



**AGENDA
WATER ACCESS TASK FORCE**

Thursday, November 21, 2024, 4:00 p.m.

Council Chambers

9 James Street, Parry Sound, Ontario

Pages

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
NOW THEREFORE BE IT RESOLVED that the November 21, 2024 Water Access Task Force Agenda, be approved.
- 3. DISCLOSURE OF PECUNIARY INTEREST**
- 4. MINUTES OF PREVIOUS MEETING**
 - 4.1 October 17, 2023 Water Access Task Force Minutes**
NOW THEREFORE BE IT RESOLVED that the Minutes of the Water Access Task Force held on October 17, 2024, be approved.
- 5. DEPUTATION**
- 6. OTHER BUSINESS**
 - 6.1 Blackstone Lake Deputation Request Follow-up**
- 7. CLOSED MEETING**
- 8. OPEN MEETING**
- 9. NEXT MEETING**
- 10. ADJOURNMENT**

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The Township of The Archipelago

Information Report

Report No.: WATF-2024-01

Date: November 21, 2024

Originator: Cale Henderson, Manager of Development & Environmental Services

Subject: Blackstone Lake Deputation Request Follow-up

BACKGROUND

During the October Water Access Task Force (WATF) meeting, the Blackstone Lake Cottagers Association made a deputation requesting that The Township provide financial assistance to their Hydro One Corridor application for a property they are considering on Blackstone Lake to be used as an access point.

Blackstone Lake Cottagers Association have been working on identifying alternative access points. Previously, Council had advised that if the Backstone Lake Cottagers Association wanted to pursue a property that was owned by Hydro One that The Township would be able to provide administrative assistance. In order for the Association to continue to pursue this property Hydro One requires an \$1500.00 fee to open a file. The Association has requested that The Township provide financial assistance with the application fee. During the deputation, The Association indicated that the money could be paid back to the Municipality. Following, the October WATF meeting, staff were directed to review the request based on past practices and policies.

POLICY

The Official Plan

The Official Plan recognizes the importance of water access points and specifically the continued use of Marinas.

Section 5.12 Transportation

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

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

Community and Economic Development

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

6.20-6.21

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

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

The Municipal Act

Under Section 106 of the *Municipal Act*, 2001, S.O. 2001, c.25, (Municipal Act) there are prohibitions on when a Municipality can provide assistance. Below is an excerpt from Act:

'106 (1) Assistance prohibited. - *Despite any Act, a municipality shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.*

(2) **Same.** - *Without limiting subsection (1), the municipality shall not grant assistance by,*
(a) *giving or lending any property of the municipality, including money;*
(b) *guaranteeing borrowing;*
(c) *leasing or selling any property of the municipality at below fair market value; or*
(d) *giving a total or partial exemption from any levy, charge or fee. 2001, c. 25, s. 106 (2).*

(3) **Exception-** *Subsection (1) does not apply to a council exercising its authority under subsection 28 (6), (7) or (7.2) of the Planning Act or under section 365.1 of this Act. 2001, c. 25, s. 106 (3); 2002, c. 17, Sched. A, s. 23; 2006, c. 23, s. 34.'*

In addition, Section 107 of the *Municipal Act* does allow a municipality to give a grant in certain cases. If the municipality wanted to pursue providing financial support, we would need to seek legal input to determine whether providing financial support in this situation is appropriate and complies with the *Municipal Act*.

PAST PRACTICES

Following the deputation from the Blackstone Lake Cottagers Association, Township staff were requested to review other similar examples or practices. Township staff have completed a cursory review and offer the following points:

- The Township has not been involved in the creation of a new access point. Generally, it appears that the current access points within the Township were all in existence when the Township was created.
- The Township has not provided financial assistance to a group of residents or commercial business regarding a new access point or marina.
- Historically, financial assistance was requested from the Township by a local community association to purchase a marina. The Township was not legally able to provide financial support to a local community association who purchased their local marina in order maintain access.
- Approximately 14 years ago, The Township purchased Holiday Cove Marina located on Georgian Bay in Seguin Township, just outside of the Town of Parry Sound. The marina continues to operate as a commercial marina and only operates as a commercial/pay for service marina.
- The Township does provide grants to existing community associations who operate community recreational facilities; however, this does not include new or existing access points.
- The Township has waived or reduced municipal fees for planning applications to non-profit organizations (i.e. Georgian Bay Land Trust, Habitat for Humanity, etc.).

CONCLUSION

If the WATF is interested in providing financial assistance to the Blackstone Lake Cottagers Association, staff recommend that the Task Force direct staff to obtain legal input to ensure compliance with the Municipal Act, prior to further considering the request for financial assistance.

Respectfully Submitted,



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

I concur with this report,



John B. Fior
CAO

ATTACHMENTS

1. Blackstone Lake Cottagers Association Deputation Submission



Blackstone Lake Cottagers Association

September 22, 2024

To: Township of The Archipelago (TOA) Council and BLCA Water Access Committee (BLWAC)

Re: Request for financial support

Background: The BLWAC continues to work on identifying alternative access points as requested by over 80% of the cottagers in the 2023 BLCA survey.

The report to the TOA in April 2024 summarized the progress made to date.

In May 2024, Councillors advised BLWAC members that the TOA would provide direction and administrative support regarding possible water access on land owned by Hydro One. So far, the BLWAC has provided Hydro One with relevant information and maps of potential access points.

At this point, Hydro One will not provide further information until the mandatory fee of \$1500.00 is paid to open a file. While any file would be site specific, this exploration remains at a very preliminary feasibility phase.

Request:

The BLWAC is requesting the TOA to pay for the fee in order that the BLWAC be able to further its investigation of new water access points over Hydro land.

Rationale:

While alternate access points have been a focus of the WAC since the survey results, it is a very difficult path to navigate.

The WAC believes that in order to present accurate information to cottagers for potential new access along the Hydro corridor, the WAC needs to fully understand:

- the environmental footprint and how to mitigate any negative impact (i.e. planting trees, etc)
- the cost of building a road, parking and a boat launch
- the real estate - does a water access point involve only Hydro land or also private property and if so, how could that be navigated?
- the timeline - what is a reasonable amount of time to expect from start to finish using East Crane Lake Road as a benchmark?

The WAC believes that soliciting funds from potential investors would be unfair at this early stage since these questions are not close to being answered.

Recommendations:

1. The TOA pays for a file to be opened and determines who the applicant will be. (TOA or BLCA)
2. The TOA continues to provide direction and administrative support.

Note: Should the end result of the Hydro One Corridor opportunity become a reality, then it is possible that the cost incurred by the TOA could be recovered from the private investors/cottagers.

Alternatively, the TOA may view this initiative as a future emergency solution for rate payers. In other words, it would give the TOA an emergency option if Angler's Marina was no longer an option.