. Several designs have been submitted in an attempt to correct the non-confirming dock within the envelope provided, however, the source of conflict lies between the protection of property and a family designed area for water access and enjoyment.

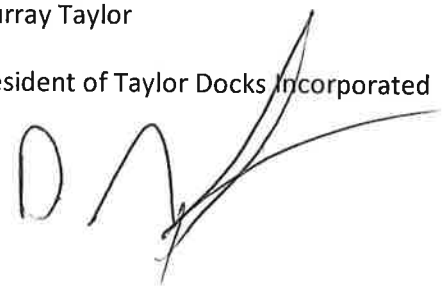
We are submitting a request for a minor variance regarding the amount of uncovered dock so that the family may gather waterside in a safe environment without cause for concern over the lack of area. Pre-reviews have indicated that the proposed boat port will qualify with the by-laws and that the total dock area is where the conflict lies.

We kindly request that the minor variance of 49' in width be re-considered and allow for an additional 3' to accommodate for the family area.

Thank you,

Murray Taylor

President of Taylor Docks Incorporated



Rec'd July 28/20.

Print Form

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

Committee of Adjustment Application

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

OFFICE USE ONLY

Date Received _____ Complete Application ☐ Yes ☐ No Application No. _____

Date Accepted _____ Applicable Fee Paid ☐ Yes ☐ No

1. Applicant / Agent Information

Name of Applicant / Agent

TAYLOR DOCKS INCORPORATED

Address

2741 HODGINS ROAD

City PORT SEVERN Province / State ONTARIO Postal / Zip Code L0K 1S0

Home Phone No. _____ Business Phone No. 705 538 1632 email tammy@taylordocks.com

2. Owner(s) Information

Name of Owner(s)

RYAN MAHONEY

ALLISON MAHONEY

Address

City _____ Province / State _____ Postal / Zip Code _____

Home Phone No. _____ Business Phone No _____ email _____

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

3. Purpose and Type of Application

☑ Minor Variance from Comprehensive Zoning By-law ☐ Permission to extend a legal non-conforming use

From what section of the Zoning By-law is relief being sought?

BOATHOUSES AND BOATPORTS

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

3' ON WIDTH OF DOCK + Nearshore portion from 70sqm to 120 sq m.

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

24

5. Land Use and Zoning

What was the date of acquisition of the subject land? MAY 26, 2008

What are the existing uses of the subject land? RECREATION / COTTAGE LIVING

How long have the existing uses been carried out on the subject land? 10 YRS

What are the proposed uses of the subject land? RECREATION

What are the existing uses of abutting properties? RECREATION

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

What is the current zoning of the subject land? RESIDENTIAL

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

EXISTING - List all existing buildings and structures					DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Date of Construction	# of Storeys / Height	Ground Floor Area (m^2)	Total Floor Area (m^2)	Front	Rear	Side	Side
COTTAGE WOOD FRAME/	10/01/09	2	173.7	89.9	126.49	122.22	156.36	178.0
CONCRETE FOUNDATION								
DOCK - STEEL PILE	2010		90 m^2	90 m^2			34 m	50 m

PROPOSED - List all proposed buildings and structures				PROPOSED DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	# of Storeys / Height	Ground Floor Area (m^2)	Total Floor Area (m^2)	Front	Rear	Side	Side
DOCK + BOATPORT (ADDITION)		+					
STEEL / WOOD	1	336 sq	1306 sq			34 m	49 m

7. Service Information (check appropriate box)

25

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

Water (check appropriate box)

☐ Privately owned and operated individual well ☐ Privately owned and operated communal well

☑ Lake ☐ Other Means _____

Sewage Disposal (check appropriate box)

☑ Privately owned and operated individual septic system ☐ Privy

☐ Privately owned and operated communal septic system ☐ Other Means _____

8. History

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

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

☐ Yes ☑ No If yes, please provide Application No., if known _____

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

Location Plan

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

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

Site Plan

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

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

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

10. Affidavit or Sworn Declaration

Dated at the _____ this _____ day of _____, 20____

I, _____ of the _____ in the

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

DECLARED BEFORE ME at the _____ of _____

in the _____ of _____ this ____ day of _____, 20____.

_____ _____

A Commissioner of Oaths Signature of Owner or authorized Applicant / Agent

Submitted by video

11. Authorizations

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

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

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

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

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

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

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

Date Feb 17, 2020 Signature of Owner [signature]

Date Feb 17, 2020 Signature of Owner [signature]

Date _____ Signature of Owner _____

Date _____ Signature of Owner _____

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

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

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

Date Feb 17, 2020 Signature of Owner [signature]

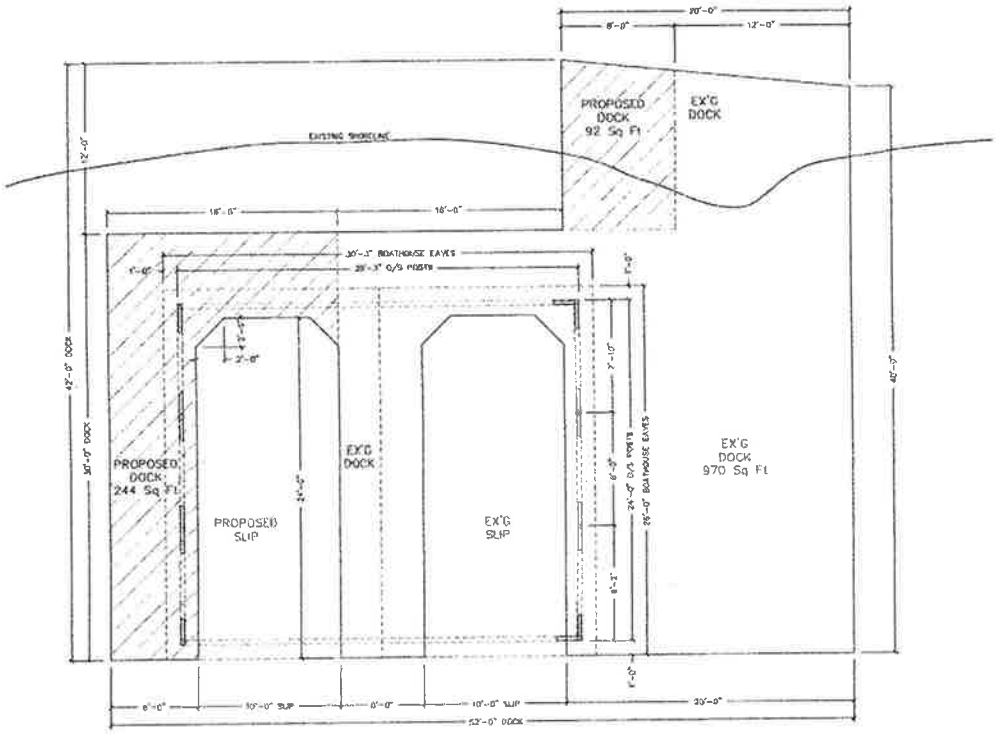
Date Feb 17, 2020 Signature of Owner [signature]

Date _____ Signature of Owner _____

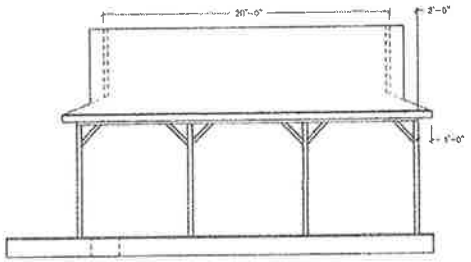
Date _____ Signature of Owner _____

APPENDIX "B"
Site Plan

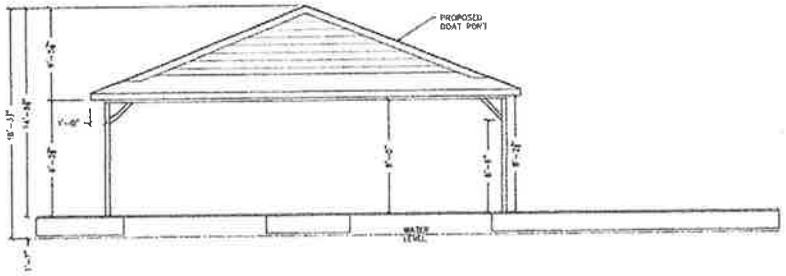
Committee of Adjustment Application No. A07-20 (Mahoney)



DECK PLAN



SIDE ELEVATION



FRONT ELEVATION

AREAS:
EXISTING:
DOCK: 970 SF
SLIP: 236 SF
PROPOSED:
DOCK: 336 SF
SLIP: 236 SF
BOAT PORT: 678 SF
TOTAL:
DOCK: 1306 SF
SLIP: 472 SF
BOAT PORT: 678 SF

THE UNDERSIGNED HAS REVIEWED & TAKES RESPONSIBILITY FOR THIS DESIGN. HE HAS THE QUALIFICATIONS TO BE A DESIGNER & THE FIRM IS REGISTERED.
QUALIFICATION INFORMATION
SEAN OUELLET ..... (22817)
MICHAEL DUPUIS ..... (24929)
REGISTRATION INFORMATION
DUPUIS & OUELLET INC. (37556)

TAYLOR DOCKS

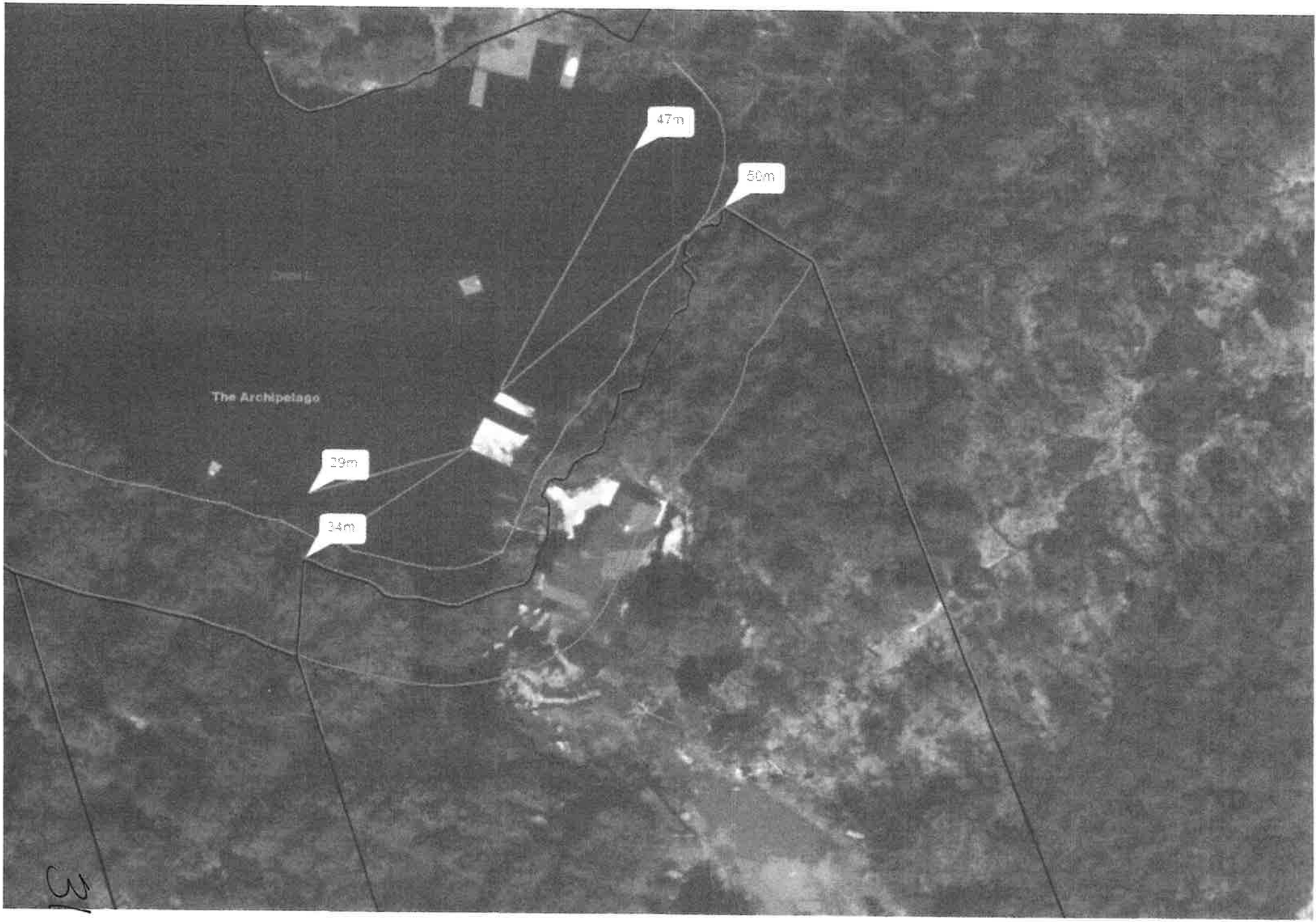
NO.	DATE	REVISION

Dupuis & Ouellet Inc.
Architectural Design Services
83 WEST ST. UNIT C, PENETANGUISHENE, ON
TEL (705) 549-8020 FAX 549-0809

SHEET TITLE
DOCK PLAN & ELEVATIONS

PROJECT NAME
NEW BOAT PORT & PILE DOCK FOR MAHONEY
70 JOE KORON RD., CRANE LAKE

SCALE	DRAWN BY
1/8"=1'-0"	M.D.
DATE	CHECKED
JUN 02/20	M.D.
PROJECT	DRAWING
10-797	A1.1



EXISTING LOCATION PLAN