

Date: March 21, 2024

To: Cale Henderson, Manager, Development & Environmental Services
Township of The Archipelago

From: Rebecca Elphick, Planner, JLR

CC: Jason Ferrigan, Chief Planner and Principal Associate, JLR

Subject: Draft Site Alteration and Tree Preservation By-laws: Summary of Public Feedback

JLR No.: 31668-000

Background

J.L. Richards and Associates Limited (JLR) was retained by the Township of the Archipelago (the Township) to assist with the development of a site alteration and tree preservation by-law in response to recent developments which proceeded without the benefit of full federal, provincial, and municipal approval, and to provide the Township with additional regulatory tools for similar situations in the future.

To date, JLR has completed initial public consultation regarding the project's direction, a review of best practices of by-laws enacted in municipalities of similar size and geography to the Township, drafted by-laws to suit the unique needs of the Township, and engaged Council, staff, and legal professionals to refine the by-laws for public review.

Following Council's direction to proceed with public engagement on the draft Site Alteration and Tree Preservation By-laws, Township staff and JLR solicited public feedback via:

- an online public survey available December 1, 2023 to February 2, 2024;
- an in-person open house, held January 25, 2024;
- a virtual open house, held January 30, 2024; and,
- comments through phone and email.

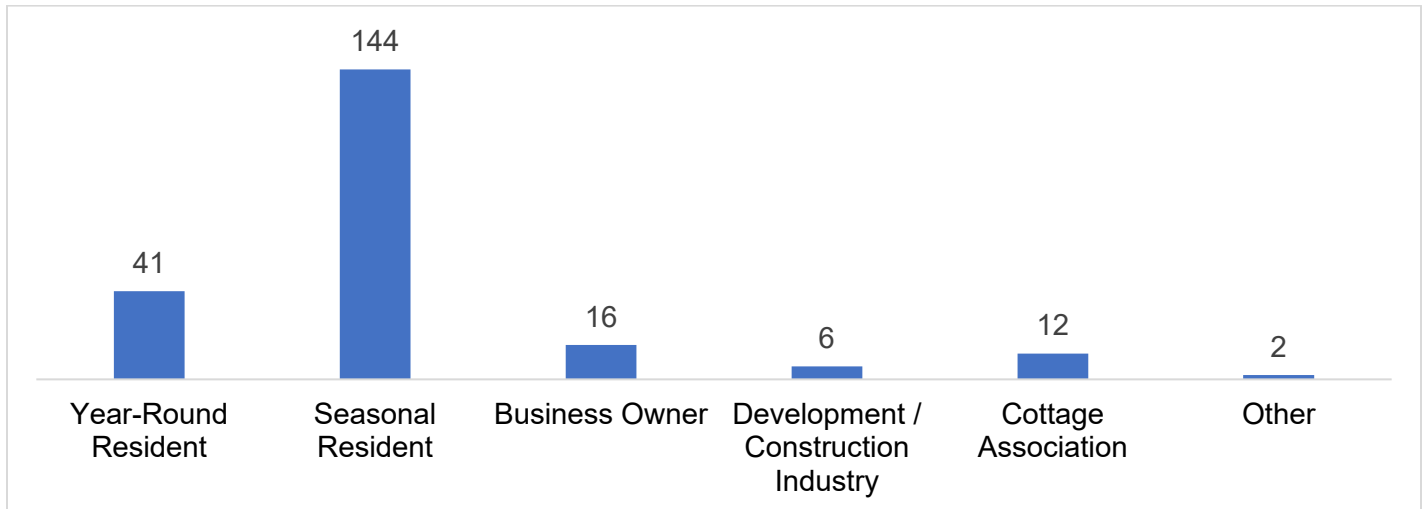
This memorandum provides a summary of the results of these public engagement efforts for Council's consideration in the next steps for this project.

Online Public Survey

An online public survey was published on the Township's website on December 1, 2023, and kept open for collecting survey responses until February 2, 2024. During this time, a total of 187 responses were collected. Surveys were completed anonymously, but demographic information was requested voluntarily, and was not linked with specific survey responses.

Demographic Breakdown of Survey Respondents by Self-Identification

The majority of survey respondents identified as seasonal residents (77%), while fewer responses were collected from year-round residents (22%), business owners (9%), representatives of cottage associations (6%), and those who work in the development or construction industry (3%). Note that for the following options, respondents were able to select multiple responses as to how they identify themselves:



In terms of gender, the majority of survey respondents identified as male (64%), while only 24% identified as female, and 11% preferred not to share their gender. As for age, most survey respondents identified as being over the age of 55 (75%), with some participation amongst residents aged 18-44 (10%), and 45-54 (16%).

Feedback on the Draft Site Alteration and Tree Preservation By-laws

The online public survey was structured to solicit both quantitative (e.g., multiple choice questions, and ratings of statements) and qualitative feedback (e.g., open ended short answer questions) from respondents as to their level of support for the draft by-laws. See Appendix A to this memorandum for a copy of the survey questions.

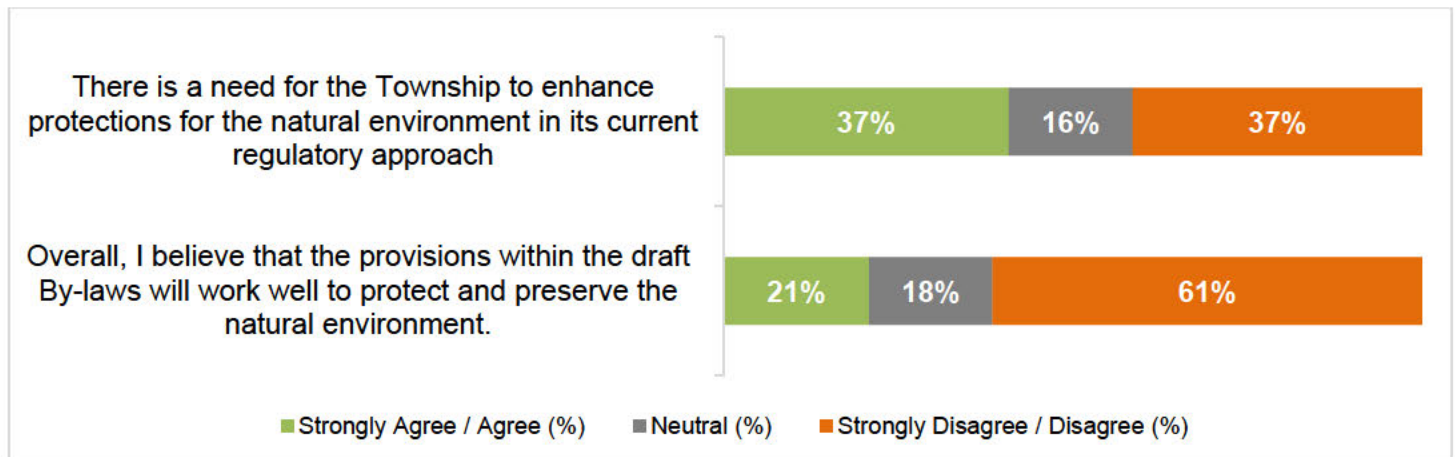
These questions focused on:

- Support for the by-laws in principle (i.e., preservation of the natural environment, need for a site alteration and/or tree preservation by-law);
- User-friendly nature of the draft by-laws (e.g., easy or difficult to understand language and process contained within the by-laws); and,
- Feedback for revision to the draft by-laws (e.g., additional activities to be exempted).

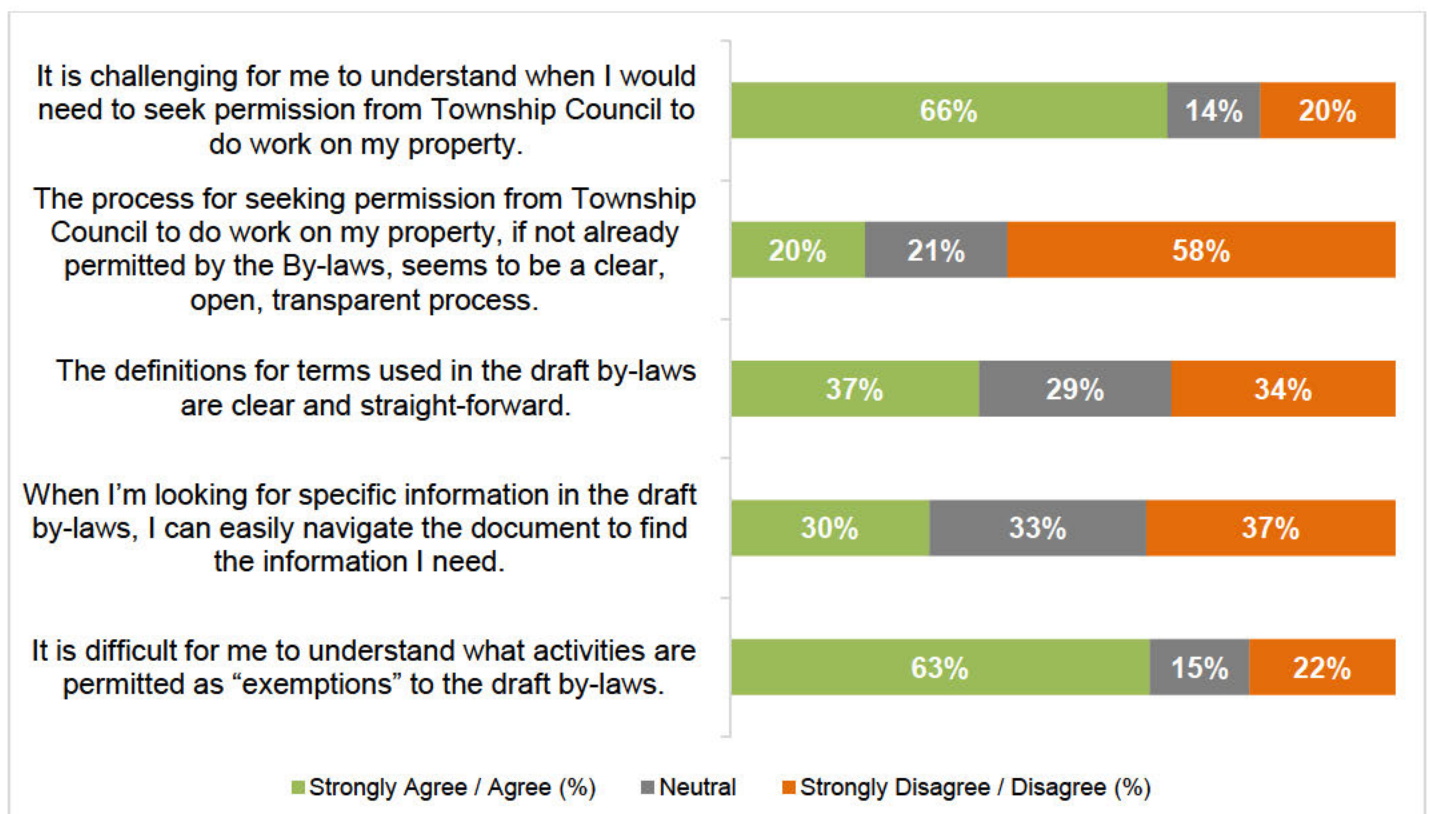
Where respondents were asked to give a rating of several statements, these statements were framed in both the negative and positive to gauge the consistency of responses.

While the majority of survey respondents strongly agreed or agreed that protection and preservation of the natural environment is important to them, there was division as to whether there is a need for the Township to enhance protections for the natural environment in its current regulatory approach as well as division as to

whether the draft by-laws could achieve this goal of protection and preservation of the natural environment, as shown below:



As for the user-friendly nature of the draft by-laws, the survey solicited feedback as to its navigability, the language used, and how easy it is to understand its impact on property owners (i.e., when an application would be required to facilitate an activity). Feedback from survey respondents was mixed in terms of how easy the draft by-laws are to navigate when looking for specific information, and in terms of the clarity of language used within the by-laws, though the majority of survey respondents agreed or strongly agreed that the draft by-laws are difficult to understand, as shown below:



The majority of survey respondents strongly agreed or agreed (50% and 20%, respectively) that provisions should be added to the draft by-laws to include additional exempted activities that are permitted without any prior approval from the Township. Qualitative responses as to which activities should be added as exemptions all pertained to the draft Tree Preservation By-law and include:

- Selective tree removal to enhance views;
- Tree removal for harvesting firewood;
- Removal of trees or shoreline vegetation shading solar panels;
- Increasing the threshold for removal of small trees (e.g., 10-12" diameter at breast height);
- Removal of trees for installation of a pathway to other buildings/structures or points of interest on a property (i.e., in addition to exemption regarding installation of a pathway to the shoreline);
- Logging on properties greater than 10 acres;
- Allowing a defined percentage of trees to be removed each year, rather than specifying for which purposes trees may be removed;
- Removal of dead, diseased, or damaged trees, without the need for the opinion of an arborist; and
- Tree removal beyond shoreline buffer (e.g., beyond 50 ft. of the high water mark, as is the case for the removal of native shoreline vegetation).

Several comments further reinforce exemptions already contained in the draft Tree Preservation By-law, including:

- removal of trees which pose a hazard to human health and safety (e.g., at risk of falling on a building or structure, tree removal for fire proofing around a building or structure);
- removal of trees and native shoreline vegetation for general lot maintenance (i.e., minor landscaping activities);
- maintenance of existing features (e.g., buildings, structures, pathways, private roads, etc.);
- removal of non-native and invasive species;
- tree removal to facilitate construction of a building or structure with an issued building permit.

Many survey respondents also provided commentary in response to the open-ended question asking for additional information that was not solicited by other questions.

Theme	Feedback
Level of Support	<p>Many of these responses expressed their lack of support for the by-laws and viewed them as an overreach of government intervention over the rights of property owners to use and enjoy their property as they see fit.</p> <p>Where survey respondents were in favour of the by-laws, their qualitative feedback showed their support for Council's proactive approach to environmental protection and their recognition of the importance for preservation of the natural environment.</p>
Unnecessary Regulation	<p>Many respondents noted that they felt provincial and federal regulations are sufficient to address these matters, or that residents are already environmentally conscious and do not require regulation and enforcement to steward the land in a responsible manner.</p> <p>Some respondents noted that the by-laws appeared to be an overreaction to a limited number of cases where significant damage was done to the natural environment.</p>
Process for Seeking Permission	<p>Some respondents indicated confusion over the process for seeking permission from Township Council where an activity is not already exempted by the by-laws and reinforced that a pre-consultation process with Township staff would be beneficial, provided there is reassurance to landowners that they "can consult without feeling like they are taking a risk ... [of] being embroiled in a complex and long approval process."</p>
Enforcement	<p>Respondents also noted concern over the Township's ability to enforce the by-laws as drafted, the need for additional resources to support implementation, and the potential for contractors to knowingly violate the by-laws and accept the fines as "part of doing business"</p>
Area of Application	<p>Feedback from some respondents indicates a desire to scope the by-laws to apply only to new development or only to large-scale development.</p>

Public Open Houses – Virtual and In-Person

Two public open houses were held, with one facilitated in person at the Pointe au Baril Community Centre on January 25, 2024, and one facilitated online via Zoom on January 30, 2024. Approximately 50 people attended the in-person event, while approximately 170 people logged on to the Zoom meeting.

Both public open house sessions included a presentation which provided a status update and overview of the by-laws as currently drafted, followed by an interactive activity and Q&A period. In the in-person session, the interactive activity focused on gathering feedback from small group discussion as to any additional exempted activities that could be included in the draft by-laws, as well as ways the process could improve when permission from Township Council is needed. In the virtual format, this same feedback was gathered through online polls in the Zoom platform and supplemented with additional questions. General comments and questions were welcome in both the in-person and virtual formats, and general themes are discussed in the section to follow.

In-Person Open House – Small Group Discussion

To gather feedback on the draft by-laws, tables of four to six attendees were each assigned to discuss either additional activities that could be exempted in the draft by-laws, or ways to improve the process for seeking permission from Council where an activity is not already exempted. The feedback mirrored that of the online public survey and polling data from the virtual open house. Attendees highlighted their preference for the by-laws to outline specific activities that are prohibited, rather than applying a blanket prohibition and exempting only selective activities. Suggestions for additional exempted activities included:

- specifying a percentage of trees that are permitted for removal, rather than specifying the purpose for which they may be removed;
- permitting tree removal where trees are replanted or relocated;
- tree removal for harvesting of firewood;
- removal of trees or native shoreline vegetation associated with culturally significant activities to Indigenous communities (e.g., harvesting of medicines).

As for the process for seeking permission from Council where an activity is not exempted by the by-law, attendees highlighted that the process should be simple and straightforward, and expressed concern over the ambiguity of terms such as “reasonable” and “significant” that are open to interpretation when Council decides on an application. Some attendees expressed their concern over whether a decision made by Council could be appealed or would be final, while others also noted their concern over the supporting materials that might be required to accompany an application, and whether this places too great a burden on property owners.

Other feedback from attendees of the in-person public open house included concern over whether the proposed fines included in the by-law are adequate to dissuade noncompliance, inquiry as to the proposed timeline associated with an application for relief from the by-law, concern over whether an arborist would be required to evaluate whether a tree could be removed, and a general curiosity as to whether adverse events occurred to trigger Council’s direction to pursue site alteration and tree preservation by-laws.

Virtual Open House – Online Polls

During the virtual open house, a total of fifteen questions were posed to attendees using the built-in polling function of Zoom. These questions were both quantitative and qualitative in nature, offering space for respondents to give short answer responses. These questions gathered information about respondents’:

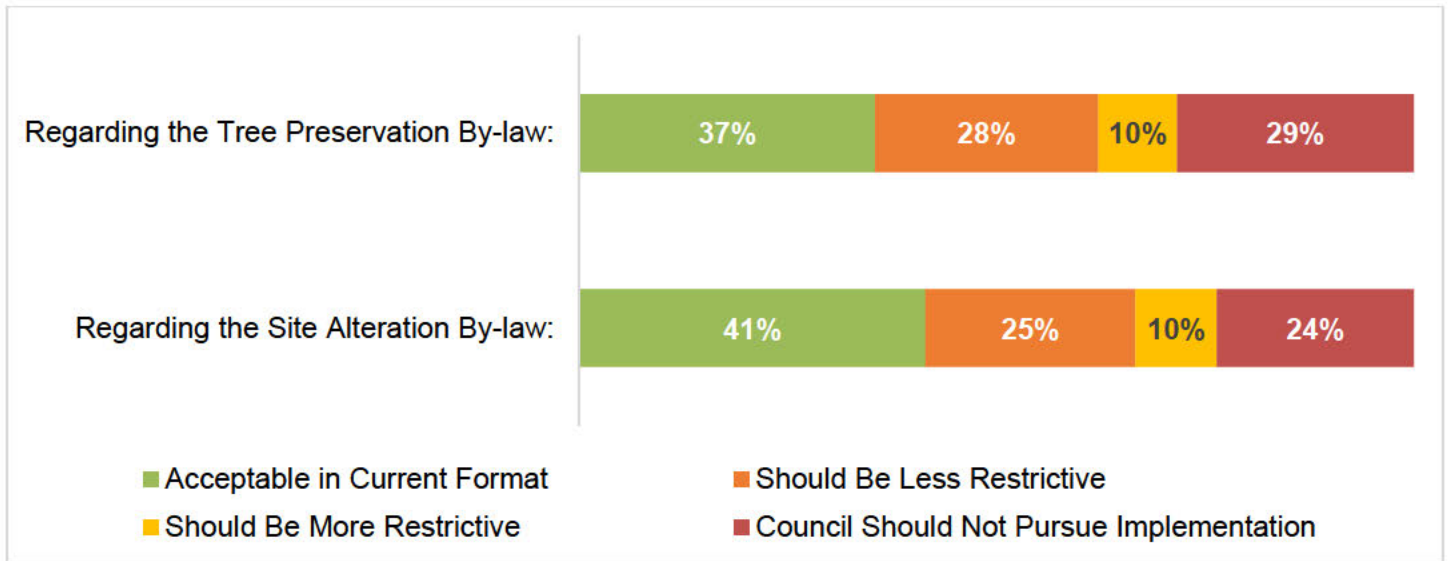
- level of support for the draft site alteration and tree preservation by-laws;
- perception of whether the draft by-laws should be more or less restrictive;
- perception of how the draft by-laws strike a balance between protection of the natural environment and respect for the rights of property owners;
- ideas as to additional exempted activities that could be included within the draft by-laws;
- thoughts as to ways to improve the process to seek permission for additional activities not already permitted by the draft by-laws;
- familiarity with resources on the Township’s website pertaining to the draft by-laws;

- desire for additional opportunities for public engagement to inform development of the draft by-laws; and,
- preference for format of future public engagement opportunities.

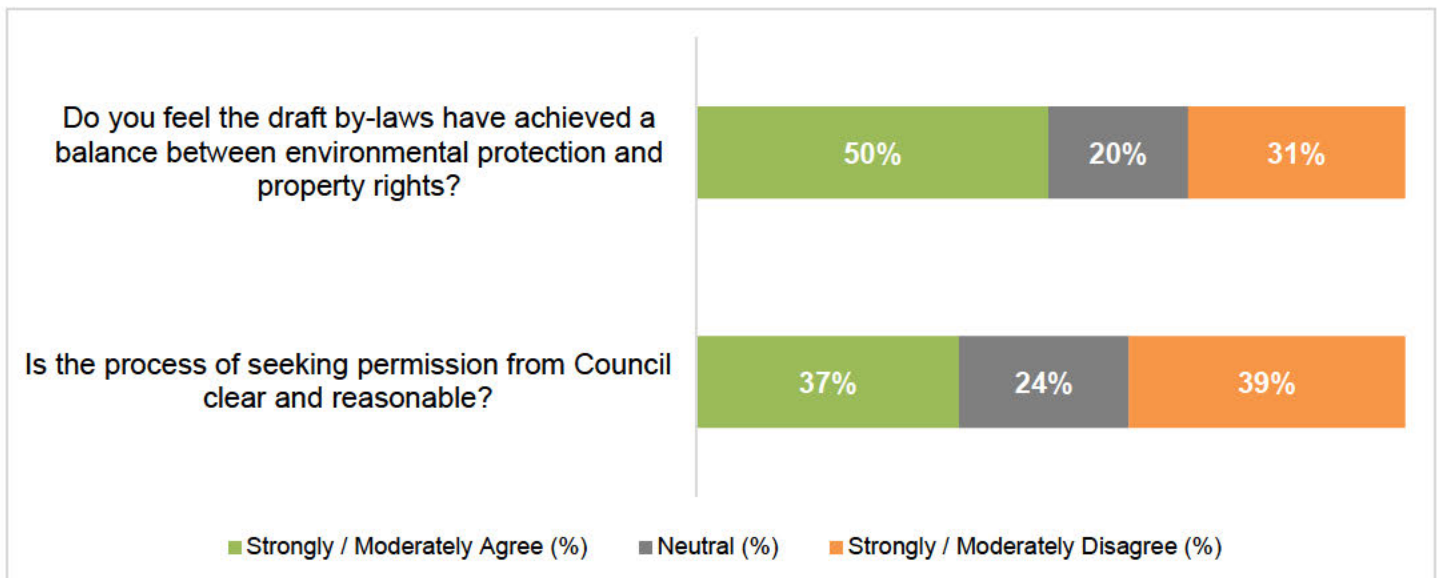
Though response rates vary by question, on average approximately 134 attendees responded to each question. No demographic information was collected for these poll responses.

Overall, the majority of respondents indicated their support for both the draft site alteration by-law and the draft tree preservation by-law, with **72% voting that they feel a site alteration by-law is needed, and 63% voting that they feel a tree preservation by-law is needed.**

Nearly half of respondents voted that the site alteration by-law is acceptable in its current form (41%), while nearly a quarter of respondents voted that it should be less restrictive, a quarter of respondents voted that Council should not pursue implementing this by-law, and a minority voted that it should be more restrictive (10%). With respect to the draft tree preservation by-law, results were more mixed, with 37% of respondents voting that the draft by-law is acceptable in its current form, over a quarter of respondents voting that it should be less restrictive (28%), over a quarter of respondents voting that Council should not pursue implementing this by-law (29%), and a minority voting that it should be more restrictive (10%).



Respondents' feedback was mixed as to whether the draft by-laws achieved a balance between protection against significant and negative impacts on the environment and waterfront character, while maintaining rights of property owners to develop and use their properties; with each response garnering less than 40% of votes, as shown below. As for the process involved with seeking permission for an activity not already exempted by the draft by-laws, responses were mixed as to whether the process is clear and reasonable, as shown below.



With respect to the contents of the draft by-laws, nearly half of respondents voted that additional exemptions were required in the site alteration and tree preservation by-laws (44% and 49%, respectively). Qualitative feedback from the polls as to the nature of additional exemptions that could be included mirrored that of feedback gathered in the online public survey, and included activities such as:

- Removal of trees that interfere with views;
- Permitting tree removal on the basis of percentage of tree coverage on a property;
- Tree removal for harvesting of firewood;
- Different exemptions for native versus non-native species;
- Tree removal beyond the shoreline buffer;
- Removal of trees with 10-12" diameter at breast height;
- Removal of trees interfering with solar panels;
- Activities required to create pathways to other areas of the property (i.e., other than shoreline);
- Permission for tree removal where additional planting replaces trees that are removed; and
- Exempt application to Metis community.

As with the responses in the online public survey, many responses mirrored activities that are already permitted in the by-laws, such as septic installation, removal of dead or diseased trees, measures for fireproofing existing buildings, or removal of trees that pose a risk to human health and safety.

Some respondents also expressed their desire for the draft by-laws to be scoped only to new development, and not apply to existing developed properties, and others also expressed their desire for the draft by-laws to be structured to outline specific prohibited activities, rather than outlining specific permitted activities.

Respondents also provided qualitative feedback regarding the process for seeking permission from Council. Some respondents expressed interest in an online screening application that could provide guidance to landowners inquiring as to whether an application would be needed to facilitate a proposed activity. Respondents also expressed their desire for a specified timeline where applications would be decided on, in order to provide more clarity and transparency to property owners when making an application, as well as the need for a set of objective criteria to guide Council's decision-making on individual applications in a consistent and fair manner. Other comments noted that Township staff may be more appropriately equipped to issue a "permit" for an additional activity not already exempted by the by-laws, with an appeal process through Council where issues arise. Respondents also expressed their desire for support from Township staff, for example, by providing assistance in making an application, in order to make it "easy to comply" with the by-laws. Many respondents also noted their desire for the application to be made available online.

The last set of questions focused on attendees' familiarity with resources on the Township's website pertaining to the project and their interest in future opportunities to provide their input on the draft by-laws. Nearly two thirds of respondents (63%) indicated that they had visited the dedicated project website, and nearly two thirds of respondents (63%) indicated that they had reviewed the draft by-laws. A smaller percentage indicated that they had completed the online survey (35%), and a small percentage indicated that they had reviewed the infographics and handouts (33%). **Nearly 90% of respondents indicated that they want additional opportunities for public engagement.** The majority of respondents indicated their preference for a virtual meeting (68%), while others indicated their preference for an in-person meeting (31%) or an online survey (32%).

Virtual Open House – Chat and Q&A Feedback

In addition to the feedback solicited through the live polling, comments were also received through the Zoom platform's 'Chat' and 'Q&A' features. Comments received address a variety of themes, including whether there is a need for additional regulation, feedback as to the level of restriction imposed through the draft by-laws, a desire for additional opportunities to give feedback, and concern over how the by-laws may be implemented. Illustrative quotes are provided for each of these themes, representing views in support of and in opposition to the draft by-laws.

Theme	Illustrative Quote
Need for Additional Regulation	I think protecting our environment is very important and so this sort of by-law system is unfortunately needed.
	We've seen many examples in the Township where the land has been destroyed without much discretion, usually for recreational purposes. In this sensitive habitat, the land can require centuries to rebound. I agree that this type of legislation is required.
	I believe we should consider re-evaluating our current approach. While the bylaws in question are well-intentioned, it seems we may be focusing our efforts in a direction that, although important, might not fully address the larger environmental challenge at hand. Perhaps it's time for us to reassess our priorities and strategies to ensure we are making the most impactful and beneficial choices for our environment.

Theme	Illustrative Quote
Need for Additional Regulation	Could the Council give examples of the most important activities that it is attempting to prevent with these bylaws? This would help evaluate how effective the bylaws would be in achieving this, and in evaluating the collateral damage of other impacts the bylaws would have that were maybe not intended.
	The environmental degradation is common now - people coming in to build monster cottages, blasting the land, tearing down trees, stripping the shoreline. This has only started happening on our lake in the past 15 years. In the past buildings were more modest, not built for showmanship. In the past, buildings fit within the environment. These bylaws are likely in response to the building tendencies in current day approaches which change the landscape. Perhaps more work is needed on the bylaws, but we should have bylaws in place to ensure the land is respected.
	The owners and not the government should be the stewards of the land, and 99% are good at it. The cost and impact of a by law like this on those 99% is just wrong.
	We need to address the developers who may do serious damage to make a property desirable to certain buyers.
Level of Restriction	Very few people support unregulated blasting and clear cutting. But we don't all agree that these by-laws as drafted address this concern without over-reach. Ideally the by-laws can be amended to prohibit these sorts of big site alterations only.
	These laws are over reaching and encroaching our rights.
	We should be able to do our own forest management without asking first. When you drive along the roads and look into the forest you will see a great need for forest management, that tangled mess is what our own properties will turn into if we do not do it.
Implementation Concerns	How many administrative positions would be required on TOA staff to process permits and field inquiries? How many enforcement officers? What is the additional tax burden?
	I find the bylaws are very technical and hard to read. I think it would [be] beneficial for the township to make the information accessible and understandable by its residents, so they can clearly understand how it will impact them.
	It was noted that the primary method of enforcement on the tree bylaw was community complaints. Which was noted as likely to cause community friction and strife. This seems inappropriate for a bylaw structure to be proposed against.
	Given the remoteness of many water-access sites within the archipelago and the short season for construction with associated tree removal permitting to occur, how will you ensure that the additional approval process does not become arduous and more expensive. What timelines will be associated with this process?
Desire for Additional Engagement	My ask to the TOA was to review the feedback and update the draft bylaws. And then present them at each AGM this summer, so our summer seasonal and non-Canadians can hear this in person and respond.
	Could we have a new by-law that would have us hold these important meetings in summer when seasonal residents can attend? Many people are left out of the discussion.

Additional Public Feedback

In addition to the feedback from the online survey and public open houses, the Township also received written feedback via email regarding the draft by-laws.

Themes arising from email correspondence closely mirror those gathered through the survey and open houses and include:

- **Process:** Concern over the format and timing of the public open house events and desire for additional public engagement opportunities to shape the draft by-laws;
- **Need for By-law:** Concern over the driving forces behind the by-laws, views of the by-laws as being unnecessary given residents' commitment to protection and preservation of the natural environment without a by-law in place, as well as a general lack of support for the draft tree preservation by-law in specific;
- **Expense:** Concern over the expense associated with preparing an application where an activity is not already permitted by the by-law and with the increase in municipal taxation required to implement and enforce the by-laws as drafted.

The general sentiments arising from email correspondence indicate that, at the minimum, revision to the by-laws as drafted is needed if the Township is to have broad support for their implementation.

Summary of Public Input

Predominant themes emerging from public feedback can be summarized as follows:

Theme	Feedback
Level of Support for the Draft By-laws	Quantitative results from polling data gathered during the virtual open house indicates that the majority of attendees feel there is a need to introduce a site alteration and tree preservation by-law, though qualitative feedback indicates that some residents see the draft by-laws as an overreach of government regulation into their every-day lives.
Level of Regulation	Amongst those who would support the draft by-laws, the majority of public feedback indicates that the draft by-laws need to be less restrictive, with most especially concerned with the level of restriction considered in the draft tree preservation by-law. That said, not all public feedback is in support of continuing to develop the by-laws, with some urging Council to abandon the prospect. While some want to see additional exempted activities within both by-laws, others want to see the by-laws outline specific egregious activities that are expressly prohibited rather than listing exempted activities.
Preservation and Protection of the Natural Environment	While the majority of public feedback indicates that residents and business owners feel that preservation and protection of the natural environment is important to them, feedback is mixed as to whether there is a need to enhance protections for the natural environment in additional regulations, or whether the draft by-laws will work well to achieve this goal.

Need to Improve User Friendliness	Much of the public feedback indicates that the draft by-laws are difficult to understand in terms of navigating the by-law, understanding what activities are or are not permitted, and understanding when an activity would need special permission from the Township.
Process for Seeking Relief through Council	Public feedback as to the process for seeking relief from Council indicates that many are concerned with the potential for backlog of applications resulting long wait times for applications to be decided on and perceive the process for seeking relief as largely subjective. Many respondents wish to see objective criteria and established timelines in the by-laws where applications are made to seek relief from Council, while others have expressed their desire for this process to be delegated to staff, with available appeal through Council.
Enforcement	In addition to concerns over whether the by-laws are needed comes concern over the Township's ability to enforce the by-laws, the added expenses required to do so, and the effectiveness of the measures in place to penalize those who contravene the by-laws. The proposed enforcement through a complaint-driven system has also sparked public concern over whether the by-laws may drive division in the community.

Based on the feedback received to date, there is some support to indicate that these by-laws are needed, though public input suggests that additional work is needed before the by-laws can see broad support in the community.

Next Steps: Options and Recommendations

Based on the feedback gathered through the online public survey, the public open houses, and via email correspondence, we request direction from Council regarding next steps in the project:

Future Direction for the Site Alteration and Tree Preservation By-laws

That Council direct Township staff and JLR to:

1. Continue to refine and scope the draft site alteration and tree preservation by-laws as a tool to preserve and protect the natural environment, while maintaining balance with the rights of property owners to use and enjoy their lands.

Alternative options:

2. Continue to refine and scope only the draft site alteration by-law, and re-focus efforts towards an education and awareness campaign targeting good forestry practices.
3. Discontinue development of the draft site alteration and tree preservation by-laws, and re-focus efforts towards an education and awareness campaign targeting good stewardship practices as it relates to site alteration and tree removal.

Scope of the Site Alteration and Tree Preservation By-laws

That Council direct Township staff and JLR to proceed with revisions to the draft site alteration and tree preservation by-laws in advance of additional public engagement activities, with particular attention to:

1. **Area of Application:** Consider amending the scope of the proposed tree preservation by-law to apply only to shoreline preservation and leave the balance of the property outside of the shoreline area subject only to the proposed site alteration by-law.
2. **Exempted Activities:** Revise the list of exempted activities to include additional exemptions as per public input gathered through the online survey, open houses, and email correspondence.
3. **Process for Seeking Relief:** Prescribe a proposed timeline for review and decision on applications where an activity is not permitted by the by-law, with consideration as to the appropriateness of delegated authority to staff and an available option to appeal staff's decision through review by Council.
4. **Outline Criteria for Seeking Relief:** Prescribe a set of objective criteria by which staff and/or Council may assess the appropriateness of applications where an activity is not permitted by the by-law, with specific criteria indicating where supporting materials would be required (e.g., environmental impact study, archaeological assessment, etc.).
5. **Consolidate into Singular By-law:** Consider combining the provisions regulating tree preservation and site alteration into a single by-law regulating both activities.

In addition to the above, we welcome Council's direction for other areas of the draft by-laws that require attention during the revision process.

Additional Scope for the Project

That Council direct Township staff and JLR to proceed with additional public engagement to gauge the level of public support for the revised site alteration and tree preservation by-laws, to be held in-person and online during the summer months when a larger majority of seasonal residents will be able to attend.

That Council direct Township staff and JLR to proceed with the following timeline of activities required before a decision can be made by Council as to whether to adopt the proposed site alteration and tree preservation by-laws:

Task	Duration	Timeline
Revise Draft Site Alteration and Tree Preservation By-laws	6-8 weeks	March / April / May 2024
Additional Public Engagement Activities:	2 weeks	July 2024
<ul style="list-style-type: none"> • In-Person Open House (1) • Online Open House (1) 		

Task	Duration	Timeline
Summary Report re: Public Feedback	4 weeks	August 2024
Presentation to Council re: Public Feedback	1 week	September / October 2024
Final Revision to Draft By-laws	4 weeks	October / November 2024
Presentation of Final Draft By-laws to Council for Decision	1 week	November / December 2024

The above timeline accounts for two rounds of revisions to the draft by-laws and additional input from the public and Council and anticipates that a final draft by-law would be available by the end of 2024 to present to Council for decision.

Should you have any questions or require further information, please contact the undersigned.

Yours very truly,

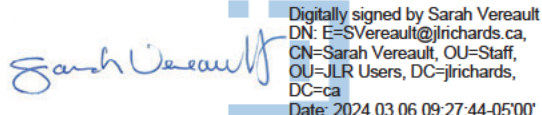
J.L. RICHARDS & ASSOCIATES LIMITED

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Date: 2024.03.06 09:27:44-05'00'

Sarah Vereault, RPP, MCIP
Associate; Senior Planner

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Enclosed:

- Appendix A: Online Public Survey Questions
- Appendix B: Polling Questions (Virtual Open House)
- Appendix C: Raw Survey Results
- Appendix D: Raw Polling Results (Virtual Open House)
- Appendix E: Written Comments via Email

Appendix A
Online Public Survey

Site Alteration & Tree Preservation Bylaws for the Township of The Archipelago – Online Survey

You are invited to participate in a survey as part of the Township's development of a Site Alteration By-law and a Tree Preservation By-law. The goal of this survey is to understand what works and does not work in the present draft by-laws, areas of the by-laws that could be more user-friendly, issues that you feel could be better addressed through revisions to the by-laws and your position on them, and any other areas that you feel warrant additional review (e.g., exempted activities, processes for seeking relief, etc.).

This survey is being conducted by J.L. Richards and Associates Ltd. (JLR), as the Township's retained consultant developing the Site Alteration By-law and Tree Preservation By-law.

Participation in this survey is voluntary and you can withdraw at any time. If you agree to participate, completion of the survey is expected to take 5 to 10 minutes. As participation in the survey is voluntary, you will not be compensated for your time.

Participating in this survey may or may not benefit you directly, but it will help us to better understand what's important to you in shaping a future Site Alteration By-law and Tree Preservation By-law that will regulate development on lands in the Township, including your property. You may skip any questions you don't want to answer, and you may end the survey at any time. Please note that if you exit the survey before completing it, any responses that you have drafted will not be recorded and will not be included in the final analysis.

The information you will share with us, if you participate in this survey, will be kept completely confidential and will be anonymized upon completion of the survey. You will only be asked to identify yourself as a resident, a business owner, a municipal staff member, or a representative of a community group. No one at the Township will be able to see your survey or know whether you participated. When the survey period has ended and the data has been analyzed, survey findings will be presented only in summary form and no specific responses to open-ended questions will be attributed to you directly.

While we will keep your information confidential, there are some risks of data breaches when sending information over the internet that are beyond the control of the Township.

If you have any questions about this study, please contact Cale Henderson, Manager of Development and Environmental Services for the Township of The Archipelago at chenderson@thearchipelago.ca (tel: (705) 746-4243) or Rebecca Elphick, Consultant Planner at J.L. Richards & Associates at relphick@jlrichards.ca (tel: 343-803-4095).

By completing this survey, you are consenting to participate. If you are under 18 years of age, please consult with a parent or guardian before completing this survey.

1. **Feedback on the Draft Site Alteration and Tree Preservation By-laws:** In reviewing the statements below, please indicate the degree to which you strongly agree, agree, neither agree nor disagree (neutral), disagree, or strongly disagree:
 - a. When I'm looking for specific information in the draft by-laws, I can easily navigate the document to find the information I need.
 - b. The definitions for terms used in the draft by-laws are clear and straight-forward.
 - c. The process for seeking permission from Township Council to do work on my property, if not already permitted by the By-laws, seems to be a clear, open, transparent process.
 - d. It is challenging for me to understand when I would need to seek permission from Township Council to do work on my property.
 - e. It is difficult for me to understand what activities are permitted as "exemptions" to the draft by-laws.
 - f. Provisions should be added to the draft by-laws to include additional exempted activities that are permitted without any prior approval from Township Council.
2. If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.
3. When considering how the draft Site Alteration and Tree Preservation By-laws should be implemented, I would prefer:
 - a. The proposed system, where I make a request to Council only if I want to do something not identified as an "exempted activity".
 - b. A permit-based system, where I make an application to the Township before undertaking an activity, much like the system for applying for a building permit.
 - c. I have no preference for how the Site Alteration By-law and Tree Preservation By-law are implemented.
4. **General Impressions of the Project:** In reviewing the statements below, please indicate the degree to which you strongly agree, agree, neither agree nor disagree (neutral), disagree, or strongly disagree:
 - a. There is a need for the Township to enhance protections for the natural environment in its current regulatory approach (i.e., the current in-effect Official Plan and Zoning By-law and through Planning Act applications).
 - b. Protection and preservation of the natural environment is important to me as a resident or business owner in The Archipelago.
 - c. Overall, I believe that the provisions within the draft By-laws will work well to protect and preserve the natural environment.
 - d. The infographic summary is a helpful tool to help me understand how the draft By-laws affect me and my property rights.

5. **Additional Information:** Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

6. **Demographic Information:** Please check all that apply:

Note: Self-identification is for the purposes of analysis only. When the survey period has ended and the data has been analyzed, study findings will be presented only in summary form and no specific responses to open-ended questions will be attributed to you directly.

- a. I am a year-round resident of The Archipelago.
- b. I am a seasonal resident of The Archipelago.
- c. I am a business owner in The Archipelago.
- d. I work in the development/construction industry in The Archipelago.
- e. I represent a cottagers' association, islanders' association or other community group.

7. **Demographic Information:** What is your gender?

Note: Self-identification is for the purposes of analysis only. When the survey period has ended and the data has been analyzed, study findings will be presented only in summary form and no specific responses to open-ended questions will be attributed to you directly.

- a. I identify as female.
- b. I identify as male.
- c. I identify as non-binary.
- d. I prefer not to share my gender.

8. **Demographic Information:** What is your age?

Note: Self-identification is for the purposes of analysis only. When the survey period has ended and the data has been analyzed, study findings will be presented only in summary form and no specific responses to open-ended questions will be attributed to you directly.

- a. I am under 18 years old.
- b. I am 18-24 years old.
- c. I am 25-34 years old.
- d. I am 35-44 years old.
- e. I am 45-54 years old.
- f. I am 55+ years old.

Appendix B

Polling Questions (Virtual Open House)

Poll #1 Site Alteration By-law

1. Do you feel a Site Alteration By-law is necessary?
2. If Council were to continue developing a Site Alteration Bylaw, I believe:
 - a. The by-law should be less restrictive.
 - b. The by-law should be more restrictive.
 - c. The draft by-law is acceptable in its current form.
 - d. Council should not pursue implementing this by-law.

Poll #2 Tree Preservation By-law

1. Do you feel a Tree Preservation By-law is necessary?
2. If Council were to continue developing a Tree Preservation By-law, I believe:
 - a. The by-law should be less restrictive.
 - b. The by-law should be more restrictive.
 - c. The draft by-law is acceptable in its current form.
 - d. Council should not pursue implementing this by-law.

Poll #3 Balance of Protection and Rights

The purpose of the draft By-laws is to protect against significant and negative impacts on the environment and waterfront character, while maintaining rights of property owners to develop and use their properties.

1. Do you feel the draft by-laws have achieved the balance between protection and property rights?
 - a. Strongly Agree
 - b. Moderately Agree
 - c. Neutral
 - d. Moderately Disagree
 - e. Strongly Disagree

Poll #4 Site Alteration Exemptions

1. If the Township were to pass the draft Site Alteration By-law, do you feel more exemptions are required?
 - a. Yes
 - b. No

2. If yes, what additional exemptions need to be considered? Please list below.

Poll #5 Tree Preservation Exemptions

1. If the Township were to pass the draft Tree Preservation By-law, do you feel more exemptions are required?
 - a. Yes
 - b. No
2. If yes, what additional exemptions need to be considered? Please list below.

Poll #6 Permission Process

1. Is the process of seeking permission from Council clear and reasonable, where an activity is proposed that is not already permitted by the by-laws?
 - a. Strongly Agree
 - b. Moderately Agree
 - c. Neutral
 - d. Moderately Disagree
 - e. Strongly Disagree
2. Do you think the process of seeking permission could be improved? How so?

Poll #7 Public Engagement

1. Have you had an opportunity to (check all that apply):
 - a. Visit the Site Alteration & Tree Preservation webpage.
 - b. Complete the online survey.
 - c. Review the draft by-laws.
 - d. Review and infographics and handouts.
2. Do you want additional opportunities for public engagement?
 - a. In-person meetings
 - b. Virtual meetings
 - c. Online surveys
 - d. Other suggestions
3. If you selected "Other Suggestions", please enter them below:

Appendix C
Raw Survey Results

Quantitative Feedback

When I'm looking for specific information in the draft by-laws, I can easily navigate the document to find the information I need.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	10	5%
Agree	46	25%
Neutral	61	33%
Disagree	49	26%
Strongly Disagree	21	11%

The definitions for terms used in the draft by-laws are clear and straight-forward.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	14	7%
Agree	56	30%
Neutral	54	29%
Disagree	43	23%
Strongly Disagree	20	11%

The process for seeking permission from Township Council to do work on my property, if not already permitted by the By-laws, seems to be a clear, open, transparent process.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	12	6%
Agree	26	14%
Neutral	40	21%
Disagree	65	35%
Strongly Disagree	44	24%

It is challenging for me to understand when I would need to seek permission from Township Council to do work on my property.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	74	40%
Agree	49	26%
Neutral	26	14%
Disagree	30	16%
Strongly Disagree	8	4%

It is difficult for me to understand what activities are permitted as “exemptions” to the draft by-laws.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	94	50%
Agree	39	21%
Neutral	29	16%
Disagree	16	9%
Strongly Disagree	9	5%

When considering how the draft Site Alteration and Tree Preservation By-laws should be implemented, I would prefer:

Response	Number of Responses	Percentage of Total Responses
A permit-based system, where I make an application to the Township before undertaking an activity, much like the system for applying for a building permit.	41	22%
The proposed system, where I make a request to Council only if I want to do something not identified as an “exempted activity”.	112	60%
I have no preference for how the Site Alteration By-law and Tree Preservation By-law are implemented.	34	18%

There is a need for the Township to enhance protections for the natural environment in its current regulatory approach (i.e., the current in-effect Official Plan and Zoning By-law and through Planning Act applications).

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	33	18%
Agree	36	19%
Neutral	30	16%
Disagree	35	19%
Strongly Disagree	53	28%

Protection and preservation of the natural environment is important to me as a resident or business owner in The Archipelago.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	84	45%
Agree	80	43%
Neutral	15	8%
Disagree	3	2%
Strongly Disagree	5	3%

Overall, I believe that the provisions within the draft By-laws will work well to protect and preserve the natural environment.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	15	8%
Agree	24	13%
Neutral	33	18%
Disagree	51	27%
Strongly Disagree	64	34%

The infographic summary is a helpful tool to help me understand how the draft By-laws affect me and my property rights.

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	15	8%
Agree	35	19%
Neutral	71	38%
Disagree	34	18%
Strongly Disagree	32	17%

Demographic Information – Relationship to Township

Response	Number of Responses	Percentage of Total Responses
Year-Round Resident	41	22%
Seasonal Resident	144	77%
Business Owner	16	9%
Development / Construction Industry	6	3%
Cottage Association	12	6%
Other	2	1%

Demographic Information – Gender Identity

Response	Number of Responses	Percentage of Total Responses
Female	44	24%
Male	115	63%
Non-Binary	1	1%
Prefer Not to Share	21	11%
Other	2	1%

Demographic Information – Age Group

Response	Number of Responses	Percentage of Total Responses
Under 18	0	0%
18-24	2	1%
25-34	5	3%
35-44	10	6%
45-54	28	16%
55+	132	75%

Qualitative Feedback

Additional Exemptions

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.
The ability to decide individually, selective tree removal to enhance views.
Shore line clutter, i.e. saunas on platforms built over, water massive deck platforms for dock ramp connection and multiple docking systems
This bylaw should be scrapped.
Consider a property that is many acres in area and has many trees far from the shoreline. The bylaw seems to prohibit, without an approval from council, selectively harvesting some hardwood trees for firewood even if that harvesting would have no impact on shorelines.
This is too restrictive. Properties over 10 acres should be handled differently and trees over 100 or 200 feet from shoreline also should be handled differently. 6" at 4.5" is too small. Pine trees grow fast and that is an undue burden.
the process seems too complex, and it is hard to know what one can or cannot do on their property.
I'm not in agreement with this by-law, personal property should be able to be maintained in the manner that owner wants.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

I believe there should be some consideration for tree removal to benefit the landscape aesthetic and views. I don't believe homeowners should need to go to Council to remove a small number of trees on their property. This would need reasonable limitations to avoid large scale tree removal.

diseased or hazardous tree removal

Tree removal within 60' of a structure for safety and fire protection reasons.

The removal of trees that pose a hazard to the health & safety of occupants or structures they are close to.

I don't agree an additional layer of red tape is required. The inspectors did a good job as it is

General lot maintenance

Clearing for fire separation.

Removal of trees or shoreline vegetation shading solar panels. Removal of young trees or shoreline vegetation that will shade solar panels.

Removal of hazard trees - clear definition of what constitutes a clear hazard.

In addition to the listed tree by-law exemptions, I propose that any tree that is dead or has less than 10% of its original foliage remaining (nearly dead), be exempted from being in violation of the by-law.

For long time, multi-generational owners, restoring the site, including past buildings, should be allowed and grand-fathered. Over the past 100+ years since our family has owned our island, nature has slowly grown over and we'd like to be able to partially revert the site to how our ancestors found it (we have picture to prove it).

For the trees, owners should be able to cut down trees that pose a risk to surrounding buildings. It's not clear to me if this falls under the current exemptions, mostly the 'Maintenance of Existing Features'.

Given the increase in forest fires, owners should also be allowed to preemptively create a buffer between the woods and the buildings.

the ability to deliver good and service, access to the shore line in multiple locations of any and or all property are a necessity for reasons of health and safety Weather it be an emergency and or as simple as an appliance delivery. these points of access often need minor alteration such as minor rock or boulder relocation as well as minor vegetation removal and should not have to be given permission for these points of access.

I have an old, almost dead birch tree about 3 meters from the shoreline where my grandchildren play. I plan on taking it down shortly. After reading the draft bylaw, I am unclear if I would need to get an exemption prior to taking it down. Who would be the judge on if it should be removed.

Tree felling

If a tree(s) is leaning towards or presents a danger to one's cottage, a permit shouldn't be required. Otherwise the township should accept responsibility and liability should that tree fall and damage it cottage or injure someone.

Redoing an old existing deck of the same size including base supports, railings and stairs. Screening in part of an existing deck specifically for a sitting area only.

none suggested

property tree cutting should be allowed

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

This by-law overreaches and appears to contravene the Canadian Charter of Rights. The people drafting this by-law appear to be more interested in controlling and possibly extorting cottagers for their own personal gain than protecting the environment.

This by-law appears to violate the Municipal Act, R.S.O. 2001 with the by-law office ability to enter private property without notice or permission or requirement to show ID (Section 8). The outlined penalty of \$10,000 to \$100,000 per day has no precedent when compared to other Archipelago by-laws and further violates the Municipal Act, R.S.O. 2001 given its excessive nature (Section 10).

The Elected Reeve And Council intention with this by-law is not in good faith to the community or environment. In passing this By-law their main intention can only be to intimidate and divide the Archipelago community.

Under the Municipal Act, R.S.O. 2001 Section 273 any person can make an application to the Ontario Superior Court of Justice to quash a municipal by-law, in whole or in part, for illegality. Should this By-Law be passed by the Elected Reeve And Council the Archipelago community will have no option but to quash this by-law for illegality based on the two points above. In advance of Councils implementation for this By-law a petition should be gathered at all large Archipelago Community Events to support this course of action and then submitted both the Ontario Superior Court of Justice and MP Scott Aitchison.

It is strongly recommended that Sections 6, 7, 8, 9,10 and 12 be completely removed from this by-law or the entire by-law be terminated.

Removal of trees around existing cottages / buildings should be allowed without council approval

Its seems to me that the Exemptions are very narrow and needs to be expanded. For example the exemption of cutting trees less than 6" DBH is quite small when the City of Toronto has a 12"DBH. The Archipelago has significantly more trees than City of Toronto and a more restrictive exemption. This really makes no sense. The purpose of this tree protection By Law seems to have no regard for number of trees per square meter of land, which in the case of a very rural area and a mostly rocky shoreline with areas of no proper growth soil and few trees in some places and many trees in others that the By-law does not account for this variance and could allow tree purging where there are few trees and severe restrictions for use of the property in areas where there are many trees. Hence the By-Law can be used and applied unfairly and at the whim of administrators.

I also understand the protection zone from shore line inland is very expansive or large, (Deep). It seems that this is pandering to a very select thought of view and not environmental concerns.

I am not in favour of this drafted by-law.

cutting down of trees which may fall on a building- ie. with poplars it can be hard to know if they are rotten inside and may pose a threat

The exemptions are subjective, what is "good forestry practices" to me would be different from "The Appointed Officer". As a cottage who wishes to maintain their lot for safety as well as protection of the buildings, the way the exemptions are written and being enforced by a single person adds a lot of doubt.

Folks i strong feel this survey doesn't meet the needs of our commity. It seems to be written with out asking us as clear question being are we in favour of this by law. And I assure you that lots of us are not.....

I feel that this by-law is a knee-jerk reaction to a few isolated occurrences that have occurred over the last few years. Much of what is being proposed in terms of the development of shore property is being presently addressed through Provincial & Federal regulations. Ratepayers should not be saddled with having to seek

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

approval for tree removal or landscaping. Much of the shoreline is already protected as Crown land, Parks Canada, and Provincial parkland.

Planting indigenous plants and trees

Proper forest management often requires thinning of trees to prevent forest fires and the increase the likelihood for the healthy survival of remaining trees this needs to be addressed in the by law. There is no provision permitting diseased or dead trees to be cut without permission from the township.

I disagree that the onus should be on the taxpayer to propose exemptions now or to make applications for additional exemptions as they arise. Instead, if we must have a bylaw (I don't believe we should, the onus should be on the township to prove that an alteration causes damage or that a tree removal was not in accordance with good arboricultural practices in response to a complaint.)

We do not need more bureaucratic processes. There is not sufficient risk to the environment to warrant more regulation. This is just additional intervention that adds to the cost of municipal government and will increase taxes over time.

The bylaw is not needed

This is another example of government overstepping its bounds to interfere with personal freedoms. Since we OWN the property, we should have the final say (without government intervention) regarding all activities on that property. Your "rules" on tree management are not very clear. If we think a tree is old or diseased and at risk of falling on our building, then we will take it down without thought of asking anyone. The rules should reflect this.

This plan is massive overkill and a bureaucratic nightmare. The definition of exempted activities should be widened substantially. This plan should be rewritten to prevent really flagrant abuse of the environment but nothing more than that. If I want to prune a few dead trees on my island I don't want to have engage with the bureaucracy!!

- Island owners should still have ability to take down a damaged or diseased tree that is hazardous to the welfare of the cottagers on the island without having to wait weeks or months to get a supposed permit.
- Island owners should be able to move manageable boulders or rock at shoreline near docks when water levels fluctuate for safety of swimmers & boaters, and have safe access to docks if water levels drop again, without having to wait weeks or months for a supposed permit.

Small scale work on your property generally shouldn't require permission. It add unnecessary extra steps. I believe as many activities as possible should be exempt as long as they're reasonable.

Trail trimming
dead tree removal

The proposed by law is far too vague, and where it is specific, too narrow. Further, this does not feel like an effort to protect the environment - it seems like a significant and inevitably costly expansion of regulations that will add significant cost and complexity to routine cottage upgrades.

Trees that present a danger to structures on a given property. Also, 6 inches seems very small and should be increased to 10 - 12 inches.

Non-native and invasive species, and weeds should be exempted. Trees should not be treated equally - for example- an oak or pine vs. fast growing cedar.

The proposed bylaw is unnecessary. I do not support its enactment.

The by-law is too vague and open to interpretation.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Please add a list of suggested landowner activities which are likely compliant... Cutting a damaged or rotten tree... Planting a flower or vegetable garden... etc.

Removing trees and branches where improvements to views are desired or more light desired to fall in certain areas...gardens, cottages, docks, etc. Also, the maintenance of small beaches that pre-exist the by-laws, for recreational use and launching of small water craft, etc.

Due to the threat of forest fires I feel as a property owner I should be to able to determine a fire safety ring around my buildings

Logging on properties over 10 acres

Tree removal should take into consideration the size of a property. There should be a limit on how many trees (>6") that can be removed that should be both time and property size dependent - eg 3 trees per year per hectare of land - or something similar. Getting a permit to remove one or two trees on private lands is overkill.

We sometimes cut a standing dead tree on our property to obtain firewood. I am not clear whether this would be exempted under the current draft bylaw. The tree preservation by-law seems to be directed only at living trees, and not at dead ones.

We do not believe in cutting down trees unnecessarily, unless they are diseased, pose a risk to our properties, etc.

In the last 2 years we have had a number of trees cut down as they were leaning directly over our home and during a wind storm they would sway back and forth and the threat of them falling during a wind storm onto our building was quite real. Also the tree's root system mainly on the surface due to the rocky topography it makes them much less "secure" during a storm. I do not think with your current "exemptions" this is taken into consideration. They do not fit into "damaged" trees nor maintenance of existing features. We arranged to have these trees taken down due to both safety and prevention of possible future damage to our property. I don't see any consideration for proximity to a building or possible "directional" proximity for a tree further away but definitely leaning towards or over an building we inhabit. I would hate to think we would have to apply for a permit in order for this to be a consideration in the future.

You should not have to get a permit to do what you think is appropriate to keep your property well maintained and protect the environment.

This is an attempt to circumvent the CZBL. What is the problem that is trying to be addressed? Feels like a sledgehammer approach.

nil

I have looked after our property for 40 years. I do not and will not tolerate the Toronto crowd telling me how to care for my island, just because of the actions of one person. I know how to deal with trees, am trained on a chain saw. No one else has the ability to access what is needed on my property more so than myself. I live there. Please stay out of our business.

Is there any way to consider what damage overnight campers in remote areas might do. There are many weekend campers who may or may not break these laws with no way of enforcing these laws

The tree preservation bylaw should be removed in it's entirety. It violates property owner rights in far too egregious a fashion. It also does not align with the stated goals of these bylaws. The site alteration bylaw, which needs rethinking as well, can include any minimal restrictions to tree removal as agreed and aligned to the overall bylaw goals.

the by law should be cancelled.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Bylaws simply add complexity and costs. To move this forward, its simpler to say whats prohibited (major activities or changes) and leave the rest to the landowners.

There are lots of valid reasons for taking down a tree (or even a few trees) which would not change the overall appearance of the land, or damage shoreline. Trying to list every one of these reasons in a bylaw is the wrong approach.

1. Harvesting firewood. Cost of arborists, permits & site-plans to cut down a few trees for firewood will be more expensive than having wood delivered to the cottage or marina. Importing firewood from other parts of the township or other townships, brings the risk of importing bugs or diseases that would kill more trees. In the past several years we have had over 3 dozen elms die and see lots of dead beech and ash trees along the road in. Bringing firewood across the lake can infest trees all along the shore.
2. Either allow a certain number of trees (e.g. 50) or a percentage (e.g. 25%) of number of trees or a percentage of area to be cut before requiring a permit to cut more.
3. The costs (for arborists, permits & site-plans) of complying with these bylaws, plus the increased property taxes (to pay for the costs of developing and educating about and enforcing these bylaws), and increased insurance premiums (due to an increase in the number of claims - due to more trees falling and damaging property and injuring people) in the township (because property owners could no longer just cut down questionable trees on their own), will price many current (retired - "on fixed incomes") property owners out of the market. Odds are that new buyers with the money to buy those properties will not be content with the modest (less environmentally damaging footprints) cabins/cottages built over 20 years ago, and they will have much larger "lake houses" ("mega-mansions" - that seem to be driving complaints that are the impetus for these bylaws) built, that will see many more trees cut to clear lots for the larger buildings and larger septic beds. In addition there would be additional "temporary" or even permanent access roads built to accommodate building, which will result in many, many, many more trees being cut and run-off issues being created.

Minor clearing of brush etc. to accommodate safe walking/pathways etc.

Within the Survey, the TOA should ask their rate payers if a agree that a by-law is required for site alteration or tree preservation. That is the 1st question to be answered.

I do not support the need of the tree preservation bylaw.

Single trees in danger of falling dangerously. Trees in the way of projects which have building permits or storage units not requiring permits

"This is an over taxation for property owners, especially the non rich generational families. The by-laws are focused on the wrong set of stake holders. We need to focus on the commercial and all the contractors and those who employ them, not the cottagers and the locals who vacation and live in the township. This is turning into a dictatorship and an over reach on our rights as a property owner. All the issues are coming from the new developments entering our community and tear down of older buildings (which you need permits for), not the old time cottagers who has taken care of they property over 100 years. . Leave the small cottagers alone because if the increase in taxes and fees come into place the blue collar worker who has inherited property for 100 years will be forced out financially, which is not far or equitable. Us long time cottagers take pride and respect the environment and our property, I feel and I bet a lot others feel the same that we were insulted from this by-law and previous meeting.

This survey is directed to the by-law passing (control group) bias. The township will have to much control. Who wants to read a novel to see what we can or can't do on our own property before we do it, NOT a lot of us. I would like to know if there are members on this board who are long time cottagers, blue collar workers, NOT the wealthy or ones with great jobs, and /or ones that don't have cottages.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Revising the proposed by-law to be less heavy handed, as applied to cottagers and residents, is the first step in the ultimate goal of preserving our beautiful biosphere. Moving the more restrictive aspects of the plan into building and zoning codes will clearly state what can and cannot be done in regards to site degradation. Doing so will not only place the onus on those wishing to alter the environment, but will also make enforcement of rules more cost effective by allowing currently employed building and environmental inspectors to enforce the codes. "

Any tree within 50 ft of a building structure should not require any type of approval process.

The premise of this question assumes that new by-laws are required. No one has provided compelling evidence that this is true. Absent a compelling case, there should be no new by-laws

1. Be allowed a certain number of trees or percentage to be cut each year without requiring a permit.
2. LOCALLY sourced, Firewood. Prevent disease & invasive species. No fuel used to transport or produce pollution.
3. Creation & maintenance of fire breaks.

Individual tree removal to accommodate views should be allow (1-4). This could be compared to a contrasting scenario of back-to-back/side-by-side removal of multiple trees in one area (5+) which would be move likely defined as 'clear-cutting'

I don't believe this by law is necessary at all

Cutting down dead or dying healthy trees that could be a safety risk .

This is my property . I own it . This is not a feudal system. You only give option that suit you on this survey. You do not provide options that let me say how I feel. There needs to be more exemptions...for example firewood, dead tree's WITHOUT an arborist report. A certain number of trees per year . without a permit

Property owners should be given the agency to attend to matters that pose a risk to their property or people, such as the removal of dead trees and the clearing of brush around structures.

Dead trees

Leaning trees which could damage property and cause injury

cutting dead tree doesn't need an arborist or environmental assessment.

Trees overhanging my cottage shouldn't need an arborist.

I should be able to clear nuisance scrub brush from my dock area and high traffic areas . Photos should suffice .by the way the following question #3 does not give me an option for how I really feel . I wish to object to ALL THREE or the options you proposed. I chose the lesser of 3 evils

I should be allowed to make minor modifications to my property without the expense or hassle of dealing with the township

Balance of Property beyond the shoreline should be exempt, trees, grading etc.
Forest Management should be allowed along shoreline

I believe some restraints could be in the by law for the waterfront but none for the rest property!!!

This survey is a manipulation of facts because you do not provide options that I would actually like to answer in some questions.(for instance)the third question is leading to an answer that sways your way. I don't want you to tell me how to manage a piece of land I own so I have no option but to choose the first one

The only thing that should be banned is clear-cutting.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Anything other than clear-cutting should be allowed. It's PRIVATE property.

If the Township is allowed to cut whatever it wants to (including clear-cutting) on Township property, then what right does it have to dictate what anyone can do on their own property.

I understand the need for shoreline preservation but his by law over reaches in its intent to decide what we do on areas of our properties beyond the absolutely necessary and understandable shoreline buffer zone.

Any activities that lead to negative environmental results to my neighbours or the water course / watershed should have a mechanism to be addressed but not a pre-emptive assumption that we cannot look after and decide what to do on our lands without your permission and or a professionals opinion. outside of the shoreline areas. This is insulting and overreach. We do not live in suburban subdivisions for a reason.

This proposed bylaw would ban the removal trees for ANY reason which I am not OK with. I appreciate the efforts here to maintain and preserve our trees (trust me when I tell you how much I value the couple of dozen I have on my property). However, we should be able to manage our own properties due to any potential safety concerns, obstructed views, etc. I do not approve this proposed bylaw however am willing to work and listen to more thorough ideas that work for all parties. From my experience on Georgian Bay, people very much respect their properties and their environment as it is such a unique and beautiful place to live.

We plant trees on our property. There could be a provision to facilitate removal outside the exemptions (relief) if new trees are added to the property by way of maintaining the landscape. This provision is used in other Townships in Ontario where relief is sought for cutting to accommodate a building or change of aspect

"Keep it simple. Clarity is key. Over reach is not appreciated."

Cutting down a dead tree or
Trees that are a hazard if they are leaning on a building.

We should not need permission to cut a tree that may be dangerous to our property, building & persons on our property.

I should not have to ask permission to due any kind of cutting or alterations to my property. I feel this is incredibly un-constitutional!

Many families in our region fell trees for firewood to heat their homes. This is a practice that benefits forest health and also decreases risk posed by potentially dangerous trees remaining standing on the property. I feel that use for firewood should absolutely be exempt from this by-law.

if I need to cut down a tree to protect a building or my property.
Sometimes you have to cut down trees that are dying to allow younger trees to grow. We should be able to make these decisions without the township. I own the land.

"Why would the township attempt to say no to everything except for a list of exemptions? This makes absolutely no sense- terrible idea.

No clear cutting yes- trying to implement rules for land owners and the way they want to manage their properties is a terrible waste of tax dollars.

I can see any Newley approved residential lands being governed like this but there is no way the township will be able to pass this (at least no without an expensive fight)"

I don't agree with the proposed bylaws. The exempted size of tree for removal should be increased to at least 10 to 12 inches.

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Due to high water I lost trees. They are now dead & infested. I plan to remove this coming season & plant anew a native species.

I do not agree with site alteration and tree bylaw beyond the 100 foot shore line preservation setback. This is over reaching and has adverse affect on residents who heat with wood.

This by-law (specifically Tree Preservation By-law), in it's current form, fails to recognize how permanent residents use their land. There are many individuals, although I do believe it is a minority, who sustainably use their land. This by-law fails to recognize and exempt individuals who harvest trees through sustainable practices for hobby purposes, and sustainable living purposes, and at the worst, opens these individuals to selective persecution. Many individuals harvest trees from their land as part of a broader interest in sustainable living for financial reasons, as well as environmental. While I am not advocating for there to be no regulations on said activity, this by-law completely fails to recognize or address the concerns of people who use their land for those purposes. Another failure of this by-law is to address farming, as numerous properties within the Archipelago maintain farm status, a few of which use a portion of the property for Christmas tree farming, amongst other harvests. Once again, this by-law fails to specifically address those concerns, leaving these individuals subject to interpretation and enforcement of by-laws from a township that fails to consider the needs of their constituents.

A property owner should be able to determine if a tree is not healthy or a liability on their own without having to procure an opinion from an arborist.

1. No provisions are included for large versus small acreage lots - is there a difference between cutting down a tree on a 150 acre lot versus a 1.5 acre lot?

2. No provisions for farm status were included - do farms fit into the same category as multi-million dollar single dwelling 2-acre lots? The Archipelago is home to multiple OFA lots that maintain farm status through the provision of goods and services to the community. Unless the municipality intends to challenge the authority of the Ministry of Agriculture, Food and Rural Affairs Act and associated regulations, there needs to be provisions for farms in the implementation of this by-law.

3. No exemptions are included for primary wood-heat source homes - do permanent residents of the Archipelago who burn wood to heat their homes need permission to take down trees?

4. No distinction of requirements based on the characteristics of the lot. The Great Lakes-St. Lawrence forest region cannot be classified by a single biome-characteristic. The habitats that exist within include grassland, marshland, forest, and rock. Blanketed regulation does not recognize the diversity of the Archipelago landscape and thus prescribes equivalent regulation on inequivalent groups.

The Archipelago temporary government body needs to be replaced, especially Cale. He has alot of legitimate complaints on his plate that he does not act on, now he wants to deal with trees and rocks. Check his file.

There are vast numbers of items, but to just name a few - there is no provision for safety, no provision for the increase of property value, and more. While we all support environmental efforts, this bylaw eliminates all the rights of the individuals.

Maintenance to private roads

Removing individual trees that are within the area defined in Section 3 but not within the 50 feet defined for native shoreline vegetation should be exempted. That is affected native shoreline vegetation is defined as being within the 50 feet of the high water mark. Affected trees are not so defined, so all trees of the required circumference within the area defined by Section 3 are affected and therefore not subject to exemption by

If you feel that additional activities should be exempted within the draft by-laws, please share your thoughts below, including any specific activities you feel should be exempted from the draft by-laws.

Section 5 as the proposed bylaw is written. To me that is unnecessarily restrictive and goes far beyond the stated objective in the preamble.

Why are all township projects exempt from the bylaw? Why are there so many qualifiers that permit interpretation to achieve the desired end?

Tree removal

Focus mainly on the egregious acts of clear cutting and significant blasting. Cutting for views should be ok, opt to replant as an offset. Consider broader civil or repossession actions, and stop work orders for really bad behaviour. We want to stop what happened to Lake Joe. As currently drafted you will need a lot of staff on call every weekend too, most of us do not want to break the law, so we call and want someone to drive out asap.

-Firewood

-Standard Best Forest Management practices for woodlots over 5 acres- Standard - not a professionally drafted lots specific plan - such a plan is cost prohibitive.

-trails / paths not necessarily made to a cabin , waterfront, bunkie, gazebo ... etc.

Should not have a by-law that applies beyond standard / typical shoreline preservation setback

Provisions for the collection of firewood for the purpose of heating a structure.

Provisions for the maintenance of roads (Private, Seasonal)

The implications of the stringent tree preservation bylaw essentially prohibits the removal of any tree, irrespective of the reasons—whether it's a leaning tree posing safety risks, an ancient tree that's dangerously decayed, a tree obstructing views, or one that interferes with satellite reception. Under this bylaw, our hands are tied. This is not merely about tree preservation; it's about micromanagement infringing on our rights and the financial burden it imposes.

Additional Information

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

It would be helpful to include page numbers and an index for easier navigation of the draft bylaws. This applies to all the bylaws available on the township website. It is a simple solution to improve navigability and finding the information residents want.

Reference to removing invasive plants such as Phrag and other plants identified by the GBB and TOA.

No blasting to conform to By-Laws. We must fit within the bylaws, period as far as site alterations are concerned.

Consider carefully the direction that over regulation leads to...

none

People can do what they want on their own property. This township should focus on providing basic services and mind their own business.

Provide greater clarity with respect to building an elaborate dock or creating some form of breakwater using wood or rocks on site. Provide greater clarity about adding imported sand to an existing beach.

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It is great to prevent clear cutting but this is so restrictive that it is going to result in it being too difficult to keep forests from overflowing and that will result in forest fires just like in the West. Crest exemptions for trees up to 10-12" in diameter and for trees more than 100-200' from shoreline.

If this passes as is and is enforced I would set aside Township budget to defend a lawsuit.

the proposal is too complex and pre-determined. Flexibility needs to be in place to add and remove activities that need approval. While I support the concept, it is not clear why the township needs to own the preservation process.

Examples of exempted activity would be useful

No additional comments

NA

Substantial site alteration in any form should require permit and inspection

The process by which Council will evaluate an application for relief is not clear. I am very concerned this will be highly subjective and inconsistent.

We feel this is intrusive and unnecessary government intervention in our lives.

not at this point

No thank you

Keeping the natural environment is extremely important!

I understand site alteration of property can have an impact to the local environment, and it should be minimized, on the other hand as property owners
, we are at a tipping point...do we really own the land now or does the municipality own it ?? Seems to me the township wants to blast a lot of rock out at the PAB station to serve a few in the summer...

None

The concept is great. I will take a "wait and see" approach to the final drafts, implementation and success of the new by-laws. We are fortunate to have a Municipal Council willing to be proactive in environmental protection. Now, could we please have quieter boats??

Nothing I can think of

No further info required.

Is it possible to have the application process for anything in the by-laws to be a drop down menu? As you click on the project i.e. do you plan to..... build a shed..... floor area dimensions..... (if it's small).... I believe you can build on lumber or slab of cement, so that becomes different click options.... if it's big it needs footings, so that becomes a click option that opens to more drop down click options relevant to that project each step you click on prompts you to the next.... distance from property line..... discussed with adjoining neighbours.... etc. So as you go down the list and click.... if you didn't do something required you can't go further in the application? This is just a thought....

On another topic having seen neighbours in action..... i.e. I want to build something..... but there's a bunch of trees in the way..... so I cut them down..... kind of grade the area flat..... throw down grass seed.... get this looking normal for a year or two.... then apply to build..... In my application I am building on the yard that's already there..... no trees to replant.... no grading issues.... Looks like a reasonable straight forward permit request..... So when a person is looking to do something to their yard, are you able to look back 4-6 years in aerial images and see what was there..... Perhaps this is too labour intensive and you have to go on the word of the applicant.

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I apologize if have gone beyond the scope of this survey.

I look forward to the meeting to better understand the need for this bylaw and hope to learn that it is not a reaction to a small number of events. I note that the selection of 6" diameter seems very small. I'm concerned about the annual budget for compliance officers for a bylaw that seems unnecessarily restrictive. clear statement concerning allowable activities

No by law is required. We already have building permit requirements, that take into consideration this aspect

I think the provisions of this by law should be included within the existing permitting process.

1) The following prohibition in section 4 is not clear. It reads that if you are the registered owner of a property, that abuts a shore allowance or road allowance, you are exempt from the bylaw. Is this the intent?
(iii) the person is the registered owner of a property which is directly adjacent to a municipally owned shore road allowance or concession road allowance
2) i don't know what the infographic summary in question 4 is referring to.

N/A

In the email, there should have been a link to the draft bylaws. It was important to read them first and it took some time to find them.

Where do I find this proposed bylaw?

I believe the permitted option is necessary to police the few among us who have blatant disregard for the protection of the environment. Many of us try to do the right thing but the few are recalcitrant and need more policing/vigilance/oversight.

We must control shore line clutter. Property owners have too many boats which require multiple dockage and shoreline storage systems. Dock shoreline connecting ramps do not require massive decks with many multi coloured chairs and umbrella/table systems

To many rules

There is minimal need for such a by-law

none.

N/A

What about option to say NO regulation required. No new bylaws required.

Due to lack of enforcement/inspection/follow-up the existing rules are not followed. Adding rules means nothing if those rules are ignored with impunity. How do you propose to enforce this?

How much more will this restrict the allowed structures to be built on the land.

None of the answers to number 3 are acceptable. The tree preservation bylaw should not be implemented.

A process for pre-consultation with bylaw team to help guide what is permitted without an "approval" and where a permit or approval is required. Important that land owners can consult without feeling like they are taking a risk that they will be embroiled in a complex and long approval process. If a process for pre-consultation indent in place then the incentive will be to proceed without guidance or permit and create negative land or environmental impacts. (Better to ask for permission than seek approval or direction)

In question 3 above, for my answer I would like to add that a permit should only be required if I want to do something not identified as an "exempted activity".

Below are some other comments for consideration:

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1) Tree By-Law Section 2. DEFINITIONS (t)(a) PROFESSIONAL. In addition to those qualifications listed, I propose adding those with a diploma in Forest Technology or as a Forest Technician, as well as a degree in Forestry. I'm a retired Forest Technologist and am quite familiar with identifying trees that are healthy VS unhealthy (I've pointed out things that trained arborists have missed).

2) Site Alteration By-Law: Section 4. PROHIBITIONS (e)(viii): This section talks about protecting well water, implying drinking water. As a cottager who gets his drinking water from the lake, please extend this to include lake water. Perhaps it could be worded "Detrimental effect on the quality and quantity of water in a well, lake or river which is used as a source of drinking water."

3) I'm not sure if the Site Alteration By-Law is the right place for the topic of blasting. I don't believe lakeside property owners should be allowed to drill and blast just to create a flat area for a structure. This has a huge impact on other people/cottagers and animals as well. If there are some special extenuating circumstances, it should be severely limited in scope and duration.

4) I think that those in the tree removal / excavation business should be required to see proof from the landowner that they in fact have a permit to proceed with the work if the contractor is not the one responsible for getting a permit. I can see a lot of landowners not thinking about these kinds of regulations – the contractors could help educate them on what they need to do.

5) I am expecting that future building permits will be reviewed with the contents of these two by-laws in mind.

While I firmly believe in the importance of protecting our environment for future generations, I feel that these by-laws are not necessary and give too much power and control to the municipality. These by-laws go too far and encroach on the fundamental principals of what it means to be a land owner/steward. The current environmental laws and building permit requirements are sufficient. I fear the result will inevitably end up with the 10% will continue to get circumvent these restrictions or simply pay penalties while the 90% of the populations will be further limited.

I believe this is a bad idea in that your putting in place a system that has the potential to cause division and problems with our community.

We need examples of situations where we need permission and when we don't. Like my above situation with the dead birch tree.

Is there any data to support this bylaw such as deterioration of water quality, on wildlife or on fish. The greatest impact I see now on our environment is the logging that is going on in the Healey Lake area. Would this be curtailed by this bylaw? Is this proposed law targeting small cottage owners that are not much of a problem now? I am not convinced that this proposed law will achieve its objectives and how do we measure it to ensure that it does? If this laws comes into effect, how do we know in 10, 20 or 30 years that it is working?

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measure it to ensure that it does? If this laws comes into effect, how do we know in 10, 20 or 30 years that it is working?

A tree bylaw in Georgian bay is a ludicrous exercise in suffocating us all with over regulation by local councils. It has no validity to protecting the environment. There is vast tree cover in the area, and most people try and protect trees in their curtilage if on exposed outer islands anyhow.

This survey is self serving. Double negative questions are confusing. Some questions like 3. Don't allow for an answer to say We want none of the proposed regulations.

As a resident for over 33 years I view this as unnecessary and bloated government excess and a waste of tax dollars. I care about the natural beauty of the lake and surrounding area, but in all my years I have never witnessed any excess cutting of trees or site manipulation. I assume you will pass this inspite of any objections. If so, the application process should be streamlined and preferably online so the response is timely.

Non

No suggestions

N/A

i do not agree at all with getting permits or restricting the cutting of tress greater than 6" diameter

The existing framework is adequate

One thing that surprises me is that our historical system does not seem to provide landowners with any limits to which they can cut trees, blast rock, or change the grade of property. I applaud this newly-proposed legislation which will provide environmental protection in this regard.

Please outline how much time and money has been spend on drafting this by-law as I believe the funds could be better utilize to protect the environment.

This by-law appears to violate the Municipal Act, R.S.O. 2001 with the by-law office ability to enter private property without notice or permission or requirement to show ID (Section 8). The outlined penalty of \$10,000 to \$100,000 per day has no precedent when compared to other Archipelago by-laws and further violates the Municipal Act, R.S.O. 2001 given its excessive nature (Section 10).

The Elected Reeve And Council intention with this by-law is not in good faith to the community or environment. In passing this By-law their main intention can only be to intimidate and divide the Archipelago community.

Under the Municipal Act, R.S.O. 2001 Section 273 any person can make an application to the Ontario Superior Court of Justice to quash a municipal by-law, in whole or in part, for illegality. Should this By-Law be passed by the Elected Reeve And Council the Archipelago community will have no option but to quash this by-law for illegality based on the two points above. In advance of Councils implementation for this By-law a petition should be gathered at all large Archipelago Community Events to support this course of action and then submitted both the Ontario Superior Court of Justice and MP Scott Aitchison.

It is strongly recommended that Sections 6, 7, 8, 9,10 and 12 be completely removed from this by-law or the entire by-law be terminated.

Not sure this is a big problem and do not support additional restrictions on what property owners can do

The Draft Site Alteration Plan is very vague and almost a non plan except for an all encompassing restriction from doing anything. It seems to have no reasonable principle guidelines that can be understood as to its

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intent and management/administration. It would seem to just be a direct NO to anything the land owner wants to do for improvement to the land. It does not even apply a principle concept to address/correct natural erosion and land destruction from occurring or impacting the environment.

Dear Sir/Madam,

I hope this message finds you well. I am writing to express my thoughts on the proposed Site Alteration & Tree Preservation Bylaws.

Firstly, I appreciate the effort and intent behind these bylaws to protect and manage our natural environment. However, I have concerns about their necessity and potential impact. The proposed bylaws, while well-intentioned, appear to add layers to an already comprehensive set of regulations. In my view, this could lead to a scenario where resources are allocated towards administrating minute aspects of land management, which may only yield marginal benefits.

I believe our focus should be directed towards more pressing environmental concerns, such as the increasing frequency and severity of wildfires in our region. These events pose a significant threat to our ecosystem and community safety. Investing in awareness programs, fire patrols, advanced technologies, and preventive measures to combat forest fires could have a far-reaching positive impact. These initiatives not only protect our natural landscapes but also safeguard our communities.

Moreover, many cottage owners and land stewards are already operating within a framework of existing bylaws. The introduction of additional regulations could place undue burden on them, without substantially enhancing the protection of our natural resources.

I respectfully suggest reconsidering the allocation of our efforts and resources. By focusing on major environmental challenges like forest fires, we have the opportunity to make a meaningful difference in preserving our ecosystem.

Thank you for considering my perspective on this matter. I look forward to a balanced approach that effectively addresses our most critical environmental concerns while respecting the responsibilities of landowners.

Sincerely,

don't know enough yet to comment - suggest you reach out after the information session

I agree with the concept to prevent damage to shoreline and excessive removal of trees and would fully support guidelines being implemented. However, for the by-law the enforcement method needs to be reviewed. Using a tattletale system and appointed officer is not a healthy approach for the community.

We need more time to consider this as property owners.....this is not well received among us

I believe that present provincial and federal regulations do an adequate job of protecting the environment. The Township of the Archipelago is now suggesting that they do not see this as a fact with the introduction of this by-law. Why does this council believe that another layer of bureaucracy will stop individuals who feel entitled to do whatever they wish outside of existing rules/laws? In my opinion, the provincial and Federal governments have laws in place to address these few occurrences. Further, the wording such as significant change/alter is open to individual views. I can imagine a conflict between residents occurring.

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This proposed bylaw is vague and gives enormous power to the township staff to interpret it. This will increase taxes and violate property owners rights.

It is not clear if obtaining a permit involves paying a fee. This too should be clarified and included in the discussion.

This survey is flawed in that it does not have room for respondents to object to the proposed by-laws, but rather only their drafting and implementation.

The proposed bylaw is a waste of time . It will make it more inconvenient for the average resident but will not stop any work by the more wealthy cottagers

Since private property is only a very small percentage of the overall land area on the shores of Georgian Bay, your attempts to "Protect" the environment by regulating private property are next to pointless. The vast majority of the land in our area is all part of "The Massasauga" provincial park and thus already subject to strict rules.

This plan is massive overkill and seems like a bureaucratic nightmare! If I want to cull a few dying trees from my island in the spring I would now have to file site plans etc and wait for the bureaucracy to respond - YIKES!!! There should be a much wider definition of exempted activities. This plan should be reworked to prevent clear cutting but allow everything short of that. How many bureaucrats will have to be hired to review all the applications and then monitor changes in the field? How slow will the response time be to get back to owners who request a change? The plan, as envisioned, is completely unworkable and a nightmare to residents.

I think the proposed By-Laws are far too restrictive, and unreasonable for island owners who are trying to look after their islands in a safe manner. (fallen trees after winter storms, etc).

I object to a "By-Law Officer" randomly coming on to my island without prior notice, not needing to show ID and walk around the island at will for no apparent reason. I do not feel this is necessary or safe.

I do not understand how the Township could possibly handle all the permits that would flood into the office for the simplest tasks being conducted on our islands. Permitting would take months, and cause unnecessary frustration, anger, pit neighbors against one another, and damage the morale of cottage life in Sans Souci and surrounding areas.

This proposal is a case of extreme over reach. Surely the existing regulations and permitting are adequate. Perhaps what is needed is better communication on the part of the Township of the Archipelago with the province and federal authorities with regards to enforcement - for extreme cases.

Where it states in the instructions I do not have to answer all the questions, in fact the form will not submit unless all the questions have been answered. This means that Question #3 & 4 do not reflect my honest view but I am forced to pick one in order to submit the form.

And I also question why these proceedings are being conducted in mid January when it is difficult for island owners to get to Pointe au Baril mid week, 6pm in difficult winter driving conditions. For the Online meeting on Wednesday, Jan 30 a proposed short Q&A is not appropriate either. Are you trying to run these by-laws through as quickly as possible? This does not seem democratic or fair to island property tax payers.

Scale the fine to the MPAC assessment- higher assessment, higher fine. Also map out where the at risk species are- notify owners proactively (each year included with tax letter + email) with reference to provincial fines that will also apply if they make unapproved alterations and at risk species habitat is on the property.

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None

I care about the environment but I don't think more bureaucracy is needed here. We need to changed our systemic ways of doing things rather than adding more and more rules

The proposed bylaws are overly complex and virtually impossible to monitor/enforce. To apply for a permit to remove a tree that is greater than 6" diameter will create an overwhelming amount of paperwork and backlog for the township and will encourage residents not to follow the bylaw in the first place as it is so unreasonable.

More time is needed to review the site alteration and tree preservation by law

Residents of the archipelago have not been involved in the draft and the process is very rushed.

The infographic is not entirely consistent with the actual language of the bylaws and will lead to confusion and possible unintended infractions.

This process seems cumbersome, slow and expensive. No where do you indicate what it would cost to apply, or how long the application process would take. Is it one per tree or can multiple trees be part of one application. This whole proposed bylaw should be up for a vote by the taxpayers of the township. Most people are responsible and this proposal adds cost and complexity which negatively affects all while only catching a few bad actors. It's a bad idea.

Make work project. More expensive bureaucracy. We have enough rules already. How much will this effect out taxes. Citizens are respectful of environment. Just leave it as us because it works. Ps your survey is skewed and a joke.

How does the by law affect areas under the Managed Forest Tax Incentive Program? If I have forests under this program that are required to have harvests for proper forest management - who's plan do I follow?

This bylaw proposal is an overreaction to the actions of one individual.

Property owners are already responsible and respectful of the Archipelago environment

My concerns are: the inevitable need to raise taxes to cover the cost to implement this program. The penalties have no cap and are unlimited. Very vague and concerning. People are generally responsible and invested in doing the right thing for their land. This adds another layer of bureaucracy that seems unnecessary. Existing rules are adequate.

Thank you for the opportunity to provide input.

There needs to be further clarification concerning exemptions for the removal of living and dead trees on both the cottage owner's and adjoining Crown land which pose a threat to the health and safety of lives and property. (This includes the areas around electrical lines leading from the connection at the transmitting line to the connection at the cottage.)

This seems to be over-reach. Make simple laws that address the most egregious outcomes....which surely are exceedingly rare. No one should be sweating detail of tree cutting, pruning, minor site improvements...the trouble of getting approvals, permits, experts involved with your property preferences. A waste of precious time an money!

would like to wait until see full presentation

The infographic was only somewhat helpful. The by-laws are very hard to understand.

I'm sure some will grumble about incremental cost or elapsed time for decision, but sadly we need the protections and this is how it needs to be legally structured.

Site Alteration By-Law - I think that blasting should be better defined and limited. Above all other activities this concerns me the most.

Tree Removal By-Law - as stated above I applaud the intent - no clearcutting of properties - but think that the enforceability of the by-law as written will be tough and it oversteps what a reasonable landowner can do

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on their own property. The by-law should be revised to allow for some flexibility on a per annum or per acre basis.

This bylaw seems to focus on the shoreline but I did not see a definition of the distance inland from the shoreline. Do these bylaws apply to businesses, marinas and golf courses in the township?

I think the current proposed by-laws are entirely adequate. It is important to carry out regular reviews to allow refinement of them once they have been in force for a reasonable period.

For #3 I chose permit based system as I do feel this is the most unbiased way to make decisions in a fair and timely manner.

Your survey is constructed to not show descent. Of course, the majority of cottagers support the environment and manage their properties accordingly. There are many cottagers who disagree with the need for these bylaws. Please refer to letter from John Hayes. Every cottager I have spoken to disagrees with this manner of control. Also, many were unaware of these by- law proposals are ready to be enacted .You definitely need to slow this process down. I suggest you have an open meeting in mid July for cottagers when they are available. Reacting to one incident with these proposed by- laws is saying property owners don't have the ability to do this on their own. What you are doing is already creating hard feelings amongst cottagers.

na

How was the definition of a tree as being 15cm diameter determined? It seems very small (considering the beavers probably don't know about this bylaw).

The exemptions are very broad and leave a lot of room for interpretation.

The fines proposed by the bylaw favours wealthy owners and contractors, who would wilfully contravene the bylaw, treating the fine as "part of doing business". Wilful contravention should carry a VERY severe penalty, not only a monetary "slap-on-the-wrist".

Question 3 above is unfair. It only assumes agreement with this idea. My choice is "no by law" but that is not an option. This survey is biased. Anyone can see that. I strongly object to this bias. I will answer as "agree" so I may submit the surgery but I DO NOT AGREE.

Enforcement of the laws may be difficult for such a large and sometimes remote area

These bylaws were identified by planning to council as very complex, more complex than similar bylaws in like townships. If enacted as proposed, they will require a significant tax increase if implemented (noted at 4%). The tree bylaw was also noted as likely to cause community dissension and disagreement, and is the primary driver of the enforcement cost and expectations. The council needs to pull the tree bylaw entirely, and include any provisions that may be agreed to the site alteration bylaw. There is also the question of why we need a separate bylaw at all, and why these would not have been included in the comprehensive zoning bylaw.

The by law should be scrapped, there is too much government involvement already.

The bylaws seem complex. The bylaws seem to unnecessarily and significantly curtail property owner's freedoms on their property. The bylaws seem in direct conflict with how the residents of Blackstone lake have been acting recently and in past decades, e.g. things that are normal like removing trees to improve one's view of the lake seem to be illegal (if I'm understanding correctly)

The administrative burden of this proposal is very weighty; from the 16 page per bylaw to the additional hiring of enforcement officers to the increased taxes to support this endeavor.

None

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

I think it will cause strife relying on neighbour complaints. Official enforcement costs money, and we can do more with what we have instead of creating another level of oversight.

As much as I would like to see some regulations to stop people from clear cutting their and blasting land, the proposed bylaws as written seem to make it harder for those of us who love the current look of our lakes and want to see it preserved, while not having any effect on developers who only care about making a large profit. I do not support the proposed bylaws.

The survey questions do not allow one to object to the Site-Alteration and "Tree-Preservation" bylaws in their entirety.

These bylaws will actually do very little to prevent the the new builds (including tear-downs and rebuilds) that are being used as examples to justify the so-called-need for these overreaching bylaws. The deep pockets involved in these huge builds will be able to outlast and out-lawyer the township. They will only harm the average person trying to cut down a couple of trees for safety, or to enjoy that view, which is the reason that they bought the property and have paid property taxes on it for decades.

Current science says that unmanaged forests increase the risk and severity and size of forest fires. Lack of adequate fire-breaks around buildings and parking areas, increases the risk of structure and vehicle fires spreading to become forest fires. Increasing the red-tape (and time delays) and costs of re-establishing and maintaining firebreaks around structures, increases risks of forest fires which then spread to structures on nearby properties. and so on.

The Ontario Ministry of the Environment, and the Ministry of Natural Resources and Forests, all have regulations to protect water quality, shorelines, habitats and trees. The MNRF actually does fine and prosecute people for putting sand on shorelines to make beaches and for diverting creeks and changing run-offs that affect fisheries and water quality. The MNRF has also forced offenders to remediate those properties. These bylaws are an overreach by the ToA into property owners' and the Provincial government's jurisdiction and rights.

I know of a couple of cottage owners who built in the ToA in the past few years who said they were told, that their building-plans would not be approved unless they signed a "voluntary" agreement to not cut any more trees on their properties.

It seems the real purpose of these bylaws may be to protect the views of people who want to look across the bay and see trees, but are too cheap to buy the opposite property and pay the taxes on it to keep that their view "cottage-free". They expect somebody else should pay for them to enjoy that "million dollar view" (and property market-value?) (probably from their cottage which is right on the waterfront and is grandfathered out of having to comply).

These bylaws will ultimately result in significantly higher property taxes & other costs of ownership, and in more native trees dying and being cut down than they save.

As pointed out in the Q&A 99% of the residents are environmentally conscientious and the way the draft bylaw is constructed imposes an undue burden on those residents for the sake of the 1% who abuse the system. Also, how this bylaw could be policed would not be effective.

It was not easy to find information or actual copies of the Draft By-laws. Additionally, I do not believe that it was well communicated to rate payers. As such, a full picture of ratepayers concerns are not likely to have been received.

The survey proposed is leading and does not provided the option of a respondent to agree to or oppose the implementation of new by-laws.

Question Number one should be "Do you believe that new by-laws are required with regards to site alteration or tree preservation"

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

The By-laws, as written, are too ambiguous and require further development. Also, the estimated cost to the rate holders, in terms of the increased tax levy, should be clearly stated before implementation.

N/A

One PaBIA member communicated concern that the prohibition of cutting trees greater than 6" DBH is too restrictive for property owners. They also raised concerns about whether the new drafted By-Laws could be reasonably enforced. I am somewhat concerned that the penalties may not be sufficient to dissuade an individual or developer who is intent on major changes, though I appreciate that these are determined by the Municipal Act. I wonder if there are other solutions to this potential concern. Having read through both drafts through my lens as Director of Ratepayers and Regulatory Affairs for PaBIA, I feel that the proposed By-Laws are necessary and align with PaBIA's vision. Katie Findlay

I am concerned that the bylaws will unfairly expensive for residents. The need to pay an arborist for the right to remove a tree that we find dangerous, invasive, unwanted does not make sense. What about the additional expense to the TOA to manage this new bylaw? Are they hiring arborists? What about timelines. How long do I have to wait to get approvals...how will the TOA even know if I cut down a tree. I don't think the bylaw is needed and will simply create confusion and expense to taxpayers. Our area does not have the Arborist capacity to support this bylaw. Current Arborist expenses and charges will undoubtedly increase should they be required to complete documentation, reports, TOA requirements to simply get the job done.

Tax increase unacceptable. Rules go to far. Should be relaxed except for areas close to shorelines. Some questions had to be answered but unfairly assumed bylaw will pass ! I hope it doesn't!!

The rules are not needed.

I will be sending a long letter and signatures.

How this will be enforced is a huge question.

Better definitions. More control of our own property

New rules tend to apply to new owners whereas long term residents have already did such work that may not have passed scrutiny. So what group is creating new rules?

These bylaws will pit neighbour against neighbour. Reporting.

You need to scrap this and go back to the drawing board. What is the specific problem you are trying to solve? Can you clearly enunciate the problem? Then you can start crafting solutions, but it doesn't appear that you've defined and bounded the problem.

I believe this is a start for controlling the use of trees to heat my home. Some believe in global warming but I believe the ice age is ending. Also I need to cut 6-10 trees a year to sustain my heating in my home. I have been doing this for the past 40 years and have only thinned my bush.

I don't need a private costly professional Arborist to advise on which trees to cut.

I feel the suggested bylaws would best apply to "new" property owners to prevent "major" destruction of any land

Neither bylaw is necessary when much of the information is already set out in the comprehensive zoning bylaw.

Property taxes will go up way too much to pay for this. To stop a handful of egregious cases that could be stopped during the building permit process.

Overreach.

It was not clear that these new bylaws would create the need for a property tax increase. I learned about this only from a comment by a viewer to the Zoom webinar. This needed to be clearly/transparently communicated to residents and property owners. It feels like a vital piece of information we should have

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been told. What was the plan; get the bylaw passed then issue a surprise tax increase with the justification that "you wanted us to pass the bylaw so this is what it will cost you"?

This bylaw is not required.

feels "rushed" and not fully thought out

has been minimal input/review

rather vague especially:

- criteria
- "enforcement"
- added costs

Seems to be overkill to address some historical situations

better addressed thru existing or amended bylaws

This by law should be limited to large scale developments

This bylaw is very confusing to me. I tried to read it several weeks ago and it was difficult

I do not support an increase in taxes to pay for this unnecessary new oversight. Cottagers generally are very respectful of the natural environment and do not need to be policed.

The few egregious examples used to justify this bylaw could have been stopped in the building permit process. Most people that lived in this area their whole lives want to keep it pristine so they are not going to decimate it. These rules are fairly unnecessary. Just another way to control people.

It is important that property owners not be micro managed and be able to maintain their property in a manner that guarantees safety, comfort and aesthetics. Of course there should be limits, but the restricting owners to remove dead or dying trees makes no sense and it is a waste of resources to bring in inspectors to approve a removal of a tree that is obviously dead.

If environmental sensitivity is all ready protected by other laws there is no need to find new ways to tell rate payers what they can and can't do to there land. The environmental laws should be made strong enough to protect the natural state of the township.

Should not require additional resources to protect our Township resources especially if another tax increase is required to do so

I have no plans to cut trees but who are you to dictate what I can do on my property? If I have dead trees I should be able to cut them without having to have an arborist or an environmental impact statement which most people cannot afford.

Please do not make the process for making minor changes more complicated.

Please do not add more enforcement staff (increase taxes) to enforce unnecessary and costly enforcement

I feel that I am a good steward of my land and do not like that I would have to confirm that an activity is permitted on my property.

As stated on the January 30, 99% of us already do a great job looking after the trees on OUR PROPERTIES!!! I also don't agree with having to talk to the township about cutting some of my trees. The by law Needs to worded so that only the extreme clear cutting needs approval.

none

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

If I want a better view of the lake I should be able to cut one or two trees down without a permit. If I need to build safer access to parts of my property I should be able to clean a passage way .
That being said I don't intend to ruin my country environment or privacy.

Question #3 is designed to prevent you from objecting to the bylaws. We object to these bylaws completely. It overreaches private property rights and other jurisdictions areas of control.

Our right to safety and being free from worry that a tree might fall on a loved one or our property, trumps anybody else's desire for a view of trees.

Many "healthy" trees (especially pines & poplars) can have the top 20 to 40 feet twist/snap-off and fall from a large height. Often driving a couple of feet into the ground or whatever else happens to be underneath.

Question 3 must be answered but is designed to prevent anyone from expressing their objection to these proposed bylaws. This intentional bias destroys the validity and credibility of this survey.

Question 3 is a double bind question - I cannot leave it blank but I do not agree with any of the options. for demanding a response. If I leave it blank I cant give my opinions or thoughts via this survey mechanism. But to pick one of the three forces me to choose preference I do not prefer. Its a bias confirming question.

There should be a "preference" that asks about the Tree preservation by-law being applicable only to the shoreline buffer zone as is standard with many (most?) other Townships.

Regarding the trees : This seems to be treating the same way an individual owner of a property who cut a single tree for whatever reason not covered by the exemptions and a corporation who clear cut one acre or more and would consider the fine as part of a business cost.

Furthermore, it looks to me that these by-laws open the door to a lot of possible conflicts and legal actions, for instance, who would decide what is "reasonable" when it says "... The destruction or injuring of trees or native shoreline vegetation that is reasonably required in order to"

Finally, are these draft by-laws a reaction to a single and unfortunate incident or is there a proven need considering the high cost of enforcement and the risk of creating unnecessary disputes between neighbours.

NA

The rules are impending on my rights to safely protect my cottage from potential damage

By far the biggest danger on our island has been Gypsy moth invasion. I believe a concerted effort to identify and control this infestation is as important or more important than the removal of a few trees for building. In other words we need to consider this bylaw in the context of more extenuating environmental challenges.

Question number 3 did not have enough options for a true unbiased opinion.

If I could I would have left the question blank.

Therefore answer is not true reflection of my opinion

The question assumes the bylaw is done and approved.

3. When considering how the draft Site Alteration and Tree Preservation By-laws should be implemented, I would prefer: Clarity. Keep it simple.

Not prepared

Between the MNR and by-laws already in place, there is enough protection for the average property owner. We do not need more rules and bureaucracy to regulate the average property owner.

I would like to state that the questions that are asked on this survey are very misleading and there is no

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

option for disagreement! For example I do not agree with any options in #3 but the survey insists that I choose an answer.

In regards to question #3 no option was given for me to input my information. I would choose an option that I disagree fully against this bi-law.

Question 3 - "When considering how the draft Site Alteration and Tree Preservation By-laws should be implemented, I would prefer:"

I would chose an option where "I disagree with this new by-law". This option was conveniently excluded

Nil

Question 3 does not offer adequate selection to provide unbiased survey data and feedback. It does not present options that represent a broad enough range of public opinion (and does not have an "other"/comment section to accommodate this. To use the results of this survey to inform decisions surrounding new by-laws is to knowingly skew the "public opinion" to suit the Township's agenda.

I'm getting my information about the "Draft by law" from others who attended the meeting. I could not attend. All i heard indicates that this is a bad idea and expensive for the resident. It should not go ahead.

Please ignore my answer to question 4. A suitable preference was not listed.

What is the rush to push further bylaws through council during winter months?

There are a lot of points in the draft that require further open discussion, say during mid summer when more cottagers are in this area.

Terrible waste of time and rate payer dollars. Impossible to police,
Is it possible to hear from those councillors that are FOR this proposed bylaw?
Who does this really bother?

Again, no clear cutting or major site alteration I agree with - This entire proposed bylaw IS job creation and an additional township revenue stream for something that absolutely doesn't bother anyone. This will just upset citizens and have all negative consequences-

Has there been a cost projection to see how many dollars this will cost to implement and maintain this law? I don't want to see tax increases for this waste of resources.

Please forget the idea. Worst possible waste of resources and tax dollars. Going about it all backwards.

Just say No clear cutting or major blasting or site alterations allowed - Would this not make more sense and save thousands of dollars?

If the township really was concerned with protecting the environment - they would not be allowing mixed loads into our site 9 land fill. Perhaps the township should police what is being buried and not just ask for additional tipping fees and except mixed(anything and everything) loads.

Every time I look in the dump - I am appalled at the things I see being allowed and buried and leaching into the water table.

This proposed bylaw has nothing to do with environmental protection.

Terrible awful idea.

No By law needed.

I'd prefer to not request to make sure altercations or tree removal on our own property.

There are more trees in the area now than ever before. I don't see the issue that these bylaws are being enforced for. For the amount of residents who are affected by this and the amount of private shoreline compared to commercial and crown land is very minor.

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

I studied forest & resource management, planted thousands of trees & worked in horticulture etc. I know how to manage my own property. Let me continue to do so.

Preserving shore line is certainly something bylaw should be responsible for. Anything beyond the shoreline should not be governed by bylaw as proposed.

Question 3 is a required field, but once again does not provide appropriate options to include all individuals who will be affected by said by-laws. A resident of this township should not be forced to spend countless hours applying for a permit to remove / harvest a tree from their property. These three options assume that each individual filling out this survey agree that this by-law is mostly complete, and that no additional exemptions need to be considered. Simply put, the validity of question 3 is in question, as it is biased towards the survey author. 3 possible answers, with 2 being essentially the same answer, and the other stating "I do not care" is unacceptable. Forming a conclusion, and forcing the participants to choose an answer that reinforces said conclusion, is fundamentally flawed data collection. My response to question 3 should be considered null and void.

I appreciate efforts to monitor work on shoreline, but am adamantly opposed to the over-reach of this proposed bylaw as it pertains to all other lands.

Question 3 is mandatory but does not provide an adequate range of options.. All three options indicate that the submitter views the policy as satisfactory. The proposed policy fails to recognize the diversity of both landscape and residency in the Archipelago. Environmental protection is of the utmost importance - as is consideration awarded to the diversity of residency and land ownership in the municipality. The proposed by-law is incomplete and tailored towards affluent, seasonal, residents who have a large impact on the environmental prosperity of the land.

While I can appreciate the attempt at network governance by the Archipelago, the methods deployed in policy development process are fundamentally flawed and do not reflect the diverse interests, needs, and realities of its constituents.

Please let my submission reflect that data collected in question 3 is null and void, and does no reflect my opinion on the matter. Improved data collection methods would mitigate this in future outreach measures.

I have every concern about our territory. Things have changed families are moving north get use to it open up the no winter maintenance road nonsense . For a start

The bylaws will do more damage than good. The majority of property owners are already being environmentally aware and this bylaw doesn't just step all over them, it will cause community strife and controversy.

I think these proposed by-laws are extreme and not necessary. I think providing information to land owners of ways to preserve the natural environment of their own property would be welcome, but dictating how they do that goes against our constitutional rights as land owners. There could be much broader perimeters to define what site alteration and tree removal activities would require permits. For example: perhaps using a percentage number such as: more than 50% of planned tree removal needs a permit; but even that seems like it should not be up to the township. Of course if proposed site alteration may have a damaging effect on a neighbouring property ... but don't we have bylaws in place already for that type of situation? Also, why is the Township land exempt? If you are truly concerned about the environment, maybe these bylaws should just apply to Township owned land, seeing as said land far exceeds that which is privately owned. Asking land owners to apply for a permit to remove a tree from their own property is actually preposterous. There are many reasons someone might wish to remove a tree, and it is personal and within their rights as land owners. This sounds like a money-grab and a way to create jobs at the expense of property owners. As well,

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

a bylaw officer should not have the right to inspect private property without permission - ever! Maybe you should look up the Charter of Rights. I could go on and on. These proposed bylaws are a ridiculous waste of time and money. There are so many other areas within this Township we could look at to create a more aesthetically appealing environment!

I am generally against the introduction of a By-law that needs heavy bureaucracy to enforce which is unfortunately usually required because the misbehavior of a few bad apples. Nevertheless, if necessary the implementation and monitoring of these By-laws should be tax neutral with the costs recovered by permit fees and fines collected (unrecovered fines and penalties should be payable in a defined time period and if not paid, should be added to the owners tax bills).

If we are talking about protecting the environment (not just beauty and shoreline alteration and specifically I am talking about water quality, the need for these proposed bylaws are small potatoes compared to the need to monitor and inspect and enforce the need for adequate septic systems. If money and resources need to be allocated, it would have more impact here.

throughout it is stated "conserving natural landscape and waterscape" and preserving the natural appearance, natural environment and recreational character yet there is allowed a big open net fish farm to endanger the waters within the Biosphere and the shorelines = so so concerning

I support the letter submitted by the SSCA requesting more consultation before enactment.

I am fully in agreement that there is a need to prevent damage to the natural environment by property owners who seek to make changes to accommodate their wishes.

The proposed bylaw is not about preserving

It's about control and is a "not in my backyard " illness that has infected the elected and non elected decision makers

Even the survey questions are tilted

I Strongly Disagree with implementing the Site Alteration & Tree Preservation By - laws as the current regulations have worked very well. I have a cottage property on Woods Bay for 30 years and there have been no problems on the bay - neither with reduction of forest and trees - nor with surface grade alteration. Additional regulation would unnecessarily increased cost for consultants and lawyers etc. as well as resulting in unnecessary bureaucratic delays for the approval process.

Focus on the big picture; or at least be explicit about what is certainly not allowed (clear cutting and major blasting) and the township will use every tool at law to enforce that main objective. Deemphasis small dollar fines that some people will see as a cost of doing business.

Question 3 is faulty. I don't agree with any of those options. Yet cannot submit the survey? How will my forced answer that is not reflective of my opinion be used ?

N/A

Who defines a "Hazardous Tree"? Only an "Officer" or can a resident claim a tree to be "Hazardous". Q#3 does not include Resident based decision making without the need for Council or permit based processes. If you do not agree with any options on #3 you have to pick one anyways to submit the survey. Not appropriate

My main question is: Why do we all of a sudden need to change a system that worked for decades?! All of us cottagers are nature oriented and support a sustainable environment. To me it looks as if the Township is forced to implement these radical changes imposed by "climate change" fanatics with their doomsday/end of the world gospel.

Additional Information: Please feel free to include any other information and/or commentary that you would like to provide regarding the draft Site Alteration & Tree Preservation By-laws that has not yet been captured.

I feel the tree preservation by laws should be reconsidered. They are too restrictive and create a massive administrative load. The intent of the tree preservation by-laws should be focused on larger scale tree clearing and not on normal land/forest management.

Appendix D

Raw Polling Results (Virtual Open House)

Quantitative Feedback
Poll #1 Site Alteration By-law

Do you feel a Site Alteration By-law is necessary?

Response	Number of Responses	Percentage of Total Responses
Yes	98	72%
No	38	28%

If Council were to continue developing a Site Alteration Bylaw, I believe:

Response	Number of Responses	Percentage of Total Responses
The by-law should be less restrictive.	31	25%
The by-law should be more restrictive.	12	10%
Council should not pursue implementing this by-law.	29	24%
The draft by-law is acceptable in its current form.	51	41%

Poll #2 Tree Preservation By-law

Do you feel a Tree Preservation By-law is necessary?

Response	Number of Responses	Percentage of Total Responses
Yes	84	63%
No	50	37%

If Council were to continue developing a Tree Preservation Bylaw, I believe:

Response	Number of Responses	Percentage of Total Responses
The by-law should be less restrictive.	34	28%
The by-law should be more restrictive.	12	10%
Council should not pursue implementing this by-law.	36	29%
The draft by-law is acceptable in its current form.	45	37%

Poll #3 Balance of Protection and Rights

The purpose of the draft By-laws is to protect against significant and negative impacts on the environment and waterfront character, while maintaining rights of property owners to develop and use their properties.

Do you feel the draft by-laws have achieved the balance between protection and property rights?

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	18	13%
Moderately Agree	50	36%
Neutral	27	20%
Disagree	19	14%
Strongly Disagree	23	17%

Poll #4 Site Alteration Exemptions

If the Township were to pass the draft Site Alteration By-law, do you feel more exemptions are required?

Response	Number of Responses	Percentage of Total Responses
Yes – additional exemptions are required in the Site Alteration By-law.	58	44%
No – no additional exemptions are required in the Site Alteration By-law.	41	31%
I have no preference for whether additional exemptions may be required in the Site Alteration By-law.	33	25%

Poll #5 Tree Preservation Exemptions

If the Township were to pass the draft Tree Preservation By-law, do you feel more exemptions are required?

Response	Number of Responses	Percentage of Total Responses
Yes – additional exemptions are required in the Tree Preservation By-law.	64	49%
No – no additional exemptions are required in the Tree Preservation By-law.	41	32%
I have no preference for whether additional exemptions may be required in the Tree Preservation By-law.	25	19%

Poll #6 Permission Process

Is the process of seeking permission from Council clear and reasonable, where an activity is proposed that is not already permitted by the by-laws?

Response	Number of Responses	Percentage of Total Responses
Strongly Agree	16	12%
Moderately Agree	33	25%
Neutral	32	24%
Disagree	25	19%
Strongly Disagree	27	20%

Poll #7 Public Engagement

Have you had an opportunity to (check all that apply):

Response	Number of Responses	Percentage of Total Responses
Visit the Site Alteration & Tree Preservation webpage	83	63%
Complete the online survey	46	35%
Review the draft by-laws	83	63%
Review the infographics and handouts	44	33%

Do you want additional opportunities for public engagement?

Response	Number of Responses	Percentage of Total Responses
Yes	111	87%
No	17	13%

If yes, what type of engagement opportunities would you prefer? (Select all that apply).

Response	Number of Responses	Percentage of Total Responses
In-person meetings	41	31%
Virtual meetings	90	68%
Online survey	42	32%

Qualitative Feedback

Site Alteration Exemptions

If the Township were to pass the draft Site Alteration By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.
There should have been a choice that NO additional exemptions were needed. Or better, some should be removed
People should be able to remove trees as they grow from seedlings that interfere with other trees or their current views. Some trees get too crowded and their current view may change as small trees grow big. Removal of trees should not be so restrictive. There must be another way to structure this
exempt long time original land owners (generations).
Should be able to alter your own property so long as x% of trees are left and you don't have too much sun or too much shade so that other issues occur inside (dank smell) or outside barren land.
logging of property
Site alteration By-law is good in its present form. Seems very reasonable
Access to an approved building site shouldn't be as restrictive as to fill and blasting away from the shoreline
Developers require more limits.
Acreage of the island property. Trees used individually for firewood trees used individually. Size of the acreage for culling large trees for safety.
I agree that a garden with fertilizer is a danger to the water so not an exemption but an added issue/restriction. Need to be able to enforce any restrictions. Where does rock blasting fit into these bylaws?
Any safety considerations to change s such as mobility issues to accommodate seniors need to be considered including property access
Different exemptions for native versus nonnative species.
balance already struck
Trees that have grown up to block the view
Waterfront should only be included, balance of property should be exempt. If a tree is unhealthy or a danger there should be no question about it's removal.
There needs to be better consideration for gardening type fill.
Include greater detail in the examples you've worked out already. There is ambiguity in what people may do and whether they contact you or not. More detailed examples the better.
NO, we don't think more exemptions will serve the greater goal, and to be effective the terms minimal and minor should be defined clearly in terms of site exemptions
Septic installation provisions
I don't trust the process, costs and time, to have small town bureaucrats tell me what I can do on my property.
a few inches of fill, a patio -- those should be OK. And the additional requirement that the environment not be harmed gives way too much discretion to the administrators.

If the Township were to pass the draft Site Alteration By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.

Increase tree diameter to at least 12" (as per City of Toronto by-law). Level of fines and rights of Officer seems extremely broad and would damage current level of privacy enjoyed by cottagers.

Add more trees and also bigger trees. Better yet, no by law like this.

I believe that this is a treacle idea causing more conflict between neighbors for very little gain

large properties need to have more flexibility - i.e. over 8-10 acres.

Bad question

additional lakefront storage options should be made available to reduce visual clutter along the shoreline.

We should be able to fell trees to stop them interfering with sunlight to our solar panels.

Selective cutting must be allowed.

This is very wide ... too many situations would have to be considered to know ... I am sure there would need to be more, but with only a few minutes, I come up blank

Allowing beavers to clearcut waterfront areas.

revise drainage to prevent negative affects to structures

Tree should be a one year / 2 years trial period to evaluate applications and outcome s

must see in action

Seems there is a grey area around culling trees to allow for healthier growth and for vistas on your island. Certainly, don't want to see clear cutting

We are on a small island and recognize the need to preserve more a ey but do not want to be penalized . Do the regs cover this off?

The bylaw officer should require permission to enter property

Allowable Set back distance for building from shore line needs to be specified.

1. improving access to the lake
2. improving recreational use of the land
3. Increasing safety of use of the land
4. improving accessibility of the land and the water

I don't agree with the structure of the by-law that prohibits everything other than exempt activities. Instead, you need to define clearly what is prohibited, rather than relying on exemptions, of which there are too many to catalog

Tree size might need to be enlarged

Have too many suggestions to list here. Bylaw should be written to restrict only specific behaviors and the assumption would be everything else is allowed. The current proposed bylaw approaches it from the opposite way. Banning everything and giving exemptions for some things

Specific metrics on what is or is not permitted

tree removal next to adjacent structures should be allowed

Property owners have to understand the connection between what they do and how it affects for e.g. water quality. e.g. a garden which is fertilized puts nitrogen into the lake form run off and that encourages algae growth. Or Turtle nesting grounds may be overlooked. Turtles clean up detritus. People will try to sneak by alterations. therefore, bylaws should be very strict.

Will the bylaw "grandfather" properties that precede the implementation of the bylaw?

If the Township were to pass the draft Site Alteration By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.

The exemptions are fine, I just don't want to argue over 1-2 trees coming down on my property that already has a lot of trees. My parents maintained their trees and lots in the Kawarthas and if they didn't, there would have been a significant impact when the Durango went through in 2022. Agree that we don't want clear cut lots in TOA, however policing 1-2 trees is not value add and just adds angst every time we start up our chainsaw.

have the landscape and trees planted after construction to fit the lot, but yet still maintain a percentage quota for the lot to be covered with trees and plants/ flowers

Time limited b/c the exemptions should be cognizant of the water levels that fluctuate on Sturgeon Bay and Georgian Bay.

Clarify pathways out of sight from shoreline

I don't feel we have enough information to answer this... the scope of the exemptions etc. I would need to see more examples

All Metis communities need to be exempt.

this poll question has no good answer available

Maybe the bylaw should take into account the area or % of property affected

I don't have a detailed knowledge of the by-law. It is impossible to determine whether or not more exemptions are required. The devil is in the details.

i am unsure about this question think probably more should be added but at the moment not sure what those might be - did think the examples given were excellent but then trying to fill the inbetweeners will take me more thought hence more time

as mentioned I see no indigenous values invited in protection and no place value to importance

Need clear definition of terms

Shore line clutter!!! multiple boats= multiple docking and storage facilities. Saunas over the water and beach creation. The contractors and owner should know and follow the bylaws

Remove trees within 30 meters as long as overall character is not changed. Able to create a path through an island

Might already be covered, but exemption for things like a tree falling on existing dock or boathouse would be good.

There may need to be exceptions made for accessibility access from/to water where someone who is handicapped may need to have more alterations done to shore.

View

only significant site alterations should be considered for by-law (say >20%) of land - anything else except to even consider

I don't have enough detail about exemptions to say. In general, I hope there would not be fewer exemptions.

Need more time to think about this we are just trying to understand the current proposal

The By-Law is not required and should not be passed by Council. This is a costly proposal and difficult to enforce. This Poll is biased because it does not contain a question against the proposed By-Law.

Like a variance, each application should be looked at on a case by case basis and decided upon by a broad cross section of council panel members

Tree Preservation Exemptions

If the Township were to pass the draft Tree Preservation By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.
Same directive- this needed another option to reduce exemptions or remove the draft bylaw
People should be able to maintain their existing view or sight lines to the water as trees grow without having to get permits. This is not the same as clearcutting. So tree diameters that are allowed to be removed should be increased.
exempt generational family owned property.
TOA should be confirming what the changes are between the existing and proposed bylaws
minor housing additions the number of houses on a property
It is too restrictive to limit cutting trees to 6" and setting up a By-law that may force us to break rules. I support the By-law in its essence to prevent clear cutting and tops off trees but I want to be able to manage my forest without hiring arborists and having these costs
Thinning out of trees should be considered
Size of the property, especially when firewood is required on a regular basis for owner's use
Human safety is important which I think is covered. Tree preservation is very important and is being ignored on the lake where my property is located.
nothing to add seems reasonable
Mature trees that block proper ventilation / view / sunlight for solar panels / etc.
Owner should have the right to remove trees within reason, most will only remove to clear view or for forest management and only for along the waterfront, not the entire property. 100 ft max.
The problem with this one is that the exemptions can require a professional opinion which is overly onerous
I am very concerned with the added bureaucratic costs as well as professional fees to have a tree removed. Difficult to support this, but understand some of the context.
The existing restriction of 6 inches in diameter is too small. A greater number should be used instead, not sure what makes sense but 6 inches is very limiting.
Think about scenarios you are trying to avoid and scenarios in which property owners have no worries. I know I have several trees that will rot out along the shoreline in the next 10 years. They need to be cut down at some point. I don't need to be hassled whether they need to be cut down or not. I am the judge of that. I don't/shouldn't have to look over my shoulder..... include detail so property owners know they are doing the right thing.
It is not clear whether cutting a standing dead tree for firewood would be exempt. It should be.
Be more clear about exemptions for trees near buildings
cutting firewood
Septic installation
clarify the cost and time the landowner must endure with this process. I don't trust local bureaucrats to administer the needs of my property. there are millions of trees everywhere in this area and they don't need protection. this is not the city of Toronto.

If the Township were to pass the draft Tree Preservation By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.

There is no exemption for a septic system! There is no exemption for removing trees within a couple of metres of a building. Every single tree is regulated -- this model is too complicated and too costly to administer.

increase exempt tree diameter to at least 12" (as per City of Toronto by-law). By-Law Officer's powers to broad, direct threat to privacy of cottagers. Should be required to give notice to owners if coming on private property. Must show ID

More trees should be allowed and of bigger sizes.

This area has been logged twice in the past 100 years and then burnt in the early 1900 and there are more trees now than ever !trees grow fast

Use of own trees on property for heating source

objective info like minimum tree dimensions/types should be included in the criteria i.e. diameter, height, etc.

Will we be able to fell trees to erect a storage shed or bunky?

Minor impact cutting shouldn't need governance... especially on water access properties.

There should be provision, if not already there, for maintaining a fire barrier from buildings.

disease infestations or fire

Again, too many scenarios to consider, but more exemptions would allow for less applications to be individually considered. This would mean less work for township and for council.

Allow Beavers to clearcut shoreline areas.

owner determined

This by-law's use of enforcement isn't compliant with the municipality Act and will be quashed for illegality shortly after being forced through

1. Improving sight lines and view of the water and other aspects of the natural world
2. Improving safety and accessibility of the land
3. Improving recreational use of the land
4. Improving accessibility of the water for people, vehicles, boats ,recreational activities

What about trees on Crown Land that abut one's property and pose a threat to structures and/or occupants?

Again, this by-law structure prohibits everything unless it specifically exempted. This introduces excessive cost to cottage owners, and to the township for enforcement. It is clear that property owners are not allowed to cut down a tree of more than 6" in diameter, pull out a few junipers to clear a spot for their lawn chairs, or create a walking path unless it goes from their cottage to their shore. The idea that you can capture potential exemptions in this type of by-law is fundamentally flawed

Make sure size limits do not make it difficult to remove trees that pose a danger

To many issues this this bylaw to list enough exemptions to make sense. Approach should be only banning practices that the township doesn't want to see and they should be specific! In stead the bylaw approaches it form the opposite way of banning everything and giving exemptions for things allowed.

Specificity in size /diameter of restrictions. Also, make it a violation to cut or burn trees to n crown land (something unfortunately we've seen annually).

Please see previous answer focused on trees.

transplant trees where necessary to make a lot fit the area , remove what is needed to complete the lot construction

If the Township were to pass the draft Tree Preservation By-law, do you feel more exemptions are required? If yes, what additional exemptions need to be considered? Please list below.

Selective cutting by owner of property must be allowed.

Increase the size of trees that can be removed

I don't think additional exemptions are needed but am concerned about the approval process and fear the situation that we have in other locations where specialized consultants are needed to come to sites (in this case many being remote) at great expense and timeline cost to the project. Also concerned about the pressure this puts on your department and the impact and resultant impact on timelines and costs.

All Métis communities need to be exempt.

there is no option for not passing the bylaw

I haven't read the details of the by-law. I want to and will.

just not sure without more thought - anything we can do to preserve our woods and forests - so important and I would support

if you can't see the sunset move left or right of the tree

Removal of trees within the 30 meter zone as long as the overall character of the shoreline is not affected. Ability to remove trees within an island that is not visible from the water allowing a homeowner an area for kids play or gardens

I would want to see typical upkeep included and the possibility to remove some trees to allow more sun on a cottage.

Who decides which can be removed ...how long for approval

There should be no size restrictions on tree removal exemptions, since there are monstrous sized trees that will fall and possibly damage cottages and other structures.

Any vegetation within Fire Smart boundaries should be exempt.

View

It is not clear what the full list of exemptions are

this by law is needed only if substantial deforestation like 20% and up - anything below should not even be considered - should be exempt

There is no opportunity here to express an opinion against the proposed By-Law. This should not be passed by council at all.

Permission Process

Do you think the process of seeking permission could be improved? How so?

A time limit on the permit process; if TOA cannot evaluate/decide on permit issuance it should be a "shall issue" type of permitting.

TOA should elaborate on how long a property owner has from submission to issuance. What is the appeal process? What additional forms/documentation is required for a permit submission or is my hand-drawn map on a blank sheet of paper sufficient?

Activities and exemptions are not clear. Obvious scenarios have been provided. Far more scenarios are needed and these need to be written clearly for the general public. The process is confusing (just like this question)

Do you think the process of seeking permission could be improved? How so?
All I hear - how complex bylaws are. So why not design them plain and clear outright - to avoid ambiguity and confusion
Allow for an online application to be made. The website should list the exemptions etc. so the user knows whether an application should be made or not.
Application costs Consultants required to submit reports Is the application circulated to the surrounding neighbours Do they have ability to object and if so what is appeal process. Approval process time?
Approvals will take too long and cost too much money. I don't want my taxes to increase to manage a set of bylaws that are wrong to begin with.
Clarify the by-laws (make it one to start with) to state clearly what is prohibited, such as major site alterations as Rebecca said during her presentation. Otherwise, no permission should be required.
Clarify what one can't do instead of listing exemptions.
Cost of an inspector coming unannounced to my island is serious. Do contractors also need to observe these proposed bylaws....to prevent the disaster of The Pines Island approval of four lots and the tree and shoreline damage
Council should be held responsible to the taxpayers and respond within a very reasonable time line whether the owner can or cannot move forward. Presently council is very slow on their responses. This means time, money and jobs.
don't need permission to maintain my own property.
don't think it is necessary
Doubt whether Council would have capacity to deal with these permit requests in a timely manner given the short cottage season. What additional resources are being added to the Township Office to deal with these by-laws.
Everything should be online. Time is money
Fewer steps
How does council provide value in this process as they are not subject matter experts; council should only be involved in grievances
How would council decide? Based on township staff recommendation? Permit might be better?
I as a property owner should be able to decide for myself for most things. Township does not attempt to work with property owner rather they prefer dictate
I cannot say, as I haven't found out what the process is yet.
I didn't find any description of how to seek permission in the by-law. I think council should enable permission to be requested electronically, with instant receipt confirmation, and a well-defined short timeframe in which a response will be given, including detailed reasoning. I think there should be consequences when the timeframe is not met, or details are not shared.
I fear that the process will be very long and arduous making any project difficult to undertake. The TOA has a very small staff and the burden from this will necessitate many more people which will increase our taxes.
I have never needed to do this.
I suspect that the need for improvement could be clearer after one had applied for a permission.

Do you think the process of seeking permission could be improved? How so?
I think educating property owners will have greater influence
I think we should just target clear cutting or significant land alteration using clear criteria i.e. 10 trees within 1/2 acre area not associated with a building permit, blasting of land with explosives etc.
I'm not sure that council should be making these decisions, staff with appeal to council might work better.
Is this whole process really necessary - what will be the underlying costs to the TOA in implementing - what activity is expected??
It shouldn't be so difficult to maintain trees on our properties. It is healthy to do selective cutting when trees are crowded and you are trying to bring light. This should not require any approvals.
It sounds like we call the Township for review and with questions. If that's the process, it seems simple.
it's unclear how challenging, time consuming and expensive this proposal will be. It's unclear how this process will improve an issue that really doesn't appear to be an issue based on statistics as opposed to a handful of isolated issues.
Its very bureaucratic and time consuming. These By-Laws will make it more difficult to seek clarity on what is and what is not permitted. Every permission will need a boat trip by staff. Costly to the environment and not very supportive of the official plan.
Local councillor should be alerted
More details and timelines
my concern is how objective the response from council will be - I live in a big city and feel that individual rights and concerns are at the mercy of all levels of government so it is the implementation of these proposed bylaws that concern me - however we do need more environmental protection especially in our beautiful North
My only concern is the length of time it may take to get a response from council for a request
My only concern is the tree by-law. If I need a permit to cut down one 7" tree, then I feel it is too restrictive. If I cut down my dying willow trees, will a neighbour report me if I do not have a permit? If I have 3 trees and one is crowding the others to their detriment and it is over 6", can I cut it down for the health of the other trees without a permit. The restrictive nature of the By-law gives me concern. I appreciate all your work on this.
no
no my questions are always answered in a timely and proper manner
no, already more than enough rules and regulations in place.
Not having the by-law would be the improvement
online screening questionnaire?
Perhaps have an assessment tool for residents to test their activity that would provide some guidance
Please make it crystal clear on the TOA website exactly how to apply and MOST IMPORTANT the timelines within which the decision will be made.
Process seems reasonable. No improvement considered necessary.
Publish a comprehensive list of what is not allowed- need to apply for exemption to town council. I think you may get many examples from participants tonight of what cannot be allowed.
Should only be if you are cutting down like more than 80% of the trees
Some kind of guideline provided by the TOA. Like a score card.

Do you think the process of seeking permission could be improved? How so?
The entire process needs to be available online
The permission process - or permit process - is expensive and needs staff. Have you costed this out township-wide? This is a different issue than the clarity issue because clear but unenforceable or too-expensive to implement is still not a good bylaw
The process by which Council will review and decide on the exemption needs explanation/transparency.
The township has no ability to respond in a timely fashion or has the resources. The council on Sept 14th acknowledged this and said it would be a bureaucratic nightmare for everyone
There seems to be an issues of how much detail would be required in requesting permission to carry out a project
There are no assurances on turnaround time. It looks slow and costly. The site alteration rules should be tied to building permits. The tree preservations regime should use self-reporting with photos, W3W locations codes etc. If you do a complete application including photos and don't hear back within ax days, you should be deemed to have permission.
There is a need to indicate hoe the Township will make it easy to comply, assistance in making applications, etc.
Too onerous especially for tree cutting
try to be as objective as possible with your criteria. this will minimize the risk that certain property owners are getting preferential treatment.
use a standard look after any construction is done A percentage of tree coverage on lot frontage
We need more clarity on time lines, what is required, who makes the final decision, When is it needed?
Will the councillors come to visit the site?
Yes
yes as I state the indigenous value is not addressed as a learning tool and should be asked for our input. would save lots of frustration and anger this present process can create. learn why natural plant life is of importance
Yes - no permission should be required for removing a reasonable percentage of trees
Yes. Rules and guidelines are of no value if they are ignored by those who are assigned to enforce them. My complaints have been ignored. Is this going to improve preservation in the future?
Yes. By eliminating it.
Yes. Don't implement this bylaw. Its ridiculous.

Appendix E

Written Comments via Email

Cale Henderson

From: Hendrycks, Jeff [REDACTED]
Sent: January 12, 2024 9:46 AM
To: Cale Henderson
Subject: Site Alteration and Tree Preservation - Open House

Hi Cale,

Hope all is well and that you had a great holiday. Sorry for the bother, but the town has referred everyone your way for anything regarding the by-law open houses.

My phone has literally been going off regarding these proposed by-laws and especially regarding the open house structure. The folks in the South are feeling duped, as if something is trying to get passed in a rushed manner without their input. I'm sure that you're aware that as of right now the water is not passable (my boat just came out on Monday) and many who live offshore don't have internet of sufficient speed to participate in online meetings, even if they knew how it worked. It's also inconsiderate to expect people from Ward 4 to drive 100kms at the end of January. Essentially PAB gets 2 meetings and us in the South effectively get 1. I know that there was discussion in past council meetings that in person meetings would be held both in the North and the South, but yet again, it seems like the South has been tossed aside. Also, the fact that these meetings are split by only 5 days is not very accommodating to many rate payers who may be on vacations, on work travel, or just may be out of touch with the township at the moment.

May I suggest the following:

- A third in person meeting at a time when all rate payers can travel safely, preferably when most of the community is actually present in the area and held in the town hall.

I would appreciate your help on this as it has become a contentious issue and many people are very upset about the current situation.

Regards,

Jeff Hendrycks, BSc.

Mobile: [REDACTED]
[REDACTED]

Maria Pinto

From: John Hogarth [REDACTED]
Sent: January 16, 2024 9:56 AM
To: Cale Henderson; Steve Wark; Maria Pinto
Cc: Susie Hogarth; Lauren Hogarth; Richard Hogarth; Hayes John; brian chapman; Dave Henderson; Joanne Browne; david browne; Dougal Macdonald; David Young; Kyle Shields; Paige Caridi
Subject: Re: Draft Site Alteration & Tree Preservation Online Open House - January 30

Hi Steve.

Thank you for your email. I may be travelling, but hope to zoom in to the meeting.

I do want to register my strong opposition to what is a totally unnecessary intrusion into local residents rights. It will create more time, hassle and expense for residents to deal with simple forestry issues.

Almost all people in the neighborhood go out of their way to protect the environment, including tree management. I fear this is an overreaction to one individual's actions and should not be allowed into law.

I have cced local family and friends to pass the word around about the meeting.

Be well

Best. John

John Hogarth, Senior Wealth Advisor and Portfolio Manager at ScotiaMcLeod. [REDACTED]. Sent from my iPhone

On Jan 16, 2024, at 8:12 AM, JOHN HOGARTH [REDACTED] wrote:

John Hogarth, Senior Wealth Advisor and Portfolio Manager at Scotia McLeod Inc. M.

[REDACTED] Sent from my iPad

Begin forwarded message:

From: Steve Wark [REDACTED]
Date: January 15, 2024 at 3:55:08 PM EST
Cc: Cale Henderson [REDACTED] Maria Pinto
[REDACTED]
Subject: Draft Site Alteration & Tree Preservation Online Open House - January 30

Good afternoon,

Thank you for registering for the upcoming Draft Site Alteration and Tree Preservation By-laws On-line Open House on Tuesday, January 30th from 6:00 – 8:00pm.

A Zoom Meeting link will be sent to you on Tuesday, January 23rd

You are also welcome to fill out our [survey](#) to share your feedback ahead of the Open House. More information on the Draft Site Alteration & Tree Preservation Bylaws is available on [our website](#).

We look forward to seeing you at the Online Open House.

Cale Henderson

From: Bert Liverance - Reeve
Sent: January 17, 2024 12:19 PM
To: Cale Henderson
Cc: John Fior; Bert Liverance - Reeve
Subject: Fw: Concerns with the proposed Tree Preservation By-Law
Attachments: Draft Tree Preservation By-law (Nov 2023).pdf

Hi Cale,

I received this today. It would be great if we could have a response to James concerns.

Thanks,
Bert
Bert Liverance
Reeve, Township of the Archipelago
[REDACTED]

From: James Lill [REDACTED]
Sent: January 17, 2024 10:50 AM
To: Bert Liverance - Reeve [REDACTED]
Subject: Concerns with the proposed Tree Preservation By-Law

Hi Bert,

Hope all is well with you. I've been coming up to San Souci for the past 30 years as a cottager and recently fulfilled a lifelong dream of buying a cottage in Moon Bay. This proposed By-law was recently brought to my attention by other longtime cottagers. Needless to say, despite its seemingly good intentions, my family and myself were quite disturbed when we read the details on the proposed enforcement of it.

This by-law appears to violate the Municipal Act, R.S.O. 2001 with the appointed By-law Office's ability to enter private property without notice or permission or requirement to show ID (Section 8). The outlined penalty of \$10,000 to \$100,000 per day has no precedent when compared to other Archipelago by-laws and further violates the Municipal Act, R.S.O. 2001 given its excessive nature (Section 10).

The Elected Council's intention with this by-law does not appear to be in good faith in serving the community or the environment. In passing this By-law the main intention can only be to intimidate and divide the Archipelago community with an ever hanging threat of enforcement and excessive penalties subjectively administered at the whim of the By-Law office or Township Council.

As you know under the Municipal Act, R.S.O. 2001 Section 273 any person can make an application to the Ontario Superior Court of Justice to quash a municipal by-law, in whole or in part, for illegality. Should this By-Law be passed by yourself and Council the Archipelago community will have no option but to submit an application to quash this by-law for illegality based on the two points above. In advance of Council's implementation for this By-law a petition should be gathered at all large Archipelago Community Events to support this course of action and then submitted both to the Ontario Superior Court of Justice and MP Scott Aitchison.

It is strongly recommended that Sections 6, 7, 8, 9,10 and 12 be completely removed from this By-law or the entire By-law be terminated and a "Best Practice for Tree Preservation" guideline be developed to better serve the Archipelago Community,

Unfortunately I will not be able to attend either the In-Person on Jan 25th or Virtual Meeting Jan 30th to voice and articulate these mentioned concerns as I'll be travelling for work. Please consider this e-mail as my constructive feedback instead. Best regards, James

Steve Wark

From: David H Young [REDACTED]
Sent: January 17, 2024 10:36 AM
To: Steve Wark
Cc: John Hogarth; Susie Hogarth; Lauren Hogarth; Maria Pinto; Richard Hogarth; Hayes John; brian chapman; Dave Henderson; Joanne Browne; David Browne; Dougal Macdonald; Kyle Shields; Paige Caridi; Cale Henderson; Robin Young
Subject: Re: Draft Site Alteration & Tree Preservation Online Open House - January 30

Steve,

I and my wife Robin own property in the Archipelago. We completely echo John on this: 'Almost all people in the neighborhood go out of their way to protect the environment, including tree management. I fear this is an overreaction to one individual's actions and should not be allowed into law. '

David Young
Island B106, B111, B112, B121, Conger Township
Township of The Archipelago

On Jan 17, 2024, at 7:18 AM, Steve Wark [REDACTED] wrote:

Good morning John,

Thank you for providing your comments – your feedback will be shared with Council for their direction on how to proceed with the draft by-laws.

Best,

Steve Wark
Planning Coordinator
Township of The Archipelago
Phone: (705) 746-4243 ext. 304
Fax: (705) 746-7301
Email: swark@thearchipelago.ca

From: John Hogarth [REDACTED]
Sent: Tuesday, January 16, 2024 9:56 AM
To: Cale Henderson [REDACTED] Steve Wark [REDACTED]
Maria Pinto [REDACTED]
Cc: Susie Hogarth [REDACTED] Lauren Hogarth [REDACTED]
Richard Hogarth [REDACTED] Hayes John [REDACTED] brian chapman [REDACTED]
[REDACTED] Dave Henderson [REDACTED] Joanne Browne [REDACTED]
[REDACTED] david browne [REDACTED] Dougal Macdonald [REDACTED]
[REDACTED] David Young [REDACTED] Kyle Shields [REDACTED]
[REDACTED] Paige Caridi [REDACTED]
Subject: Re: Draft Site Alteration & Tree Preservation Online Open House - January 30

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We look forward to seeing you at the Online Open House.

Best,

Cale Henderson

From: Reg McGuire [REDACTED]
Sent: January 22, 2024 1:08 PM
To: David Ashley - CouncillorWard4A; Alice Barton - CouncillorWard4B; Rick Zanussi - CouncillorWard4C
Cc: Bert Liverance - Reeve; Cale Henderson; Colin Kilgour; Heather Sargeant; Jamie Crichton; Julia Webster; Karin Barton; Sue McPhedran
Subject: FW: Township of Archipelago site alteration/tree preservation bylaws
Attachments: Draft Site Alteration By-law (Nov 2023).pdf; Draft Tree Preservation By-law (Nov 2023).pdf

Hi all:

I wanted to copy you on an email we sent out to our WBCA members. We had previously sent out the draft bylaws and asked for some feedback, which we received.

The feedback can be summarized in this fashion:

1. What is the driving reason(s) for the bylaws? Our members, in summary, appear to be surprised by the detail and reach of the bylaws, with specific concerns as noted.
2. What is the rush, and why do you think January consultations in the most northerly part of the Township (on a week night) is appropriate?
3. Why is the Township proposing 2 separate bylaws?
 - a. The site alteration bylaw has general support, with caveats on wording and reach
 - b. The tree "preservation" bylaw does not. There is already wording in the site alteration bylaw covering trees.

The tree preservation bylaw does not, as fed back to us, appear to appropriately reflect the nature of the Township. We would consider the TOA to be a rural, heavily wooded and very sparsely populated township which has a surfeit of trees.

Most property owners are personally maintaining their wooded properties with their best intentions and efforts. This should be regarded as very valuable work by the Township, in our opinion, and the bylaw would appear to represent restrictions to that management. What would be more interesting is seeing the Township propose a comprehensive forest management program in conjunction with the Park. A casual walk through the woods shows large amounts of damaged and downed trees, often pine, and all of this creates a significant potential fire hazard that needs to be worth planning for.

We would note the primary recommendations of the FireSmart program we had present at our AGM, was to manage the surroundings of your property. That included trees and wood near buildings, but would include managing dead and dying trees in both personally owned and TOA/Park property.

Please don't hesitate to reach out if you have any questions on this.

Kind regards,

Reg McGuire
President, WBCA

From: Woods Bay [REDACTED]
Sent: Saturday, January 20, 2024 11:06 AM
To: Reg McGuire & Ann Cuthbertson
Subject: Fwd: Township of Archipelago site alteration/tree preservation bylaws

Hi WBCA members.

We wanted to ensure that you are aware the Township has proposed draft bylaws for site alteration and tree preservation. The draft bylaws are attached for your review.

The WBCA understands that the Township needs to have the tools to address development as the area continues to change, and we support that in a general sense. Our concern is that we will end up with bureaucratic, costly and potentially unenforceable set of bylaws. These bylaws will undoubtedly add cost and complexity to any and all interactions with the Township as currently laid out.

As previously noted regarding the inappropriate daytime burning bylaw, the Township may simply adopt a very restrictive set of bylaws rather than work to build bylaws that reflect the nature of the community we are in.

We will be sending our notes and concerns to the council and reeve plus the planning department prior to the planned meetings shortly. We also plan to consult with the other involved associations.

Please send any additional feedback back to us if you desire. You can also reach out to the Township directly, to our councillors. They can be reached at the email addresses found at <https://www.thearchipelago.on.ca/p/staff-directory>. We would suggest emailing Cale Henderson and copying Burt Liverance. You can also email our councillors (Dave Ashley [REDACTED], Alice Barton [REDACTED] and Rick Zanussi [REDACTED]) directly.

Our concerns are summarized below:

1. ORIGIN and TIMING of the proposed bylaws

a. What is driving the creation of the bylaws?

i. Is there significant site development/tree removal going on that the Township sees as inappropriate but is unable to address within their current permitting structure

b. Why a separate site alteration and tree preservation bylaw?

i. The site alteration bylaw can and should address any tree management practices required during that process

ii. The tree alteration bylaw, on initial reading, looks overreaching and likely completely unnecessary as well as difficult to enforce.

c. What is the rush for the public consultations? There are only 2 scheduled, one in person and that one is during a week day in the most northern part of the Township so the most difficult to access. Most of the TOA are part time residents, who reside elsewhere some distance from their cottages. The in-person meeting is basically impossible for the large majority of TOA tax payers, and a Zoom meeting is a poor secondary substitute.

2. RECOGNITION of the nature of the Township

a. The draft bylaws read as though they were lifted from a larger and much more urban township

i. The Township of the Archipelago is, as reflected in the creation documents, a rural water access and primarily wilderness township

ii. The documents as drafted are at least as restrictive as those you would see in a large urban setting such as Toronto, and appear unsuited for the nature of the township

iii. The documents as drafted will require the property owners to interact much more rigorously and with increased expense with the Township on areas such as forest management, environmental studies, archeological assessments, etc

3. COST and COMPLEXITY

a. The Township has already spent +\$300,000 in drafting these bylaws using a consultant. This has been done largely without prior consultation with taxpayers, to our knowledge. Has this been a good spend of our annual budgets?

b. Can the Township enact these bylaws and enforce them without significant cost to the taxpayer?

i. How does the Township propose that the taxpayer not end up incurring delays in permitting and processing?

ii. For the tree preservation bylaw, there are several references to arborists and proper forest management. Is the Township going to provide these services, since it is difficult to locate and access for many property owners? As noted, Woods Bay in particular is a rural/remote water access community by nature and design, and getting appropriate services is challenging and expensive.

iii. For the site alteration bylaw, there are references to potential requirements for Archeological Studies, Environmental Impact Assessments and other to be determined. These can be very expensive, and again appear arbitrary in the wording of the bylaws

4. WBCA Recommendations

- a. Expand the bylaw review process to ensure adequate opportunity for taxpayers to review the bylaws
- b. Schedule in-person presentations for each cottage association (WBCA, SSCA, SCA, PAUB) where town staff and council present these for detailed review and feedback

- i. These meeting can and should be timed for each associations
Annual General Meeting

- c. Combine the bylaws into one, since the site alteration bylaw contains duplicative language to the tree bylaw

- i. If this is not feasible, we recommend renaming the tree bylaw to “tree management bylaw”. Focusing on appropriate tree/forest management is a much more productive way to view this bylaw, in our opinion

- d. Review all of the bylaw provisions with the tax paying base as noted above. Clarify wording and cost/process around all Prohibitions and Exemptions. Property owners need to have a reasonable and consistent ability to maintain their almost entirely rural/woodlot properties without requiring constant Township interaction.

- i. Particular wording to review, at a minimum, is in these areas:

1. Site Alteration Bylaw

- a. 4. Prohibitions

- i. Section e, v/ix/x/xi/xii/xiv- all reference general wording such as “pollution”, “detrimental effect”, etc

- b. 6. Relief

- i. Section b, “including but not limited to a site plan indicating the following relevant detail”. This leads to references to Conservation Authority, Archeological Assessment, Environmental Assessment and “any other supporting materials which the TOA deems reasonably necessary”

2. Tree Preservation Bylaw

- a. Note that the lead in wording says the bylaw is intended to be reasonable and responsive to the needs of property owners, but does not generally appear to be

- b. 4. Prohibition

- i. Section e

1. i “adverse erosion and environmental impacts on and off site”. What metrics are proposed to determine this?

2. iii/iv/v/vii- all refer to general “destruction of trees” under various generic wording. Of particular note is vii prohibiting tree removal if “a detrimental effect to the visual amenities of the land such that it constitutes an unreasonable interference with the enjoyment of the property”. Who determines what enjoyment of a property is, if not the property owner?

c. 5. Exemptions

i. Section a

1. X and xi- who determines “good forestry practice” and “good arboriculture practice”? I reviewed the definitions, and both refer to “deemed by a professional”. So, every tree removal and other management (other than the limited other exemptions) require the services of a third party professional? Does this seem reasonable in most of our Township?

In summary, some parts of the proposed bylaws (in their draft form) appear to be inappropriate to the nature of the Township in which we recreate and reside. We urge the Township to improve and expand the consultation process, to allow residents to fully review and respond.

Kind regards,

Reg McGuire

President, WBCA

Steve Wark

From: Jessie Langford
Sent: January 24, 2024 2:23 PM
To: Steve Wark; Cale Henderson
Subject: FW: Proposed Site Alteration and Tree Preservation By-laws

Follow Up Flag: Follow up
Flag Status: Flagged

From: Dougal Macdonald [REDACTED]
Sent: Wednesday, January 24, 2024 2:19 PM
To: Jessie Langford [REDACTED]
Cc: Dougal Macdonald [REDACTED] Barbara Macdonald [REDACTED]
Subject: Proposed Site Alteration and Tree Preservation By-laws

Good morning Steve. I recently received the Township's notice of a Public Open House to consider these new by-laws. Unfortunately, I will be travelling and unable to attend.

My wife and I are owners of Lots 4 & 5 on Ajax Island (B369) in the Sans Souci area. Last year I worked with your colleagues Cale and Maria to put a conservation easement on our Lot 4 in favour of the Georgian Bay Land Trust, which restricts any changes to the natural landscape and vegetation of the Lot in perpetuity. I am very committed to the preservation of the natural environment in The Township and have become concerned with a couple of instances of substantial alterations to properties which I believe are inconsistent with the spirit of preservation of our community. However, I also have reservations about the proposed by-laws, which feels like a hammer being used to kill a fly.

The natural environment on the Islands of Georgian Bay requires periodic management of trees. I will typically have a tree cut every 5 to 10 years because it represents a hazard to a building or a risk to humans (I can't remember the last tree I had cut). Trees also die, which many don't want to look at or can become a hazard. There may also be examples of curating one's view as what was once a small sapling becomes a larger tree and blocks a view of the lake (nature is utterly relentless). Finally, the environment on the outer islands is so harsh that many trees simply don't thrive (Oaks and Cedars in particular) and some element of stewardship is desirable to responsibly manage our forests and help other trees thrive. I am very reluctant to cut any white pine trees because they are so precious to the natural landscape (and are increasingly under threat because of global warming). However, it is my strongly held view that the Township should not be:

- trying to police the occasional and modest management of trees on properties (I am confident that the Township would not be successful if you get into the business of policing modest and occasional tree management on islands)
- incurring the expense of both policing this practice but also the expense to the Township of requiring cottagers like me who are committed to preserving the natural environment to go through an approval process which the Township would need to manage

- requiring cottagers to incur the related expense, nuisance and time required to seek approval to cut the occasional tree

I don't know what the answer is to manage the instances of excessive alteration to the trees and landscape, but I am confident that the Township should not be getting into the business of micromanaging prudent tree management by cottagers, which has been happening since seasonal residents first started using the area for cottaging more than one hundred years ago (my family has owned Wildgoose Island for close to one hundred years).

I am happy to discuss but I strongly urge you and the Township not to proceed with the proposed by-laws as currently contemplated.

Thank you, Dougal

Dougal Macdonald

[REDACTED]

Mobile: [REDACTED]

Cale Henderson

From: Cheryl Ward [REDACTED]
Sent: January 24, 2024 10:46 AM
To: Cale Henderson
Cc: Erik Mathiesen; Darlene Cade Fraser - CouncillorWard5
Subject: Questions regarding Tree Bylaw, etc.
Attachments: Tree Bylaw questions..docx

Good morning Cale,
I had hoped to attend the 'in person' session tomorrow, however, I don't think I will be able to get up there. (I spend most of the winter in Blue Mountain).

I still hope to zoom in on Jan 30th, however, I expect opportunity to ask questions, could be limited.

That said, in chatting with some of my neighbours and contacts, a number of questions came up. I am hoping you don't mind that I send them directly to you for review and response. If you want to include some of them or even the document in the live and zoom sessions, I am fine with that,

I have shared them with the BLCA board as well.

I look forward to hearing from you.

Regards,

Cheryl Ward
[REDACTED]
Sent from my iPad

Tree Bylaw Questions:

A few thoughts and concerns that have come up in my discussions with other regarding the potential tree bylaw policy:

"In early 2021, Council directed staff to proceed with the development of a draft Site Alteration By-law, and to provide further information with respect to the costs of the administration and enforcement of the by-law. This direction was given, in part, due to recent development within the Township which proceeded without the benefit of full federal, provincial, and municipal approval"

What was the result of their report and recommendation on the 'costs of administration and enforcement'. Where can we read this report on the financial impact?

Staff appear to work at capacity, and current requests for permits, etc can take considerable time....that said, it would not appear that the significant volume that these two additional bylaws could easily be incorporated into current workloads. What additional staff, equipment and resources would need to be incorporated into the budget and where could we find this proposed budget?

Likewise, current Arborist businesses are also working over capacity....if these specialists are required to provide reporting in advance of tree removal, what kind of delays could happen? Has the TOA consulted with local Arborists on this potential bylaw and what was their feedback or where can we read that report?

What qualifications (ie arborist) will staff handling these applications be required to have?

Will the arborist have any liability through this process.

If someone wants to remove a tree that they have concerns about, but the TOA refuses or requests additional support/expert opinion...who will bear the cost of the expert. If the tree then comes down itself and causes property damage or personal injury, would the TOA be responsible, given that the bylaw prevented the resident's timely ability to remove the tree.

How will TOA staff deal with difficult to reach properties? Who will bear the cost of staff reaching the property?

What cost structure will be implemented for applications for consideration of having a tree removed?

What is the appeal process and costs for declined applications?

Healthy trees may have a far-reaching root structure that could impact a septic bed. Can a resident remove the tree at their own discretion for this reason? Would a permit be required? Not sure an Arborist would be qualified to comment on this situation...would the MOE need to be involved?

What is the actual monitoring process that Bylaw plans to implement to protect the trees? Is it by complaint only? Will staff visit all properties in the TOA and document tree locations, etc ...like an inventory..then visit and update inventory regularly (sorry, sarcasm here...but how would anyone ever know...'If a tree goes down and no one sees, does it make a sound? Sort of')

I worry about the wasted resources here. Can't recall reading anywhere that this was a huge problem in the past...so why create a bylaw, that is difficult to implement and expensive. Developers can easily afford the recommended fines...it seems that just regular residents could be negatively impacted by the additional costs and inconvenience of the bylaw.

Similar to many 'clean yards' policies...everyone has their own view of beauty. Some people want their cottage fully open to the water...others like privacy. Who are we (or the TOA) to tell people how to manage their trees, on their property?

I like to think that most people have common sense...Well at least since 1980 the TOA thought we had common sense on this issue, but now want to attempt to manage it? What did we do wrong, or where is the evidence that a new bylaw is actually needed?

Seguin Township is also trying to create a tree bylaw that residents are struggling to accept (as are the Arborists). What has TOA learned from our Seguin neighbours.

The proposed set back bylaw (or policy, etc) was originally presented with the tree preservation and site alteration. Now it is being dealt

with separately. While the process for approval or change to the set back may be different, the content should be directly reviewed in conjunction with the Tree Preservation bylaw as they impact each other directly. Neither should go forward for approval without direct linkage to the other...or at least a full report provided to residents on the potential impacts of the three new/amended issues to each other.

Why not hold these two bylaw changes and present to TOA resident in conjunction with the final recommended set back regulations?

Steve Wark

From: John Hayes [REDACTED]
Sent: January 26, 2024 8:06 AM
To: Bert Liverance - Reeve; Laurie Emery - CouncillorWard1A; Tom Lundy - CouncillorWard1B; Peter Frost - CouncillorWard2; Earl Manners - CouncillorWard3A; Scott Sheard - CouncillorWard3B; David Ashley - CouncillorWard4A; Alice Barton - CouncillorWard4B; Rick Zanussi - CouncillorWard4C; Darlene Cade Fraser - CouncillorWard5; Dan Macleod - CouncillorWard6; Cale Henderson; Maria Pinto; Steve Wark
Cc: Glen Campbell
Subject: Community objection to proposed by-laws
Attachments: By-Law response from Sans Souci Jan 26.24.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Archipelago Councillors, Reeve and Staff,

Please consider the attached letter objecting to the proposed by-laws regarding site alteration and tree protection. We are 64 cottagers and voters from the Sans Souci area who have organically organized in the past few days, without any mailing lists or campaign, to state our disagreement to the over-reach that these by-laws represent.

All the landowners, taxpayers and voters who are signatories to this letter are bcc'ed on this email. If you would like to contact any of us, our names and email addresses are included at the bottom of the letter.

We urge you to pause this process to allow for proper public consultation, which we would be happy to support.

Best regards,
John

John Hayes
[REDACTED]
[REDACTED]

January 26, 2024

Bert Liverance [REDACTED]

Laurie Emery [REDACTED]

Tom Lundy [REDACTED]

Peter Frost [REDACTED]

Earl Manners [REDACTED]

Scott Sheard [REDACTED]

David Ashley [REDACTED]

Alice Barton [REDACTED]

Rick Zanussi [REDACTED]

Darlene Cade Fraser [REDACTED]

Dan Macleod [REDACTED]

Cale Henderson [REDACTED]

Maria Pinto [REDACTED]

Steve Wark [REDACTED]

CC: Glen Campbell, President, SSCA [REDACTED]

Dear Reeve, Councillors and staff,

We are writing to you about the proposed site alteration and tree preservation by-laws. As a group, we property owners have demonstrated a history and passion for preserving and protecting the natural environment within the township. That is, after all, why we all own property in the Township of the Archipelago. So, while we agree with the spirit of preserving the natural beauty of the archipelago, we do not believe that the Township requires additional legislation to accomplish this goal.

As set out in the JL Richards report of Jan 22, 2021 report to the Township, the resolution to explore these new bylaws, "was passed, in part, due to a development project on an Island which proceeded without the benefit of full federal, provincial, and municipal approval." We believe that the proposed by-laws represent an overreaction to a single incident, that they would infringe on our rights as property owners and incur needless cost and enforceability challenges if enacted.

We are also concerned about the process, which gave a few weeks notice on December 30, 2023 for town hall meetings in the dead of winter, during a time when seasonal residents of the township are not typically engaged in their cottage lives. This process and timeline do not easily permit a representative response from the community.

Following are some specific concerns about the proposed by-laws:

1. The default position is that all site alterations or tree changes are against the by-law unless they are expressly permitted. The list of potential exemptions is virtually endless, but only a few are set out in the by-laws. We believe property owners are in the best position to evaluate whether a site alteration or tree removal is reasonable.

2. The proposed by-laws require taxpayers to engage professionals for standard cottage activities such as tree removal or clearing a walking path around their property. The cost to the landowner to obtain the required site plans or engage the required tree experts is prohibitive and unreasonable. As a result, the proposed by-laws favour wealthy landowners over others.
3. The by-laws are dense, requiring a high level of investigation by any taxpayer or the hiring of professionals to be confident in their compliance. Having two separate bylaws rather than a single one does not help with this issue.
4. The complexity leads to another issue, which is that neighbours may disagree with each other's interpretation of the by-law, leading to community strife.
5. We do not support the cost to the community or to the taxpayers of enforcing these by-laws.
6. The proposed approval process would lead to unnecessary delays to all cottage projects, including to address trees that may pose a risk to property.
7. We believe that these by-laws are unlikely to be enforced for the reasons set out above, and that by-laws that are not enforced lead to bad social outcomes.

It appears that the wishes of a subset of the community is driving these restrictive by-laws forward at a pace that does not allow time to gather dissenting views. We encourage you to take time, perhaps over the balance of 2024 to gather input from a broader set of taxpayers, including people like ourselves who do not agree with these by-laws. We are concerned that there will be many negative consequences if these by-laws are passed as drafted.

Thank you for your consideration,

1. John & Leslie Hayes [REDACTED]
2. Jackie and Peter Campbell [REDACTED]
3. Michael and Norma Tangney [REDACTED]
4. David and Robin Young [REDACTED]
5. Cully and Jackie Koza [REDACTED]
6. Susan and Gord O'Reilly [REDACTED]
7. Angus and Jane Tucker [REDACTED]
8. Catherine Bradley [REDACTED]
9. Ann Johnston [REDACTED]
10. Ray Murakami [REDACTED]
11. Phyllis and John Lill [REDACTED]
12. Sydney and Will Tiviluk [REDACTED]
13. David and Joanne Browne [REDACTED]
14. James and Jennifer Lill [REDACTED]
15. Kevin Bub [REDACTED]
16. Peter and Cathie Singer [REDACTED]
17. Jay and Cindy Daley [REDACTED]
18. John and Susie Hogarth [REDACTED]
19. Angela and Alex Macdonald [REDACTED]
20. Alexandra von Schroeter [REDACTED]
21. Robert and Valerie Hay [REDACTED]
22. Derek and Nancy Bowen [REDACTED]
23. Brian and Janey Chapman [REDACTED]
24. Kate Gibson and Peter Murphy [REDACTED]
25. Boyd and Jan Taylor [REDACTED]

26. Frank Nettleton [REDACTED]
27. Barbara Nettleton [REDACTED]
28. Edward Daley [REDACTED]
29. Donna and Ernie Kovacs [REDACTED]
30. Stephen Rawn and Barbara Banfield [REDACTED]
31. Leslie and Todd Welty [REDACTED]
32. Dougal and Barb Macdonald [REDACTED]
33. Barb and John Weir [REDACTED]
34. Fredrik and Sharon Nilsson [REDACTED]
35. Norm Playfair [REDACTED]
36. Kim Cormack [REDACTED]
37. Dave and Irene Chambers [REDACTED]

Cale Henderson

From: Judy Douglass [REDACTED]
Sent: January 26, 2024 3:18 PM
To: Bert Liverance - Reeve; Laurie Emery - CouncillorWard1A; Tom Lundy - CouncillorWard1B; Peter Frost - CouncillorWard2; Earl Manners - CouncillorWard3A; Scott Sheard - CouncillorWard3B; David Ashley - CouncillorWard4A; Alice Barton - CouncillorWard4B; Rick Zanussi - CouncillorWard4C; Darlene Cade Fraser - CouncillorWard5; Dan Macleod - CouncillorWard6; Cale Henderson; Maria Pinto; Steve Wark
Cc: Office; Walter Sloan; Gary Johnson
Subject: Proposed Site Alteration and Tree Preservation By-Laws

Dear Reeve, Councillors and Staff,

The Iron City Fishing Club Board of Directors and Executives, who represent almost 200 members, have recently been made aware of the Proposed Site Alteration and Tree Preservation By-Laws. As a club we have a long history of preserving and protecting the environment of the Archipelago. Nevertheless, we are concerned that these By-Laws have been drafted without input from many of the property owners who would be impacted by their approval.

As noted in letters to you from Sans Souci Copperhead Association and individual property owners, the process of drafting and reviewing the proposed By-Laws has not provided sufficient time or opportunity for responses, particularly from cottage owners who do not reside in the Archipelago in the winter. Iron City is in the process of reviewing these documents and considering how the By-Laws might adversely affect our unique club and property. We request that you defer any decisions on the By-Laws until more members of the community, including Iron City Fishing Club, have had time to review and respond.

Sincerely,

Judith A. Douglass
President, Iron City Fishing Club

Cale Henderson

From: Noel Staunton [REDACTED]
Sent: January 26, 2024 4:15 PM
To: Cale Henderson
Subject: Proposed Site Alteration & Tree Preservation By-law

Hello Cale - hope all is well with you.

We have taken a look at the Proposed Site Alteration & Tree Preservation By-law and have quite a few issues with it.

Unfortunately, we were unable to attend in person review last night (attendance would have involved a roundtrip from Waterloo of 700+ kms). We are also unable to call in on Jan 30 to the virtual meeting as we will be on the road all day driving.

So, I would like to request another in person review for some time in the summer when all seasonal rate payers have the opportunity to attend, where we can at least ask questions and voice our concerns.

I don't know if you need details of our concerns now or wait until the summer review. Please let us know.

Thanks and regards....

Noel Staunton.

Cale Henderson

From: David Ashley - CouncillorWard4A
Sent: January 29, 2024 4:17 PM
To: [REDACTED]
Cc: Cale Henderson
Subject: Re: Tree by law

Karen and Walter

Thanks for your comments. I have forwarded them to staff for inclusion in their report.

May I suggest you attend the on-line open house tomorrow night at 6. There will be an explanation of the proposed bylaws. If you still have questions, or cannot attend the meeting, please let me know and I will provide my interpretation.

Dave

From: David Ashley [REDACTED]
Sent: Saturday, January 27, 2024 10:31 AM
To: David Ashley - CouncillorWard4A [REDACTED]
Subject: FW: Tree by law

From: Karen and Walter Brinston [REDACTED]
Sent: January 27, 2024 10:23 AM
To: TOA Councilor; CommunityAssociationBoard WoodsBay
Subject: Tree by law

We have read the documents provided for the public and I'm truly not sure that we understand them so please excuse us if we are asking questions that answers have already been provided. These comments/questions are further to the concerns provided by the WBCA

1. I don't see anywhere where it lays out the process for cutting trees
 1. Dead trees, will I now be expected to have a professional come out and tell me its dead and then have them cut it down; or can I determine it's dead and cut it down.
 1. For example, last year on my last day at the cottage before I left the country I noticed a tree leaning towards the cottage. The middle of the tree was totally rotten and I'm sure if I didn't take it down that day it may have fallen on the building during the winter;
 2. If approval is required; what is the timeline for getting permission to take a tree down;
 3. is the township taking the responsibility when the tree does damage before approval is granted to cut it down?
 4. What are the expected fees if any
- 2.

2. Are you sure this bylaw will not have the opposite effect that your looking for. If someone has a sapling growing in an area they are not sure they want a full grown tree, they may kill that sapling prematurely so they do not have to deal with this by-law.



Virus-free. www.avg.com

Cale Henderson

From: Colin Kilgour [REDACTED]
Sent: January 28, 2024 1:57 PM
To: Reg McGuire
Cc: Alice Barton - CouncillorWard4B; David Ashley - CouncillorWard4A; Rick Zanussi - CouncillorWard4C; Bert Liverance - Reeve; Cale Henderson; Heather Sargeant; Jamie Crichton; Julia Webster; Karin Barton; Sue McPhedran
Subject: Re: Township of Archipelago site alteration/tree preservation bylaws

I would fully echo and support everything Reg said below.

Further, the admission that this entire exercise is in response to a single isolated incident that happened several years ago ought to be a huge red flag.

It is inappropriate to needlessly restrict the rights of 100% of property owners just because one property owner once did something that councillors found objectionable. This is especially true as the new bylaws obviously cannot undo whatever it was that got you all so excited in the first place. So the bylaws won't even solve the problem they were supposedly designed to solve.

Like most property owners, I'm not aware of what this particular traumatic incident was, but perhaps it would have been advisable to provide property owners this important context, with details, before launching into a legislative drafting process.

My recommendation is that if the township has particular objection to a particular property owner (which is what appears to be the case) that it take steps to address them directly with the property owner rather than trying to permanently burden 100% of township property owners.

Regards
Colin

Colin Kilgour
Kilgour Williams Capital
[REDACTED]
[REDACTED]

On Sat, Jan 27, 2024, 4:30 p.m. Reg McGuire [REDACTED] wrote:

Hi Alice:

Thanks for the reply. I will, over the weekend sometime, watch the Council meeting as attached. I did review previous communications, but all I can find are mentions in 2 semi-annual notes from council that the bylaws were being considered. You mention consulting with the public prior, but it's hard to figure out who that was. It did not appear to involve anyone from the WBCA.

I was able to speak to additional members, plus some people who were able to attend your meeting in person.

The feedback is quite consistent. First, the current consultation process has no support. The January timing is odd, the only public meeting was completely impossible to attend for our members, and 2 meetings for proposed changes of this level is inadequate. I trust you will take this to heart and expand the process. My ask is that the Township presents at each of our AGM's for full debate.

There is a general understanding that the Township needs additional bylaw tools to help manage site alteration and development. Having said that, there is also a pretty consistent understanding that building cottages on privately owned lots will always involve changing the land while adding buildings/septic systems/solar panels/docks and so on. I don't know that the draft site alteration bylaw has achieved the appropriate balance yet.

The concern remains that these draft bylaws overreach considerably past what would be considered appropriate in our Township. Changing laws wholesale to address one offender is generally not a great approach, in my opinion.

There was also feedback that the township did not appear to be listening or responding to the comments/criticism at the meeting.

Finally, the tree preservation bylaw as currently drafted has zero support in our area. It has the potential to cause rifts and difficulties in our community, and is not aligned to the realities of a heavily wooded and sparsely populated township.

It also ignores forest management principles, and has the appearance of pursuing political goals in the area of "climate change" rather than implementing a practical bylaw. Most of us, if not all, are managing large wooded properties on our own and any bylaws need to acknowledge this in writing and support it in practice. Even though it seems obvious, it is worth noting trees don't live forever and grow back, and that Canada is home to some 400 billion trees.

Our Firesmart presentation emphasized the importance of getting trees and other burnable materials AWAY from cottages. Again, this should be noted and implemented in any bylaw. Should this bylaw go forward, it should be renamed the tree management bylaw and the Township should learn about and encourage proper forest management practices through it.

Anyone who goes for a walk in our woods, Township or Park owned, is very concerned about the fire load sitting on the floor of the forest right now. The lesson learned from other wildfires (California, BC, etc) is that forests require management. We have a chance to do that now.

Kind regards,

Reg McGuire

President, WBCA

From: Alice Barton - CouncillorWard4B [REDACTED]
Sent: Wednesday, January 24, 2024 7:25 PM
To: Reg McGuire
Cc: David Ashley - CouncillorWard4A; Rick Zanussi - CouncillorWard4C; Bert Liverance - Reeve; Cale Henderson; Colin Kilgour; Heather Sargeant; Jamie Crichton; Julia Webster; Karin Barton; Sue McPhedran
Subject: Re: Township of Archipelago site alteration/tree preservation bylaws

Good evening Reg,

I understood you, and you're right that there is only the one option to attend this public meeting *in person*. However, the options for providing feedback are myriad even outside the Zoom meeting, and you can be assured that all input will be considered.

As for your question: what is the rush? I reject the premise: there is no rush.

This whole process was triggered by reaction to an event I believe you're aware of in the Manitou neighbourhood of our Ward in 2021. The Township's lack of tools to deal with the abject destruction of large areas of land (and water) was and remains a huge problem. We have been engaged ever since in the process of figuring out what to do about this.

We had a round of public meetings in spring 2022, seeking the public's input on how to approach the issue. Reeve Liverance presented an outline of the draft bylaws as part of his presentations to the Association AGMs this past summer, and there was a lengthy and detailed presentation this fall at the 2023 Deerhorn Conference. A dedicated web site including an online survey went live in December 2023, when these public meetings were also announced. All of these events have been shared with all the associations and other stakeholder groups.

There is nothing rushed about this process.

If your concern is that Council is trying to sneak something through, catching the public unawares, I would suggest you have a watch at our Planning & Building Committee meeting recording from August 2023:

<https://www.youtube.com/watch?v=m3hNNfOl218>



08 17 2023 Committee of the Whole Meeting

[www.youtube.com](https://www.youtube.com/watch?v=m3hNNfOl218)

?

?

(starting at 1:28:10 to about 2:28)

This is when we received a staff report about the draft bylaws and the implications for its implementation. Council was clearly struggling with the proposed bylaws and there is far from consensus among your Council members about the right approach. I am not at all a champion for the bylaws as drafted, and I'm still confident that this process will work.

We are seeking the public's input because we really want the public's input. If it is determined that the current process including the 2 public meetings and the survey etc. are insufficient, maybe we will do more public engagement at a different time of year. I can't predict that. But I encourage you, WBCA members and anyone else interested to participate in the public meetings. We want to hear from everyone who wants to be heard.

Alice Barton (she/her)

Councillor, Ward 4

Township of The Archipelago

[REDACTED]

From: Reg McGuire [REDACTED]
Sent: Tuesday, January 23, 2024 9:49 AM
To: Alice Barton - CouncillorWard4B [REDACTED]
Cc: David Ashley - CouncillorWard4A [REDACTED] Rick Zanussi - CouncillorWard4C
[REDACTED] Bert Liverance - Reeve [REDACTED] Cale Henderson
[REDACTED] Colin Kilgour [REDACTED]; Heather Sargeant
[REDACTED] Jamie Crichton [REDACTED] Julia Webster [REDACTED]; Karin
Barton [REDACTED]; Sue McPhedran [REDACTED]
Subject: Re: Townshipof Archipelago site alteration/tree preservation bylaws

Sorry, around 260kms each way. So a 520km round trip.

Reg

On Tue, Jan 23, 2024 at 9:48 AM Reg McGuire [REDACTED] wrote:

Hi Alice:

I think you may have missed the point. The in-person session is in Pointe Au Baril, which is around kms each way from my house. And is being held from 6-8pm on a Wednesday night.

Since the vast majority of WBCA members do not reside in their cottage, and largely reside in the GTA area, this basically makes the in-person event useless. And I have already noted our members do not see the Zoom option as a good second choice.

Back to our question- what is the rush? Or are there more planned hearings as requested already in the works? Our ask is that the TOA attends each AGM and walks our members (your tax payers/residents) through these very detailed proposed bylaws in person.

Kind regards,

Reg

On Mon, Jan 22, 2024 at 5:38 PM Alice Barton - CouncillorWard4B [REDACTED] wrote:

Thank you Reg for sharing these detailed and thoughtful remarks. I do hope some of your members will attend the public meeting. NB there is a remote option for anyone to attend on January 30 by Zoom; attendance is not limited to the in-person meeting in Pointe au Baril. I hope at least one of them will be recorded, and written commentary will always be considered as well.

I'll be at the Zoom one myself, and I think Dave will be at the in person one.

Alice Barton (she/her)

Councillor, Ward 4

Township of The Archipelago

From: Reg McGuire [REDACTED]

Sent: Monday, January 22, 2024 1:07 PM

To: David Ashley - CouncillorWard4A [REDACTED]; Alice Barton - CouncillorWard4B

[REDACTED]; Rick Zanussi - CouncillorWard4C [REDACTED]

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Subject: FW: Townshipof Archipelago site alteration/tree preservation bylaws

Hi all:

I wanted to copy you on an email we sent out to our WBCA members. We had previously sent out the draft bylaws and asked for some feedback, which we received.

The feedback can be summarized in this fashion:

1. What is the driving reason(s) for the bylaws? Our members, in summary, appear to be surprised by the detail and reach of the bylaws, with specific concerns as noted.
2. What is the rush, and why do you think January consultations in the most northerly part of the Township (on a week night) is appropriate?
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The tree preservation bylaw does not, as fed back to us, appear to appropriately reflect the nature of the Township. We would consider the TOA to be a rural, heavily wooded and very sparsely populated township which has a surfeit of trees.

Most property owners are personally maintaining their wooded properties with their best intentions and efforts. This should be regarded as very valuable work by the Township, in our opinion, and the bylaw would appear to represent restrictions to that management. What would be more interesting is seeing the Township propose a comprehensive forest management program in conjunction with the Park. A casual walk through the woods shows large amounts of damaged and downed trees, often pine, and all of this creates a significant potential fire hazard that needs to be worth planning for.

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Reg McGuire

President, WBCA

From: Woods Bay [REDACTED]
Sent: Saturday, January 20, 2024 11:06 AM
To: Reg McGuire & Ann Cuthbertson
Subject: Fwd: Township of Archipelago site alteration/tree preservation bylaws

Hi WBCA members.

We wanted to ensure that you are aware the Township has proposed draft bylaws for site alteration and tree preservation. The draft bylaws are attached for your review.

The WBCA understands that the Township needs to have the tools to address development as the area continues to change, and we support that in a general sense. Our concern is that we will end up with bureaucratic, costly and potentially unenforceable set of bylaws. These bylaws will undoubtedly add cost and complexity to any and all interactions with the Township as currently laid out.

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We will be sending our notes and concerns to the council and reeve plus the planning department prior to the planned meetings shortly. We also plan to consult with the other involved associations.

Please send any additional feedback back to us if you desire. You can also reach out to the Township directly, to our councillors. They can be reached at the email addresses found at <https://www.thearchipelago.on.ca/p/staff-directory>. We would suggest emailing Cale Henderson and copying Burt Liverance. You can also email our councillors (Dave Ashley [REDACTED], Alice Barton [REDACTED] and Rick Zanussi [REDACTED]) directly.

Our concerns are summarized below:

1. ORIGIN and TIMING of the proposed bylaws
 - a. What is driving the creation of the bylaws?

i. Is there significant site development/tree removal going on that the Township sees as inappropriate but is unable to address within their current permitting structure

b. Why a separate site alteration and tree preservation bylaw?

i. The site alteration bylaw can and should address any tree management practices required during that process

ii. The tree alteration bylaw, on initial reading, looks overreaching and likely completely unnecessary as well as difficult to enforce.

c. What is the rush for the public consultations? There are only 2 scheduled, one in person and that one is during a week day in the most northern part of the Township so the most difficult to access. Most of the TOA are part time residents, who reside elsewhere some distance from their cottages. The in-person meeting is basically impossible for the large majority of TOA tax payers, and a Zoom meeting is a poor secondary substitute.

2. RECOGNITION of the nature of the Township

a. The draft bylaws read as though they were lifted from a larger and much more urban township

i. The Township of the Archipelago is, as reflected in the creation documents, a rural water access and primarily wilderness township

ii. The documents as drafted are at least as restrictive as those you would see in a large urban setting such as Toronto, and appear unsuited for the nature of the township

iii. The documents as drafted will require the property owners to interact much more rigorously and with increased expense with the Township on areas such as forest management, environmental studies, archeological assessments, etc

3. COST and COMPLEXITY

a. The Township has already spent +\$300,000 in drafting these bylaws using a consultant. This has been done largely without prior consultation with taxpayers, to our knowledge. Has this been a good spend of our annual budgets?

b. Can the Township enact these bylaws and enforce them without significant cost to the taxpayer?

i. How does the Township propose that the taxpayer not end up incurring delays in permitting and processing?

ii. For the tree preservation bylaw, there are several references to arborists and proper forest management. Is the Township going to provide these services, since it is difficult to locate and access for many property owners? As noted, Woods Bay in particular is a rural/remote water access community by nature and design, and getting appropriate services is challenging and expensive.

iii. For the site alteration bylaw, there are references to potential requirements for Archeological Studies, Environmental Impact Assessments and other to be

determined. These can be very expensive, and again appear arbitrary in the wording of the bylaws

4. WBCA Recommendations

- a. Expand the bylaw review process to ensure adequate opportunity for taxpayers to review the bylaws
- b. Schedule in-person presentations for each cottage association (WBCA, SSCA, SCA, PAUB) where town staff and council present these for detailed review and feedback

- i. These meeting can and should be timed for each associations Annual General Meeting

- c. Combine the bylaws into one, since the site alteration bylaw contains duplicative language to the tree bylaw

- i. If this is not feasible, we recommend renaming the tree bylaw to “tree management bylaw”. Focusing on appropriate tree/forest management is a much more productive way to view this bylaw, in our opinion

- d. Review all of the bylaw provisions with the tax paying base as noted above. Clarify wording and cost/process around all Prohibitions and Exemptions. Property owners need to have a reasonable and consistent ability to maintain their almost entirely rural/woodlot properties without requiring constant Township interaction.

- i. Particular wording to review, at a minimum, is in these areas:

1. Site Alteration Bylaw

a. 4. Prohibitions

- i. Section e, v/ix/x/xi/xii/xiv- all reference general wording such as “pollution”, “detrimental effect”, etc

b. 6. Relief

- i. Section b, “including but not limited to a site plan indicating the following relevant detail”. This leads to references to Conservation Authority, Archeological Assessment, Environmental Assessment and “any other supporting materials which the TOA deems reasonably necessary”

2. Tree Preservation Bylaw

- a. Note that the lead in wording says the bylaw is intended to be reasonable and responsive to the needs of property owners, but does not generally appear to be

b. 4. Prohibition

i. Section e

1. i “adverse erosion and environmental impacts on and off site”. What metrics are proposed to determine this?
2. lii/iv/v/vii- all refer to general “destruction of trees” under various generic wording. Of particular note is vii prohibiting tree removal if “a detrimental effect to the visual amenities of the land such that it constitutes an unreasonable interference with the enjoyment of the property”. Who determines what enjoyment of a property is, if not the property owner?

c. 5. Exemptions

i. Section a

1. X and xi- who determines “good forestry practice” and “good arboriculture practice”? I reviewed the definitions, and both refer to “deemed by a professional”. So, every tree removal and other management (other than the limited other exemptions) require the services of a third party professional? Does this seem reasonable in most of our Township?

In summary, some parts of the proposed bylaws (in their draft form) appear to be inappropriate to the nature of the Township in which we recreate and reside. We urge the Township to improve and expand the consultation process, to allow residents to fully review and respond.

Kind regards,

Reg McGuire

President, WBCA



SANS SOUCI AND COPPERHEAD ASSOCIATION

PO Box 15005 (RPO Heath Yonge) Toronto Ontario M4T 1M1

EMAIL: contact@ssca.info

WEBSITE: www.ssca.info

January 28, 2024

Bert Liverance, Reeve
Township of the Archipelago
9 James Street
Parry Sound, ON P2A 1T4

Reeve Liverance:

Re: Proposed Site Alteration and Tree Preservation By-Laws

I am writing on behalf of the Sans Souci and Copperhead Association with respect to the proposed site alteration and tree preservation bylaws. Our Board has received input from many of our members and discussed this topic at our January 23 meeting. While this is not an issue where it is possible to have a unanimous view, or even a tight consensus, we believe there is broad support in our community for the following views:

1. Some regulation is appropriate to protect the visual landscape and natural environment, to prevent large-scale site alteration and tree removal. This is the position of a clear majority of our Board members;
2. There are major concerns among our members about the proposed by-laws in their current form, particularly the tree preservation by-law. While it seems likely that the site alteration by-law could be revised so as to address community concerns, the tree preservation bylaw probably requires a "clean sheet" re-write; and
3. Given the extent of the changes required to these proposed by-laws, the Township should spend the necessary time to consider them, and plan for another round of consultation with the community in order to achieve an excellent result that will have broad support.

We recognize and value the effort the Township has invested in this project, and your sincere commitment to protecting a natural environment of rare beauty and significance. We see ourselves not just as ratepayers, but as stewards of this unique place. We also recognize just how difficult it is to create excellent regulation in this area. We are committed to working with you to do so and would be pleased to participate in this process.

Sincerely,

Glen Campbell

President

Cale Henderson

From: Reg McGuire [REDACTED]
Sent: January 28, 2024 4:20 PM
To: 'Colin Kilgour'
Cc: Alice Barton - CouncillorWard4B; David Ashley - CouncillorWard4A; Rick Zanussi - CouncillorWard4C; Bert Liverance - Reeve; Cale Henderson; 'Heather Sargeant'; 'Jamie Crichton'; 'Julia Webster'; 'Karin Barton'; 'Sue McPhedran'; ann.mcguire1@icloud.com
Subject: RE: Township of Archipelago site alteration/tree preservation bylaws

Hi all:

I took the time yesterday to watch the council meeting on the link Alice provided.

- **@WBCA board**-the link is below in Alice's email. If you want to watch the bylaw discussion/presentation it runs from 1:28:30 to 2:28:03

First, I think I probably owe our councillors (Alice, Dave, Rick) an apology. I thought you did a good job raising objections and concerns on the proposed bylaws, and overall the council discussion seemed reasonable.

Having said that, nothing about that discussion made me more comfortable with the draft bylaws, and probably achieved the opposite effect. I remain unconvinced that the Council and or Planners can clearly articulate the goals of these bylaws, and then connect the draft bylaws to those goals.

I will summarize my takeaways and our asks/recommendations below. I may have slightly mis-stated some areas, but I am confident in my overall summary:

TAKEAWAYS

- The bylaws as proposed, and noted by Cale, are very complex. It was noted they are much more complex than typical bylaws found in other townships
 - o Most councillors do not fully understand the bylaws despite several readings and meetings
- Due to the complexity of the bylaws, and in particular trying to enforce the tree management bylaw, it is expected that significant additional resources will be required
 - o **WBCA Board**- this can be seen in the first 5-10 minutes of the presentation by Cale, starting at 1:28:30
 - o This includes multiple additional staff, boats and other materials.
 - o This also includes provisions for legal/prosecutorial help, since it is expected the tree bylaw will generate many tickets and those tickets will usually be contested. This means provincial court time and resources, which cost the TOA money
- **4% tax increase proposed to fund the extra resources required to manage the bylaw enforcement and education, primarily the tree bylaw**
- Much of the discussion by councillors, as I understood it, revolved around the tree bylaw
 - o The tree bylaw is understood to be generally unenforceable
 - o Cale noted repeatedly that the primary enforcement mechanism on the tree bylaw is community complaints. This, as already noted, pits community members against each other and looks to be certain way to create community dissension
- Questions and confusion around the integration between these draft bylaws and the comprehensive zoning bylaw, also being reworked

- My personal takeaway is that there was some alignment to the purpose of the site alteration bylaw, but not alignment on many its restrictions (noted the 1" of soil increase in a garden as an example). There was no alignment on the goal of the tree preservation bylaw
- The Council was presented the option of doing one of 4 things (push both to public consultation, push only site alteration to public consultation, consult just on general purposes or withdraw the bylaws). In my view, council was pushed into supporting option 1, which is the worst of the 4 and will lead to much stronger community resistance.

RECOMMENDATIONS

- Both bylaws should be immediately pulled from the agenda and discarded (Option 3 or 4 above)
 - o They are overly complex
 - o They are very out of line with the realities of the Township of Archipelago
 - o They are out of line with the creation documents of the Township of Archipelago
 - o They will require significant additional costs and resources for the Township, resulting in unwanted and unnecessary tax increases
 - Additionally, they will cause the taxpayers additional time and money to interact unnecessarily with the Township
 - o They will certainly cause community difficulties, pitting members against each other
 - o They duplicate the existing development bylaws (comprehensive bylaw)
- There was a suggestion by planners that the "rough edges" of the bylaws can be massaged. I disagree with that statement, since I don't think the bylaws clearly serve the interests of the taxpayers of TOA
 - o The tree preservation bylaw must be permanently withdrawn/discarded
 - o The site alteration bylaw core requirements can and should be included in the comprehensive bylaw review

I will attend and articulate these viewpoints during the public consultation meeting this week.

I will conclude by saying I am disappointed that we got this far. Council knows these bylaws are inappropriate and should not have been proposed. The tree bylaw has all the qualities of a political/climate change agenda by a few individuals without any connection to the reality of our township.

There are lots of interesting and important issues for the Township to tackle, and these are at best distracting. As one example, we have not heard from the Township about the status of the Official Plan after the Gates decision invalidated many of the development restrictions.

Kind regards,

Reg McGuire
President, WBCA

From: Colin Kilgour [REDACTED]
Sent: Sunday, January 28, 2024 1:57 PM
To: Reg McGuire
Cc: Alice Barton - CouncillorWard4B; David Ashley - CouncillorWard4A; Rick Zanussi - CouncillorWard4C; Bert Liverance - Reeve; Cale Henderson; Heather Sargeant; Jamie Crichton; Julia Webster; Karin Barton; Sue McPhedran
Subject: Re: Townshipof Archipelago site alteration/tree preservation bylaws

I would fully echo and support everything Reg said below.

Further, the admission that this entire exercise is in response to a single isolated incident that happened several years ago ought to be a huge red flag.

It is inappropriate to needlessly restrict the rights of 100% of property owners just because one property owner once did something that councillors found objectionable. This is especially true as the new bylaws obviously cannot undo whatever it was that got you all so excited in the first place. So the bylaws won't even solve the problem they were supposedly designed to solve.

Like most property owners, I'm not aware of what this particular traumatic incident was, but perhaps it would have been advisable to provide property owners this important context, with details, before launching into a legislative drafting process.

My recommendation is that if the township has particular objection to a particular property owner (which is what appears to be the case) that it take steps to address them directly with the property owner rather than trying to permanently burden 100% of township property owners.

Regards
Colin

Colin Kilgour
Kilgour Williams Capital

On Sat, Jan 27, 2024, 4:30 p.m. Reg Mcguire [REDACTED] wrote:

Hi Alice:

Thanks for the reply. I will, over the weekend sometime, watch the Council meeting as attached. I did review previous communications, but all I can find are mentions in 2 semi-annual notes from council that the bylaws were being considered. You mention consulting with the public prior, but it's hard to figure out who that was. It did not appear to involve anyone from the WBCA.

I was able to speak to additional members, plus some people who were able to attend your meeting in person.

The feedback is quite consistent. First, the current consultation process has no support. The January timing is odd, the only public meeting was completely impossible to attend for our members, and 2 meetings for proposed changes of this level is inadequate. I trust you will take this to heart and expand the process. My ask is that the Township presents at each of our AGM's for full debate.

There is a general understanding that the Township needs additional bylaw tools to help manage site alteration and development. Having said that, there is also a pretty consistent understanding that building cottages on privately

owned lots will always involve changing the land while adding buildings/septic systems/solar panels/docks and so on. I don't know that the draft site alteration bylaw has achieved the appropriate balance yet.

The concern remains that these draft bylaws overreach considerably past what would be considered appropriate in our Township. Changing laws wholesale to address one offender is generally not a great approach, in my opinion.

There was also feedback that the township did not appear to be listening or responding to the comments/criticism at the meeting.

Finally, the tree preservation bylaw as currently drafted has zero support in our area. It has the potential to cause rifts and difficulties in our community, and is not aligned to the realities of a heavily wooded and sparsely populated township.

It also ignores forest management principles, and has the appearance of pursuing political goals in the area of "climate change" rather than implementing a practical bylaw. Most of us, if not all, are managing large wooded properties on our own and any bylaws need to acknowledge this in writing and support it in practice. Even though it seems obvious, it is worth noting trees don't live forever and grow back, and that Canada is home to some 400 billion trees.

Our Firesmart presentation emphasized the importance of getting trees and other burnable materials AWAY from cottages. Again, this should be noted and implemented in any bylaw. Should this bylaw go forward, it should be renamed the tree management bylaw and the Township should learn about and encourage proper forest management practices through it.

Anyone who goes for a walk in our woods, Township or Park owned, is very concerned about the fire load sitting on the floor of the forest right now. The lesson learned from other wildfires (California, BC, etc) is that forests require management. We have a chance to do that now.

Kind regards,

Reg McGuire

President, WBCA

From: Alice Barton - CouncillorWard4B [REDACTED]

Sent: Wednesday, January 24, 2024 7:25 PM

To: Reg McGuire

Cc: David Ashley - CouncillorWard4A; Rick Zanussi - CouncillorWard4C; Bert Liverance - Reeve; Cale Henderson; Colin Kilgour; Heather Sargeant; Jamie Crichton; Julia Webster; Karin Barton; Sue McPhedran

Subject: Re: Township of Archipelago site alteration/tree preservation bylaws

Good evening Reg,

I understood you, and you're right that there is only the one option to attend this public meeting *in person*. However, the options for providing feedback are myriad even outside the Zoom meeting, and you can be assured that all input will be considered.

As for your question: what is the rush? I reject the premise: there is no rush.

This whole process was triggered by reaction to an event I believe you're aware of in the Manitou neighbourhood of our Ward in 2021. The Township's lack of tools to deal with the abject destruction of large areas of land (and water) was and remains a huge problem. We have been engaged ever since in the process of figuring out what to do about this.

We had a round of public meetings in spring 2022, seeking the public's input on how to approach the issue. Reeve Liverance presented an outline of the draft bylaws as part of his presentations to the Association AGMs this past summer, and there was a lengthy and detailed presentation this fall at the 2023 Deerhorn Conference. A dedicated web site including an online survey went live in December 2023, when these public meetings were also announced. All of these events have been shared with all the associations and other stakeholder groups.

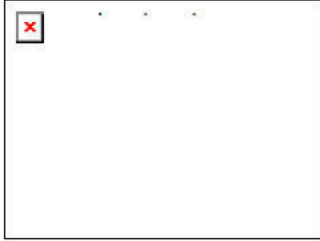
There is nothing rushed about this process.

If your concern is that Council is trying to sneak something through, catching the public unawares, I would suggest you have a watch at our Planning & Building Committee meeting recording from August 2023:

<https://www.youtube.com/watch?v=m3hNNfOI218>

08 17 2023 Committee of the Whole Meeting

www.youtube.com



(starting at 1:28:10 to about 2:28)

This is when we received a staff report about the draft bylaws and the implications for its implementation. Council was clearly struggling with the proposed bylaws and there is far from consensus among your Council members about the right approach. I am not at all a champion for the bylaws as drafted, and I'm still confident that this process will work.

We are seeking the public's input because we really want the public's input. If it is determined that the current process including the 2 public meetings and the survey etc. are insufficient, maybe we will do more public engagement at a different time of year. I can't predict that. But I encourage you, WBCA members and anyone else interested to participate in the public meetings. We want to hear from everyone who wants to be heard.

Alice Barton (she/her)

Councillor, Ward 4

Township of The Archipelago



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Reg McGuire

President, WBCA

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i. The site alteration bylaw can and should address any tree management practices required during that process

ii. The tree alteration bylaw, on initial reading, looks overreaching and likely completely unnecessary as well as difficult to enforce.

c. What is the rush for the public consultations? There are only 2 scheduled, one in person and that one is during a week day in the most northern part of the Township so the most difficult to access. Most of the TOA are part time residents, who reside elsewhere some distance from their cottages. The in-person meeting is basically impossible for the large majority of TOA tax payers, and a Zoom meeting is a poor secondary substitute.

2. RECOGNITION of the nature of the Township

a. The draft bylaws read as though they were lifted from a larger and much more urban township

i. The Township of the Archipelago is, as reflected in the creation documents, a rural water access and primarily wilderness township

ii. The documents as drafted are at least as restrictive as those you would see in a large urban setting such as Toronto, and appear unsuited for the nature of the township

iii. The documents as drafted will require the property owners to interact much more rigorously and with increased expense with the Township on areas such as forest management, environmental studies, archeological assessments, etc

3. COST and COMPLEXITY

a. The Township has already spent +\$300,000 in drafting these bylaws using a consultant. This has been done largely without prior consultation with taxpayers, to our knowledge. Has this been a good spend of our annual budgets?

b. Can the Township enact these bylaws and enforce them without significant cost to the taxpayer?

i. How does the Township propose that the taxpayer not end up incurring delays in permitting and processing?

ii. For the tree preservation bylaw, there are several references to arborists and proper forest management. Is the Township going to provide these services, since it is difficult to locate and access for many property owners? As noted, Woods Bay in particular is a rural/remote water access community by nature and design, and getting appropriate services is challenging and expensive.

iii. For the site alteration bylaw, there are references to potential requirements for Archeological Studies, Environmental Impact Assessments and other to be determined. These can be very expensive, and again appear arbitrary in the wording of the bylaws

4. WBCA Recommendations

- a. Expand the bylaw review process to ensure adequate opportunity for taxpayers to review the bylaws
- b. Schedule in-person presentations for each cottage association (WBCA, SSCA, SCA, PAUB) where town staff and council present these for detailed review and feedback

- i. These meeting can and should be timed for each associations
Annual General Meeting

- c. Combine the bylaws into one, since the site alteration bylaw contains duplicative language to the tree bylaw

- i. If this is not feasible, we recommend renaming the tree bylaw to “tree management bylaw”. Focusing on appropriate tree/forest management is a much more productive way to view this bylaw, in our opinion

- d. Review all of the bylaw provisions with the tax paying base as noted above. Clarify wording and cost/process around all Prohibitions and Exemptions. Property owners need to have a reasonable and consistent ability to maintain their almost entirely rural/woodlot properties without requiring constant Township interaction.

- i. Particular wording to review, at a minimum, is in these areas:

- 1. Site Alteration Bylaw

- a. 4. Prohibitions

- i. Section e, v/ix/x/xi/xii/xiv- all reference general wording such as “pollution”, “detrimental effect”, etc

- b. 6. Relief

- i. Section b, “including but not limited to a site plan indicating the following relevant detail”. This leads to references to Conservation Authority, Archeological Assessment, Environmental Assessment and “any other supporting materials which the TOA deems reasonably necessary”

- 2. Tree Preservation Bylaw

- a. Note that the lead in wording says the bylaw is intended to be reasonable and responsive to the needs of property owners, but does not generally appear to be

- b. 4. Prohibition

- i. Section e

- 1. i “adverse erosion and environmental impacts on and off site”. What metrics are proposed to determine this?

2. iii/iv/v/vii- all refer to general “destruction of trees” under various generic wording. Of particular note is vii prohibiting tree removal if “a detrimental effect to the visual amenities of the land such that it constitutes an unreasonable interference with the enjoyment of the property”. Who determines what enjoyment of a property is, if not the property owner?

c. 5. Exemptions

i. Section a

1. X and xi- who determines “good forestry practice” and “good arboriculture practice”? I reviewed the definitions, and both refer to “deemed by a professional”. So, every tree removal and other management (other than the limited other exemptions) require the services of a third party professional? Does this seem reasonable in most of our Township?

In summary, some parts of the proposed bylaws (in their draft form) appear to be inappropriate to the nature of the Township in which we recreate and reside. We urge the Township to improve and expand the consultation process, to allow residents to fully review and respond.

Kind regards,

Reg McGuire

President, WBCA

Cale Henderson

From: David Ashley - CouncillorWard4A
Sent: January 29, 2024 3:55 PM
To: Cale Henderson
Subject: Fw: Site Alteration Bylaw

Hi Cale

Another response for inclusion in your report.

Dave

From: Michael Tangney [REDACTED]
Sent: Monday, January 29, 2024 11:25 AM
To: David Ashley - CouncillorWard4A [REDACTED]
Cc: Bert Liverance - Reeve [REDACTED]; Alice Barton - CouncillorWard4B [REDACTED]
[REDACTED]; Rick Zanussi - CouncillorWard4C [REDACTED]
Subject: Site Alteration Bylaw

Good Morning David,

Norma and I are opposed to the implementation of the Site Alteration and Tree Preservation By-Law.

We find it to be overly restrictive, and know that the costs of administering and enforcing such a by-law will be onerous and an unnecessary tax burden.

We have been careful, gentle managers of our island and observant and aware stewards of all the provincially and federally owned property that surrounds us. This is the normal rather than the exception.

We look forward to hearing and being part of other views and further discussion of the By-Law proposal at the meeting on January 30.

Respectfully,

Norma and Michael Tangney

Steve Wark

From: David L Chambers [REDACTED]
Sent: January 30, 2024 8:17 PM
To: Steve Wark
Subject: A very informative meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks so much to Rebecca and Cale for providing the opportunity for feedback.

To us the issues to be addressed should be clear cutting and blasting.

Cottagers should be in charge of their own forest management with no need for a permit. The majority of us are very protective of the environment and are there because of the love of the Bay. We endure high and low water levels bears fox snakes and rattlesnakes. We generally love our trees and are Thankful to have some growing on the beautiful bedrock.

A great meeting. Irene Chambers.

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Cale Henderson

From: Janet I-C [REDACTED]
Sent: January 30, 2024 8:49 PM
To: Cale Henderson
Subject: Proposed Tree & site alteration bylaws

Thank you for the meeting this evening. As you well know, you can never please everyone. I'm in the camp that we need some regulations - the majority of property owners respect the environment and the integrity of our natural surroundings, but there will always be those bad apples that don't and that's why we need some regulations.

Regarding the tree by-law specifically, I think it will be difficult to clearly define when a tree poses a threat to property or life. In my question, I specifically mentioned poplars as they are dangerous trees - they grow very tall, but their roots are shallow and they are fragile, branches often come down in the wind and they don't live very long. It can be difficult to know from looking at one, when a poplar is dying inside. Last summer we had a tree cutter, who does a lot of work in the Archipelago and used to work for Hydro One, take down a couple of poplars for us to make room for a shed. One of the poplars looked fine from the outside, but when cut down turned out to be rotten inside. We have lots of poplars on our property and we worry about these trees the most.

I also have a question about weeding the beach. Part of our shorefront is a sandy beach, which is a natural attraction for weeds. Every summer I spend a lot of time pulling the weeds out the beach so my grandson can build sand castles and play on the beach. Under the shoreline regulations, will I still be able to keep my beach clear of weeds?

Thanks very much
Janet Isaac Charbonneau

Cale Henderson

From: Gerry Haarmeyer [REDACTED]
Sent: January 31, 2024 8:14 AM
To: Cale Henderson; Dan Macleod - CouncillorWard6
Subject: Draft Site Alteration and draft Tree Preservation By-laws

After attending the zoom presentation on the above two draft bylaws on January 30, 2024 it appears to me that there is little appetite for either one. The draft tree by-law especially!

As you know I reside on Kapikog Lake and am very familiar with the area and have observed the changes in the forest canopy since 1966 when my parents first purchased the property my wife and I now own on Kapikog. There has been a tremendous change in the forest cover due to the ever changing nature of forest succession.

The eastern shoreline of Georgian Bay was heavily logged in the late 1800's and early 1900's as there was a great demand for softwood timber (pine mostly) and bark (hemlock) products. The forest in those days was predominantly white pine which was the climax forest. Harvesting these species altered the vegetative landscape tremendously and left the landscape open to early forest succession plant species blueberry, fireweed and various grasses as well tree species such as trembling aspen, white birch and soft maple all of which are relatively short lived species. As those species got established and matured yellow birch, red oak, beech and hard maple took a foothold and offered an overstory that allowed for the pine and hemlock to re-establish themselves.

When my parents purchased their dream property almost sixty years ago the pine and hemlock around Kapikog Lake were relatively small. Birch and poplar were breaking down and red oak and maple were flourishing. There were large open patches on the rock formation around the lake that held grasses, wild blueberries and raspberries. Today those are gone and have been overtaken by tree species. The white pine has reappeared strongly and oaks and maple are breaking down and dying.

I presented an aerial mosaic sheet 452794 from the Department of Lands and Forests from 1949 to John Fior for duplication and use by the Township. It covers a huge area of the southern part of the municipality. It also shows the limited road access to the area. An aerial shot of the same area today would show a huge difference in forest cover, road access and evidence of human habitation in the area. Change is constant.

I recently cut a 16" dbh oak tree on my property that was breaking down and leaning precariously over my walkway to the lake, it was completely hollow, only 2 inches of wood and bark, an accident waiting to happen. I made the decision to take it down and so it should be! I should not have to contact the municipality to obtain permission to cut down a tree on my property. I am opposed to the tree preservation bylaw.

As far as the proposed site alteration by-law is concerned I believe that it needs far more study. Construction sites of any kind are eyesores and alter the landscape but given time it blends back into the landscape. Things do not stay the same, they change. Just look back at the 1949 aerial mosaic.

Gerry Haarmeyer
16 Munro Dr
Township of The Archipelago
Box 654 Mactier, ON
POC 1H0

Cale Henderson

From: Patrick Hyland [REDACTED]
Sent: January 31, 2024 1:36 PM
To: Cale Henderson
Cc: David Ashley - CouncillorWard4A; Alice Barton - CouncillorWard4B; Rick Zanussi - CouncillorWard4C
Subject: Tree Preservation By-Law

Hi Cale,

Thanks very much for putting on the virtual open house yesterday. I found the Q&A very helpful, but unfortunately missed some of the poll questions.

I wanted to get my views on the record. Like a number of the attendees I think the overall goal of limiting egregious tree clearing is worthwhile but feel the proposed by-law, as written, is far too limiting on reasonable landowner use. Making an offence of cutting down a single tree is going too far. As proposed, the new permitting system would result in a waste of resources for both landowners (creating a detailed site-plan and applying for relief) and Township staff (adjudicating numerous requests for relief).

I do not support the proposed by-law, but I would support a modified by-law that is more narrowly targeted at limiting large-scale clearing.

Thanks,

Patrick Hyland
B528-1

Patrick Hyland
[REDACTED]

P.S. I would also like to note the following potential drafting issues in the proposed by-law:

- 1. (j) "Good Forestry Practice" - "deemed by a professional" should be followed by "to be appropriate" as it is in the definition above for "Good Aboricultural Practice".
- 1. (k) "Hazardous Tree" is defined but never referenced in the rest of the document.
- 5 (a) (xii) exempts cutting trees with DBH < 15 cm. Elsewhere (1 (aa)) "Tree" is defined as being DBH > 15cm. Does this mean a tree with DBH < 15cm and within 7.5 m of the shoreline is instead classified as "Native Shoreline Vegetation" and hence not exempt?

Cale Henderson

From: Scott Sheard - CouncillorWard3B
Sent: February 6, 2024 5:14 PM
To: Cale Henderson
Cc: Earl Manners - CouncillorWard3A
Subject: Fw: Site Alteration and Tree Bylaws

Cale, we asked permission to share this with you from our Skerryvore resident.

Best regards,

Scott

From: Mike K [REDACTED]
Sent: February 2, 2024 4:13 PM
To: [REDACTED] Earl Manners - CouncillorWard3A [REDACTED] Scott Sheard - CouncillorWard3B [REDACTED]
Subject: Site Alteration and Tree Bylaws

Feel free to share.

Guys,

Just wanted to share my concern on the proposed new By laws.

Landowners are free to do as they please. This proposal should be scrapped.

The perception is that this law comes from the top down. That it's more important to Reeve and Council than most people.

There are many reasons not to do this but let's not pretend we don't already pay enough tax.

- The township is overstepping its role. And in principle should have no business dictating how anyone's place should look.
- I should be able to cut any tree down I see fit. Regardless of size. Regardless of my reasons. They're on my property. They're my trees.
- My shoreline is defended by the Ministry of Natural Resources. I don't need yet another set of rules to navigate thru.
- By law being mostly unenforceable encourages neighbors to call on each other. Not good for a community.
- They read like we need to go before the king and ask permission.

Please consider scrapping this bylaw. It's ridiculous in many ways.

Mike Kowalyshyn
Skerryvore
C

Cale Henderson

From: Jennine Loewen [REDACTED]
Sent: February 2, 2024 8:03 PM
To: [REDACTED] Cale Henderson
Cc: Bruce Loewen; Jessie-Anna Loewen; Shaylynn Loewen; [REDACTED] Tess
Subject: Site Alteration and Tree Preservation By-Law

Hello to all

I and my husband Bruce Loewen have read the by-laws numerous times, looked at the infographics, watched the zoom meeting and read the reports given to council. My 4 children all over the age of 18 and 4 of which are voters in the TOA feel we have as good of a grasp on what has been proposed. We have discussed this and sought their input as they will be the guardians of our TOA property in the future - so this affects them all significantly. Many people comment on how long they have been a part of this area. I have an equally longstanding history but feel how long anyone has been here is irrelevant. What I do feel is relevant to note is that we are one of the largest landowners impacted by these by-laws.

We have 191 Acres in the Township of the Archipelago and an adjoining 200 in Seguin Township. This is not our second home. It is our only home.

We have a summary of our thoughts:

ALL 6 of us in this voting household: DO NOT support either by-laws in their current draft form. See our thoughts and concerns below:

1. We support a shoreline preservation by-law to protect the very fragile area between the waters edge - and what is often called the ribbon of life area, buffer area, riparian zone etc. A generous setback to ensure this fragile and eco-sensitive area is protected is good municipal practice. This could enact many of the principles of the site alteration and Tree Preservation by-law's intent when limited to this very fragile area.

We **do not** support these by-laws in their current form for the following reasons:

2. To EXTEND the restrictions and prohibitions beyond that is such surprising over-reach that has yet to be demonstrated as necessary. There already are Provincial Regulations in place that protect waterways, watershed, marshes and wetlands and all ES areas from site alterations around these also fragile areas.
3. Tree preservation can be and should be a focus of ongoing education to ratepayers and is a more appropriate use of our tax dollars.
 - a. Incentives to register large parcels with forest management plans etc. - again a proactive and positive use of tax dollars versus increasing our taxes to *limit our rights* to act as responsible landowners. These by-laws come across as a heavy-handed punishment for imagined crimes not yet committed.
4. The criteria for many of exemptions are subjective, not clear, not practically enforceable.
5. Having to hire a professional to tell us what trees we can cut down (beyond the shoreline preservation's setback) is insulting to those who live and work on the land as part of their livelihood.
 - a. There is a place and a need for these professionals for many people and this fact feeds into a great employment sector for this area - but not everyone needs that and nor should they have to pay for it when they do not.
 - b. Why should we have to pay for this with our taxes to seek permission to do things via more applications, permits, site visits by-law officers: for actions or outcomes that are for good stewardship and land and forest management practices.

6. **Firewood.** Many people who live here year round routinely / primarily with heat with firewood. Where do we see any consideration in this regard? What about seasonal residents who heat into the shoulder seasons with wood?

The principles behind the onset of this process are good. Most people support some kind of forethought required before making shoreline alterations - a shoreline alteration by-law is the most obvious and effective mechanism for this. Extending the by-law to include property beyond the setbacks decided upon is unnecessary and over-reach; leading to anticipated and unanticipated tax payer cost.

Thank you for taking the time to read and record our thoughts into the record.

Sincerely,

Jennine Loewen
Bruce Loewen
Jessie-Anna Loewen
Shaylynn Loewen
Natalie Loewen
Tessa Loewen

Jennine Loewen

Wear a mask
Wash your hands
Physical distance whenever possible



Jennine Loewen, Camp Coordinator & Facility Manager
The Bob Rumball Camp of the Deaf
236 Blackstone Crane Lake Road, Parry Sound, ON, P2A-2W8

[REDACTED]

Charitable Registration: 119067494 RR0001

www.bobrumball.org



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Cale Henderson

From: Nancy Simpson [REDACTED]
Sent: February 2, 2024 11:58 AM
To: Cale Henderson
Subject: Re: Reminder - Township of The Archipelago Site Alteration & Tree Preservation Bylaws Online Open House

Good Morning

Thank you very much for the The Draft Site Alteration and Tree Preservation By-laws Online Open House. Unfortunately something unexpected required me to leave half way through. I thought the session was very well done in every way and thank you for the time and effort that went into keeping owners within the Archipelago informed. Some years ago someone tried to buy a large parcel of land at West end of our little lake with the hope of developing it as a resort and golf course. It was a concerning time and fortunately never went ahead. Everything you do to protect the environment of the beautiful region is very much appreciated. I did answer all the polls. One last thing I did agree with the person who made the comment that we should discourage the use of any fertilizer which probably means discouraging the planting of grass.

Wishing you continued success with this endeavour,

Kind regards,

Nancy Simpson

Healey Lake

----- Original Message -----

From: [REDACTED]
To: [REDACTED]
Sent: Monday, January 29th 2024, 10:35
Subject: Reminder - Township of The Archipelago Site Alteration & Tree Preservation Bylaws Online Open House

Good morning,

The Draft Site Alteration and Tree Preservation By-laws Online Open House is tomorrow night!

The Zoom Meeting will take place on Tuesday, January 30th from 6:00 – 8:00pm - *[Click Here to Join the Zoom Meeting](#)*

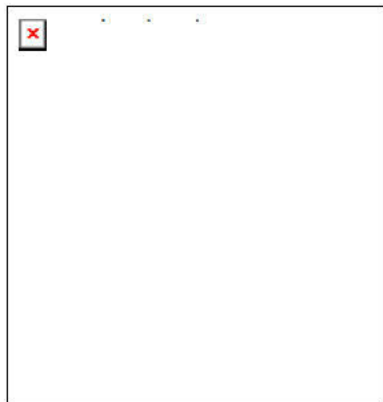
The meeting will be a visual, interactive presentation on the Zoom platform. We recommend ensuring you have the program downloaded prior to the meeting. After clicking the link you should be automatically admitted to the meeting once the Open House begins at 6:00pm.

You can review the draft by-laws and find more information on [our website](#). The online [survey](#) is also available to share your feedback ahead of the Open House.

Regards,

Cale Henderson

Cale Henderson, MCIP, RPP
Manager of Development and Environmental Services
Township of The Archipelago
Phone: [REDACTED]
Fax: [REDACTED]
E-Mail: [REDACTED]



Cale Henderson

From: Judy Douglass [REDACTED]
Sent: February 8, 2024 12:31 PM
To: Bert Liverance - Reeve; Laurie Emery - CouncillorWard1A; Tom Lundy - CouncillorWard1B; Peter Frost - CouncillorWard2; Earl Manners - CouncillorWard3A; Scott Sheard - CouncillorWard3B; David Ashley - CouncillorWard4A; Alice Barton - CouncillorWard4B; Rick Zanussi - CouncillorWard4C; Darlene Cade Fraser - CouncillorWard5; Dan Macleod - CouncillorWard6; Cale Henderson; Maria Pinto; Steve Wark
Cc: Gary Johnson; Walter Sloan; Office
Subject: Archipelago Proposed Site Alteration and Tree Preservation By-Laws

Dear Reeve, Councillors and Staff,

Members of the Iron City Fishing Club have had an opportunity to review the draft By-Laws. The following comments, prepared by our Property Committee Chairman, Gary Johnson, summarize concerns we have about the proposed By-Laws.

The Iron City Fishing Club, located at 640 Georgian Bay Water Archipelago, has reviewed the Township's Draft Site Alteration Bylaw and the Draft Tree Preservation Bylaw and we offer the following comments as concerned seasonal citizens of Georgian Bay.

We appreciate the recognition that maintaining the natural environment in a pristine state is an important and worthy goal for a special place like the Township and UNESCO Biosphere Reserve and the desire to codify those goals. However, we also feel that most Bay residents already have the same sensitivities to environmental protections as these new laws promote and hence wonder if the tree laws are needed at all or if they are overreaching and challenging to enforce. This form of strident tree protection is commonly found in larger cities and towns that are more urban in character than the Township's rural water environment.

We support the positions that our neighbors of the Sans Souci Copperhead Association and the Woods Bay Association have made to you about the proposed bylaw change, especially that the rules would be subjective, and the enforcement would be challenging and costly for the average resident. We currently see no evidence of significant tree clearing or significant shoreline disruption as issues within ours or neighboring areas on the Bay.

Further, existing building and land use permit requirements for any construction project within the Township would seem to take into consideration most of the items listed within the Site Alteration Bylaw provisions. Certainly, large projects should require stricter oversight without creating a one size fits all approach.

Iron City Fishing Club seeks to preserve our natural environment without harm to the natural landscape and waterways. One of our core missions is to protect our environment and to maintain our forested lands and to preserve our waters from any harm for generations to come. We do not believe the proposed bylaws are required as they are presently written and should have more public/resident input before going into effect.

Thank you for your consideration.

Judy Douglass

President, Iron City Fishing Club

Cale Henderson

From: Sean [REDACTED]
Sent: February 9, 2024 5:11 PM
To: Cale Henderson
Subject: Tree Preservation bylaw

This tree preservation bylaw is too restrictive. What happens if a tree is leaning over a driveway, and YOU decide it's unreasonable that I cut it down. I am subject to a 10000 dollar fine? Are we living in Canada or North Korea?

Each property is unique, and a one-size-fits-all approach may not consider the diverse needs of property owners, affecting their ability to manage their land effectively.

I respectfully request a review and potential amendment of the tree preservation bylaw to incorporate more flexible provisions that consider safety concerns and individual property needs.

Cale Henderson

From: Robert M Spiak [REDACTED]
Sent: February 9, 2024 11:14 AM
To: Cale Henderson
Subject: NEW SITE ALTERATION AND TREE PRESERVATION BY-LAW

I am against the draft.

1. I bought my property as a wood lot and built a lake front home to burn wood for heating during and including my retirement. 6-10 trees a year for the last 40 years. This would force me to cut 100-200 trees a year that are less than 6". I could not afford to pay for wood, propane, or electricity.
2. My property is in a valley and over the years I have flattened it by moving high soil to lower areas to give me large useable areas. Using large 18" culverts to control run off. This was not enough. I had to create a lower pond like area to act like a capacity tank to slow the torrential rains we seem to be getting. This also prevents ditches from eroding into the lake and also washing out my house foundation by over flow.
3. By implementing this draft would devalue my property with restrictions.
4. I am on a fixed income, I have used Solar to diminish my hydro bill and gain grocery money. We don't vacation anywhere and just live pay to pay or month to month. We can't afford to substitute our primary heating source and that is wood that we desperately need.
5. Bottom line is that I bought my property, carried the mortgage for 40 years, paid it off and now half of my property would not be usable and my taxes would go up 4% or more. If there is a problem that you require this draft, we are not the problem. It's those \$10,000.00 Cottages that build and then sell. Obviously this cottage was never needed or wanted and the shoreline could have remained the same.

On behalf of my wife, What is the reason why this draft was proposed?
- Biosphere, Ice age Melting, etc?

Thank you Cale, Say hi to Mark Macfie for me!

Robert M Spiak
363 Blackstone-Crane Lake Rd.
The Archipelago, Ont. P2A0B7
[REDACTED]

Cale Henderson

From: RON TEMPLE [REDACTED]
Sent: February 9, 2024 4:16 PM
To: Cale Henderson
Subject: Tree preservation draft

Dear Mr Henderson

Having just glanced over the draft, I have concerns over the logging I see going on around Joe Koran Road and as I have heard recently, around South Crane Lake Road. All these regulations always seem aimed at the tax paying cottagers and home owners. It seems to bypass the for profit companies who are logging and clear cutting swaths of land. These regulations seem somewhat hypocritical. Please correct me if I am making wrong assumptions. If a tree is leaning over a cottage and poses a risk in the future, are we not allowed to remove it proactively? I agree that we need to protect our environment and trees. These regulations seem a bit excessive especially seeing the logging activity.

I just wanted to express my thoughts.

Thank you.

Ron Temple
Crane Lake cottager
[REDACTED]

Dear Councillors/Reeve/Planner and WBCA members.

I was able to attend (and speak) at the Zoom meeting last Tuesday January 30th, as did a number of our members. Most of my members, in comments back to me after the meeting, were quite concerned about the very restrictive nature of these proposed bylaws as currently proposed. I don't believe most people had fully grasped the amount of restrictions being proposed prior to the meeting.

Our perspective on the proposed bylaws, as previously communicated, has not changed after the meeting. I believe we are aligned with the majority of attendees as well, who were also not supportive of the proposed bylaws in their current format.

To our WBCA members, please send any additional feedback back to us if you desire. You can email our councillors (Dave Ashley [REDACTED], Alice Barton [REDACTED] and Rick Zanussi [REDACTED]) directly. We would suggest copying Cale Henderson and Reeve Burt Liverance as well.

As previously noted, the WBCA understands that the Township needs to have some tools to address development as the area continues to change. Whatever these tools look like, they need to be simple and easy to enforce, without adding cost to the ratepayer.

The proposed bylaws will undoubtedly add cost and complexity to any and all interactions with the Township as currently laid out. This is confirmed by the proposed 4% tax increase to support additional staff and equipment to enforce said proposed bylaws. This proposed tax increase has zero support from our association and members.

Most importantly, the proposed bylaws simply do not recognize the realities of property ownership in the Township of Archipelago. This is, as enshrined in the founding documents, a water access community that by definition faces a very different set of realities than other communities. Water access brings both rewards and challenges, and attracts a kind of person that welcomes both of these. Water access residency (full time or seasonal) requires self sufficiency and resourcefulness, since services are often hard to access and expensive when available. TOA residents act as a community, helping each other and doing as much of the work themselves as possible. We manage our own properties, many of which have been in families for generations. The proposed bylaws do not respect the legacy and commitments of TOA residents. Residents also serve as their own fire departments, and have fire risk in mind at all times while managing forests and trees.

Some additional comments we have after the meeting and feedback are included below:

GOAL of the proposed bylaws

- The consultant, among other goals, made reference to a requirement to balance Property Owner Rights against Significant/Negative Impacts of Development:
 - o Our view is that this balance was not struck. Current draft proposed bylaws fall much more heavily towards managing/restricting development and in turn greatly restricting Property Owner Rights
- Notes on the Zoom Meeting and Consultants role:
 - o Zoom presentation used poor examples of bylaw impact
 - One example was very minor gardening, and the other was major property changes including blasting

- Zoom presentation did not reference expected costs to enforce
- Zoom presentation did not reference expected community issues as noted in the Council meeting
- Both the chat and Q&A were full of questions and pointed observations on the bylaws, which we hope were captured

SITE DEVELOPMENT ISSUES

- Far too much attention is being paid to the look of recent developments and current ongoing construction
 - All new construction looks raw, as land is recently disturbed appears raw to the eye
- The “bad” development image used in the Zoom meeting showed trees removed on the back property behind cottage, that would only be visible to the owner or by drone. This would not be visible from the lake, so should not be of concern to the Township
- The reference to minimizing obtrusive building forms ignores much of our built history:
 - All existing cottages are visible and are a part of our environment. Most are more visible just after construction, but become less visible as trees grow and other vegetation around the building matures
- Many existing cottages in the TOA, including much older buildings, required large tree clearing and site development but are now visually pleasing
- Proposed restrictions are far too narrow, and do not adequately recognize the variations in land types across the Township. Local contractors have noted that the restrictions do not adequately reflect the vastly different types of lots/land in the Archipelago, and so are unwieldy and inapplicable in many areas

RESTRICTIVE NATURE of the proposed bylaws

- I would highlight the comment from Bill Pollock, who noted “All trees fall down”. Bill is a tree professional, and is well known in the community:
 - Bill’s comment reflects the reality of forests, that they are evolving and changing and require management. Without management, fire risks increase greatly and we are concerned that this is happening through the Township and Park
 - The Township has a duty to act reasonably and in context with the realities of our geographical area. The area can be characterized as:
 - Rural
 - Heavily wooded
 - Sparsely populated
 - Dominated in many parts by the Provincial Park the Township abuts
 - Water access
 - Water access brings with it corresponding challenges in getting services delivered and managing properties
 - Water access properties utilize their waterfront as their driveway, material delivery zone, material storage zone, boat parking and storage as well as more normal cottage activities such as patios and firepits
- A brief “desktop” survey of the tree/site bylaws enacted in townships referenced by the consultant shows major differences in exemptions and structure to our proposed bylaws:
 - Bylaw restricted to close proximity to water:
 - Haliburton: “The existing Shoreline Tree Preservation By-law No. 3505, as amended, **only applies** to all lands that are within 30 metres of a watercourse in the geographic area of the Municipality of Dysart et. Al”

- Seguin:
 - Tree bylaw “This by-law applies only to shoreline areas (20 metres inland from the high water mark) and to land zoned Environmental Protection”
 - Site Bylaw applies only to land 60 meters from a shoreline and land zoned Environmental Protection
- Muskoka:
 - Tree Bylaw- only applies to lands 300’ from water, with differences by zoning
 - Site Bylaw- only applies to lands 300” or less from water.
- Only General restrictions on tree removal, close to the water:
 - Seguin: “A maximum of 10% of trees may be removed and the cleared area may be maintained open and free of trees (only applies within 20 metres of water). Viewing windows may be trimmed and maintained.
 - To my understanding, Haliburton has pulled their draft tree bylaw after community pushback and is revising
- Recognition of Property Owner Rights:
 - Haliburton: “This Shoreline Preservation By-law applies to lands 20 metres from the high water mark of all lakes, rivers, streams and ponds within the geographical areas of the lower-tier municipalities of Algonquin Highlands, Highlands East and Minden Hills, as well as natural heritage features and areas, like significant wetlands, that play a role in water quality. This Shoreline Preservation By-law recognizes the rights of shoreline property owners to use and enjoy their property, including minor landscaping, creation of access and views to the water and normal forest and/or tree management. A property owner that is pruning a diseased tree, creating a new perennial bed, replacing an existing pathway, installing a fire pit, undertaking minor repairs to an existing retaining wall, or similar activities, will not have to apply for a permit under this By-law. Instead, this Shoreline Preservation By-law is intended to apply to situations where a property owner (or someone acting on behalf of the property owner) intends to significantly alter the grade or topography of a property in a manner that increases the flow of surface water to neighbouring lands or bodies of water. It is also intended to apply to situations when significant removal of trees and/or vegetation is proposed”
 - Seguin: “This bylaw recognizes that waterfront property owners have the right to reasonable access to the waterbody that abuts their property; and have the right to be afforded a reasonable water view”

COMMENTS/RECOMMENDATIONS

- Our draft proposed bylaws appear heavily influenced by Muskoka proposed bylaws. As a former (25 years) Muskoka cottager, there are massive differences in the dynamics and challenges faced by Muskoka vs the Township of Archipelago which renders it a poor comparison. A much more appropriate reference would have been Seguin/Haliburton or other like townships.
- Both proposed bylaws are inappropriate in their current forms:
 - Tree bylaw needs to be withdrawn and discarded
 - Site alteration bylaw can be adapted to a less intrusive and manageable structure without ongoing cost to the ratepayers. This bylaw can and likely should be placed in the comprehensive zoning bylaw

- Any further consultation needs to involve local contractors and service professionals, as well as much greater involvement of the local residents (both full time and seasonal)
- Firesmart principles need to be enshrined in any proposed bylaws. Since the Township does not provide fire service to most of the Township, residents serve as their own fire departments/forest managers. Removing trees and keeping fire loads out of the forest needs to be a key goal in the Township going forward

I trust that the Township will take the feedback received in good faith, and act appropriately. We look forward to further consultations and a presentation of the revised bylaw.

Kind regards,

Reg McGuire
President, WBCA

Cale Henderson

From: [REDACTED]
Sent: February 11, 2024 2:22 PM
To: Cale Henderson
Subject: Tree cutting bylaw

Hi

I am writing to you to express my dissatisfaction with this proposed bylaw.

It is far too over reaching and removes owner property rights.

Most people in TOA are responsible and concerned citizens when it comes to our environment. Yes a law is needed for "excess cutting". Not every tree though.

At a time when our forests are being decimated by logging you want to prevent property owners from managing their own land.

This proposal needs to get more reasonable.

BTW, what is the effect of this proposal if you want you build or add on to a cottage?

Now we won't be able to get a building permit???

Leo

52 south crane lake road.

Sent from my mobile phone

Cale Henderson

From: Victoria Frank [REDACTED]
Sent: February 11, 2024 11:18 AM
To: Cale Henderson
Subject: tree cutting bylaw

Dear Mr. Henderson,

I have been out of the country and therefore missed the deadline, but I feel upset enough to write to you.

I understand the need for environmentalism and I try never to cut a tree unless it is necessary, sometimes due to danger after a storm and sometimes to overcrowding. Very rare on our cottage lot except when the septic went in and then as little harm as possible was done.

I feel very strongly that this new bylaw is a tremendous overreach that would be hard to enforce unless huge tax dollars are put into the program. Our taxes go up enough as it is and then this added? No! The cost to manage and enforce is unacceptable. Most of the landowners can manage their properties quite nicely. It is the developers and clearcutters that are the problem. That is what should be targeted.

If we are not allowed to maintain and thin the property of dead trees, damaged trees, the risk for forest fires goes up as well.

We seem to have no more landowner rights if this law is passed. Someone can come along and mine what is under us and now we have no control over what is on top? Very sad.

I sincerely ask you to reconsider this matter in the interests of the small property owners; most are very environmental. Or at least, limit the law to larger swaths of cutting which should be an issue for all of us. It should cost us nothing to maintain our properties appropriately.

Yours sincerely,
Victoria Frank
cottage owner, Blackstone Lake

Co-property Owner, 281 Georgian Bay Water

It is important to understand certain aspects of the proposed "Tree Preservation" bylaw. The township has suggested guidelines for property owners to follow. While the intent is to preserve our tree coverage it is in my opinion that it does the complete opposite.

The proposed bylaw will force a home owner to seek the township's approval to cut down ANY tree larger than a diameter of 6 inches. There are considerations such as disease or storm damage but a property owner could be in contravention of the bylaw if deemed so by the bylaw enforcement officer. Trees that are within the 25 feet of the highwater line are untouchable without township approval. A \$10000 maximum fine could be levied for the removal of a tree without approval. The property owner may deem a tree to be diseased or damaged or needing removal but the bylaw officer may differ in their opinion. This is a massive over-reach of township authority.

On our property, we have ensured the growth of foliage and natural plants as well as a flower garden. We have planted material from the plant sale from the Georgian Bay Biosphere. A bylaw which proposes restrictions on trees larger 6 inches could potentially have property owners ensuring NO TREES reach maturity and clear cut all young vegetation.

This past summer at our Annual Meeting we had a presentation from the provincial government sponsored program, "FireSmart". The program encourages property owners to carefully manage their property to ensure it is fire safe and ready in the event of a forest fire. This bylaw flies in the face of this program. Trees of a significant size will have to have township approval for removal. This is ridiculous. Should a property owner cut a tree down and is reported to township by a fellow citizen they will be in contravention of the bylaw. Be familiar with the FireSmart property management recommendations:

<https://firesmartcanada.ca/homeowners/homeowner-resources/>

Property owners are responsible for managing their property as they see fit. There is already legislation and municipal/provincial/federal guidelines concerning shoreline damage or property development. The township does not need to over-reach their authority and bind the hands of a property owner to manage the tree coverage on a given property.

On our property I have carefully managed any risky trees which either threaten the deck, the cottage, the dock or any other structure. I already know there are several trees along to shoreline within the 25 feet shoreline limit which will eventually have to be cut down. The bases are rotting on the trees. Wind or an early snowstorm may take them down at some point in the future and they run the risk of falling onto the neighbour's property or our own dock. The proposed bylaw allows me to cut them down IF the township agrees they need to come down. Currently, I do not require the township to approve whether a tree should come down. There is limited trees/shrubs on our property which are within a combustible zone as the FireSmart program recommends. I carefully manage the brush, shrubbery and grass growth around our cottage. I do not need (or require) the township to tell me how to effectively do this.

I would hazard a guess there may be a lot of active tree-cutting this spring and summer given the proposed over-reach by the township. Property owners will work to clear their property of any potential tree issue given the draconian measures under this proposed bylaw.

Township of the Archipelago, please leave property owners to effectively manage their own properties under current property guidelines.

I am a darn good judge of whether a tree is a problem. This proposed bylaw should be withdrawn in its entirety.

Regards,
Luc Voorn.

Steve Wark

From: tim what-ifproductions.com [REDACTED]
Sent: February 12, 2024 4:05 PM
To: Steve Wark; [REDACTED]
Cc: Cale Henderson; Maria Pinto
Subject: Re: Draft Site Alteration & Tree Preservation Open House - Follow Up

Follow Up Flag: Follow up
Flag Status: Completed

Steve, quick question. If we take a permit out to remove some trees as "Unsafe" and your bylaw declines the removal? Does this mean that city is liable for legal damages if this tree falls down on a home or God forbid..kills someone? Good to address this! I think if someones home gets crushed or someone injured in this case..I think insurance has a legal right to go after the city for some kind of liability.

Tim

On 02/12/2024 3:58 PM EST Steve Wark [REDACTED] wrote:

Good afternoon,

Thank you to everyone who registered for the Draft Site Alteration & Tree Preservation By-laws Open Houses. We appreciate the public engagement we've received during this phase of the initiative.

We are currently in the process of compiling and analyzing the feedback we've received from the Open Houses, survey, and correspondence. This will guide the recommendations given to Council, which are anticipated to be presented in March.

The presentation slides are attached to this email, and you can find a recording of the Online Open House held January 30 as well the future report to Council on our website at the link below:

<https://www.thearchipelago.on.ca/p/site-alteration->

Thanks again for your participation in the public engagement process – please stay tuned for updates on the next steps for the Draft Site Alteration & Tree Preservation By-laws.

Best,

Steve Wark

From: Marilyn Capreol [REDACTED]
Sent: February 5, 2024 10:23 AM
To: Steve Wark; Marilyn Capreol
Subject: Re: Reminder - Draft Site Alteration & Tree Preservation In-Person Open House

mino gizhep Steve

Every day at 75 is the beginning of the weekend. ha ha

Monday, February 12th works fine to begin.

Looking forward.

Marilyn Capreol

On Mon, Feb 5, 2024, 10:15 AM Steve Wark, [REDACTED] wrote:

Good morning Marilyn,

Hope you had a nice weekend.

That's great, would you be able to meet either Monday, February 12 from 2-3pm or Tuesday, February 13 from 2-3pm?

Thank you,

Steve Wark

Planning Coordinator

Township of The Archipelago

Phone: [REDACTED]

Fax: [REDACTED]

EMail: [REDACTED]

From: Marilyn Capreol [REDACTED]
Sent: Thursday, February 1, 2024 12:14 PM

To: Steve Wark [REDACTED]

Subject: Re: Reminder - Draft Site Alteration & Tree Preservation In-Person Open House

mino gizhep Steve,

the week of the 12th to 14th I have lots of availability.

miigwi'ch for asking

Marilyn

On Thu, Feb 1, 2024, 11:54 AM Steve Wark, [REDACTED] wrote:

Thank you Marilyn,

Glad you were able to make it to the online Open House. When you get a chance, please provide me with some times you are available in the coming weeks and we will schedule a meeting with you soon.

Best,

Steve Wark

Planning Coordinator

Township of The Archipelago

Phone: ([REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

From: Marilyn Capreol [REDACTED]

Sent: Friday, January 26, 2024 2:57 PM

To: Steve Wark [REDACTED]

Subject: Re: Reminder - Draft Site Alteration & Tree Preservation In-Person Open House

Steve

I will get on line plus speak for an in person,

miigwi'ch and happy Friday

On Fri, Jan 26, 2024 at 2:48 PM Steve Wark [REDACTED] wrote:

Aanii, hello Marilyn,

I'm sorry you were unable to attend last night's Open House – I hope you are doing well and wish you a quick recovery.

We are holding an online Open House via Zoom this coming Tuesday, January 30th from 6:00 – 8:00pm. I will provide the link below if you are interested and able to join. A recording of the meeting will also be posted on our website in the days following the event.

Zoom meeting link: <https://us02web.zoom.us/j/85098096441?pwd=bmF4cHJ0ZmlVUzRXM3daakM4c0VpZz09>

We would also be happy to arrange an in-person meeting with you – if you would like, please let me know your availability following next week's open house and we can set something up.

Best,

Steve Wark
Planning Coordinator
Township of The Archipelago

Phone: [REDACTED]
Fax: [REDACTED]
EMail: [REDACTED]

From: Marilyn Capreol [REDACTED]
Sent: Thursday, January 25, 2024 4:41 PM
To: Steve Wark [REDACTED]
Cc: Maria Pinto [REDACTED] Cale Henderson [REDACTED]
Subject: Re: Reminder - Draft Site Alteration & Tree Preservation In-Person Open House

SORRY MEANT "VALUES" not the word smartphone decided.

On Thu, Jan 25, 2024, 4:38 PM Marilyn Capreol, [REDACTED] wrote:

Mino gizhep, good late afternoon,

I have to send my regrets for this evening.

I had a bit of serious surgery yesterday and finally its toll has caught up with me.

I am hoping there is an opportunity to have input again.

I am an indigenous person that wanted to speak my life long values or knowledge sharing about shoreline medicine plants, spawning beds that no longer exist and trees that have significant meaning and cultural valveals and importance.

I live year round in the territory and could have an in person meeting.

Miigwi'ch, thank you for your continued work.

Marilyn Capreol

[REDACTED]

On Wed, Jan 24, 2024, 3:52 PM Steve Wark, [REDACTED] wrote:

Good afternoon,

This is a reminder that the Draft Site Alteration and Tree Preservation By-laws In-Person Open House is tomorrow night, **Thursday, January 25th from 6:00 – 8:00pm**

The evening will consist of:

- **Drop In & Time to Ask Questions 6:00-6:30pm**
- **Power Point Presentation and Q&A Period 6:30-7:30pm**
- **Breakout Discussion Groups 7:30-8:00pm**

You can review the draft by-laws and find more information on [our website](#). The online [survey](#) is also available to share your feedback ahead of the Open House.

If you are unable to make it in-person tomorrow, you can still [register for the Online Open House](#) which will take place on Tuesday, January 30th from 6:00 – 8:00pm.

Best,

Steve Wark

Planning Coordinator

Township of The Archipelago

Phone: [REDACTED]

Fax: [REDACTED]

EMail: [REDACTED]

Steve Wark

From: David Toyne [REDACTED]
Sent: February 13, 2024 8:14 AM
To: Steve Wark
Cc: Cale Henderson; Maria Pinto
Subject: RE: Draft Site Alteration & Tree Preservation Open House - Follow Up

Follow Up Flag: Follow up
Flag Status: Completed

Thanks to all for putting this on.

I noted that several people wished to have had the open discussion before participating in the polls. I agree – this would have been helpful.

One of the challenges of municipal planning is the extensive use of jargon. You guys live this stuff. Most of us have a tough time reading planning documentation. The slides supporting the presentation were good, but it's a lot to take in, in a short time. I wonder whether the use of pre-recorded video is a good use of time, talent and technology. To give people the chance to learn in a thoughtful way before the meeting.

One question regarding your email – you note that the website link includes the open house recording AND the future report to Council. Do you mean that the future report will be available on the site? Will you email us with notification when this happens?

Thanks!

David Toyne

From: Steve Wark [REDACTED]
Sent: Monday, February 12, 2024 3:58 PM
Cc: Cale Henderson [REDACTED] Maria Pinto [REDACTED]
Subject: Draft Site Alteration & Tree Preservation Open House - Follow Up

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

Thank you to everyone who registered for the Draft Site Alteration & Tree Preservation By-laws Open Houses. We appreciate the public engagement we've received during this phase of the initiative.

We are currently in the process of compiling and analyzing the feedback we've received from the Open Houses, survey, and correspondence. This will guide the recommendations given to Council, which are anticipated to be presented in March.

The presentation slides are attached to this email, and you can find a recording of the Online Open House held January 30 **as well the future report to Council on our website at the link below:**

<https://www.thearchipelago.on.ca/p/site-alteration->

Thanks again for your participation in the public engagement process – please stay tuned for updates on the next steps for the Draft Site Alteration & Tree Preservation By-laws.

Cale Henderson

From: Dmitry Krass [REDACTED]
Sent: February 14, 2024 9:37 AM
To: Cale Henderson; [REDACTED]
Subject: Proposed Site Alteration and Tree Preservation By-Law

Dear Mr. Henderson and Ms Findlay,

I am writing to express my concerns re the proposed Site Alteration and Tree Preservation By-Law. While I support ensuring that the township has the power to regulate major landscaping activities such as significant clear-cutting or rock-blasting, I am concerned that the proposed by-law, as written, will be intrusive with respect to property owner's rights to maintain and enjoy their property. My particular concern is in relation to fire and wind danger posed by trees that are in closed proximity to the existing or new structures.

As the tragic fire of 2018 in Paradise, California (death toll 88 people) showed, the only houses that were not damaged were the ones where property owners removed any tree in close proximity to their houses and replaced them with lawns. Such houses (I believe there were only a few in the whole township) were unscathed. This is particularly relevant in Pointe-au-Baril, where we have no fire service and the surrounding forest is full of deadwood (I walk there regularly) so the potential fire danger is quite extreme. This is coupled with the fact that both South Shore and North Shore roads provide a single point of access/ escape in case of the fire. Thus, efforts by property owners to minimize fire danger to their properties, which may include removing large trees in close proximity to their houses, should be encouraged.

The same consideration extends to possible danger from windstorms. Last year, while working in my office during one such storm, my window was narrowly missed (i.e., brushed) by a falling tree. That tree was quite healthy and missed me by mere inches. The thin soils in our area unfortunately makes most trees, particularly large ones, unstable. As a quick drive or walk through the woods shows, we lose many trees, that seem perfectly healthy, after every large windstorm.

I am the owner of 142 South Shore rd. I have several large trees in close proximity to my house. While I have not removed them yet (we enjoy the tree cover), I would like to be able to do so, particularly if we will have a dry summer with forest fires in the area. I would not want the new by-law that, by my reading, is quite restrictive when it comes to trees above 15 cm, to prevent me from keeping my family safe.

Sincerely,

Dmitry Krass
[REDACTED]

Township of the Archipelago Site Alternation and Tree Preservation By-laws

Comments:

Sent in by Nancy Regan and David Ballentine

[REDACTED] and [REDACTED]

P.O. Box 239, Nobel, ON P0G 1G0

Thank you for the opportunity to comment on the proposed By-laws. We appreciate your efforts to try and better our community. We also appreciate the community consultation in both formats. We attended the in-person session and the online session.

We would like to outline the concerns that we have with this current By-law proposal.

- These By-laws are overreaching. The proposals outline what is permissible and what is not, but with the caveat that it is up to staff and council for final decision making. Property owners are potentially subject to the whim and bias of whoever is in charge. This makes this system inherently flawed and too subjective.
- The By-law approach seems to be backwards as was mentioned in both sessions. Instead of having a By-law that is complicated with minutiae; start with broad statements that everyone can get on board with such as: “no clear cutting” and further; “Here is the outline of what that looks like and here are the penalties”.
- We are concerned with the unavoidable fact that too many by-law officers will be required to police the few that do wrong. We believe most property owners are responsible citizens who wish to see their property well preserved for the next generation - as is the tradition in this area. We do not support our taxes (which will rise) being used to finance this By-law.
- We would be better served to educate people who newly purchase in our area on best building practices, community, and environment. Let’s incentivize property owners to do the right thing re: septic and other programs. When the Township offered the Food Cyclers to residents at a significantly reduced cost, the response was amazing! We were on board and wanted to reduce wet landfill due to the education we received around this issue. Similarly, we feel confident that residents would be receptive to information/education and incentive programs. This is also empowering the people to do the right thing with guidance.

- This By-law will pit neighbors against neighbors in our special summer refuge - this does not sound appealing and is very Orwellian.
- Looking at the Township of Muskoka Lakes, they have an online form that you can use to lodge a complaint against a neighbor. You must provide your information, but your complaint remains anonymous. Even worse for the individual to not know who is reporting against them.
- 87% of the land in the TOA is Crown land (as was mentioned in the sessions). As businesses are not subjected to this proposal – there is only a small percentage of land remaining that is privately owned and subject to this By-law.
- It is hypocritical that the Township or a local Board of the Township is exempt from this By-law. If you expect your constituents to follow the process and pay the fees, so should you.
- On the note of exemptions, the process seems costly and unfair. If a consideration of penalties is necessary, they should be proportional to the amount earned in the present year (Reference: Finland and other countries speeding ticket fines are structured in this manner). Thus the impact is felt equally.

Concerns regarding the Tree Removal By-law:

- By-law section 8: It sounds like the By-law officer has the jurisdiction to wonder onto our property at any time and this is very invasive.
- Laborious and time-consuming process to apply for all exemptions for what we can do on our own private land.
- There are no provisions for planting native trees and plants as they would require greater than 1 foot of soil and that is maximum allowed. This is illogical.

Concerns regarding the Site Alteration By-law:

- Roads are permitted for building but need to be removed according to your specifications. What are these specifications?
- Section 5.16 – remove the word “reasonable”. This is subjective. It is either required or not required.
- Section 6(a) – This is an unreasonably long and expensive process with lots of back and forth with Council, who may require further supporting documents/ costly professional input. This will additionally reduce the time they have for their other Township obligations. Which is an increased burden on their time.
- Section 5.5 – remove “and meets the intent of the By-law”. This is subjective and negates the intent of the exemption.

In Conclusion:

- David and I feel this By-law is too heavy-handed and reads like a page from the Township of Muskoka Lakes Site alteration and tree preservation By-law. It makes sense for that area that is mostly comprised of private waterfront and protected parks. In our area, the amount of privately owned shoreline that is under this proposed By-law is less than 5% of the Archipelago. The extra financial burden (through taxation and permits) for landowners, will ensure that the area will be accessible only for the wealthy. The lawsuits that will ensue from well-heeled landowners will cost the township dearly.
- We can lead much more effectively by having a conversation and educating our community rather than restricting them.
- The Georgian Bay Biosphere's mandate is to work to make this area sustainable for the community as a whole and all people. We respect what they are doing for our area and in turn take pride in behaving responsibly as landowners. We are asking that you do the same.
- We would appreciate information as you have it regarding the outcome of this discussion.

Steve Wark

From: Stephen Gunn [REDACTED]
Sent: February 26, 2024 10:07 AM
To: [REDACTED] Bert Liverance - Reeve
Cc: Steve Wark; Patti Gunn
Subject: Proposed bylaws - tree cutting and fill

Follow Up Flag: Follow up
Flag Status: Flagged

Earl, Scott and Bert

Thanks for your continuing efforts in representing us!

We are emailing to urge you not to pass the new bylaws as currently drafted regarding tree cutting and fill. While we are supportive of the goal of preventing clear cutting and significant modifications to the natural topography within the Archipelago, the bylaws as currently written are a massive overreach and a bureaucratic nightmare.

If the goal is to prevent clear cutting then we should simply create bylaws to address clear cutting (eg you have to seek approval to remove more than 5% of the trees on your property), rather than a bylaw requiring an owner to seek formal approval for every single tree. For example, in the spring and summer we sometimes have one or two trees that need to be culled for various reasons (eg stressed, overhanging a building, dangerously leaning, blocking a view, etc). I can't fathom having to submit a site plan marking the location of the tree and then waiting for a bureaucrat to bless the plan and give me permission to cut it down - all for routine annual maintenance on our islands. What an ill conceived nightmare of red tape, expense and wasted time!!

The same logic applies to adding fill. If we want to create a simple path using some fill then we should be able to do it without the hassle of bureaucracy. If we want to blast half the island then I should need blessing from the township.

These bylaws should be written to prevent big problems at a macro level, not written by requiring permission for every action at the micro level.

Thanks for your attention to this.

Regards

Steve Gunn
Patti Bunston Gunn
Islands A301 and A303

Sent from my iPhone

Steve Wark

From: Cale Henderson
Sent: February 27, 2024 1:22 PM
To: Steve Wark
Subject: FW: Site Alteration and Tree Bylaw

From: Earl Manners [REDACTED]
Sent: Thursday, February 22, 2024 5:28 PM
To: Cale Henderson [REDACTED]
Subject: Fwd: Site Alteration and Tree Bylaw

FYI.

----- Forwarded message -----

From: Mike K [REDACTED]
Date: Wed, Jan 31, 2024 at 10:51 AM
Subject: Site Alteration and Tree Bylaw
To: Earl Manners [REDACTED] Scott Sheard [REDACTED]

Guys,
Just wanted to share my concern on the proposed new By laws.
Landowners are free to do as they please. This proposal should be scrapped.
There are many reasons not to do this but let's not pretend we don't already pay enough tax.
Please consider scrapping this bylaw. It's ridiculous in many ways.

Mike Kowalyshyn
Skerryvore

Steve Wark

From: Cale Henderson
Sent: February 27, 2024 1:22 PM
To: Steve Wark
Subject: FW: input re: TOA proposed new by-laws for site alteration and tree removal

From: Earl Manners - CouncillorWard3A [REDACTED]
Sent: Thursday, February 22, 2024 5:16 PM
To: Cale Henderson [REDACTED]
Subject: Fwd: input re: TOA proposed new by-laws for site alteration and tree removal

As mentioned.

Get [Outlook for iOS](#)

From: Chris Keith [REDACTED]
Sent: Wednesday, February 14, 2024 2:55:27 PM
To: Scott Sheard - CouncillorWard3B [REDACTED] Earl Manners - CouncillorWard3A [REDACTED]
Subject: input re: TOA proposed new by-laws for site alteration and tree removal

Scott & Earl,

I am a property owner in ward 3 of the Township of the Archipelago (I own Island A66-1 in Shawanaga Bay, near Skerryvore). I am writing to you regarding the proposed new Site Alteration And Tree Preservation by-laws. I agree that we need to protect the beauty of the area and its natural resources, and I also agree that the Township needs to prevent major alterations to the landscape like clear-cutting and rock blasting, which I understand have been happening and cannot be prevented by current regulations. However, I am concerned that these new by-laws are so far-reaching that they will unduly limit property owners with modest intentions, while also creating significant added expense. In particular, I have the following issues with the new by-laws:

- Direct cost to the property owner: I am building/renovating on my property as we speak. The building permits alone have cost over \$9000. The survey cost a further \$3000. To add additional site alteration fees and tree removal fees – potentially including an environmental impact assessment (sounds expensive), an archeological assessment (where would I even find an archeologist?), or the open ended “any other materials the Township deems necessary – risks a cost escalation that could make it unaffordable for owners, also hurting resale values.
- Indirect cost to the property owner: In one of the town halls, the Township noted that the cost of administering these new by-laws would be a 4% budget increase. Given the pace of inflation, I find this added expense to be significant. In addition, the cost will mount each year putting further pressure on property taxes to go up.
- Islands vs Mainland: These by-laws seem principally written for mainland applications, e.g. many references to driveways and roads. Islands have rather different circumstances and thus it would seem worthwhile to consider differentiated by-laws for those of us not on the mainland. For example, provisions for docks (in lieu of driveways).

Net, while I respect the objective, I feel the scope is too broad and the implementation too expensive. I urge you to use your vote in Council to reject them altogether, or send them back for further revisions/consideration.

Sincerely,

Christopher Keith
Island A66-1

Steve Wark

From: Dana Fawcett [REDACTED]
Sent: Monday, February 12, 2024 7:00 PM
To: Darlene Cade Fraser - CouncillorWard5 [REDACTED]
Subject: Fwd: TOWNSHIP OF ARCHIPELAGO - NEW SITE ALTERATION AND TREE PRESERVATION BY-LAW

Good afternoon

We are very strongly opposed to this new by law. 6" is a tiny tree. Is the township going to cover people's insurance claims and deductibles when trees fall on thier cottages because they were denied the ability to cut down a tree that the owner or his arborist deems a risk? Is the township hiring qualified arborists to accurately determine whether or not a tree is safe. The fact that they want to increase our taxes by 4% this year to pay for this is ridiculous.

I have attached the Sequin tree by law for your perusal. It is in my opinion more in line with what a tree by law should look like in this area.

What the township is proposing is more in line with something Toronto would have in place. We have plenty of trees! I understand we do not want people clear cutting thier shoreline, but this is over the top. There has to be a better solution

No one I have spoken to about this is happy.

It would appear that Ward 5 should possibly be looking into leaving The Archipelago Township. I know Ian Mead had looked into that some time ago. Perhaps it is time to look into it again.
We already pay for and share fire services with Sequin.

Can you please get back to me with where you stand on this proposed by law and tax increase.

Dana Fawcett

Cale Henderson

Council Members of The Archipelago Township

I am writing this letter to address my concerns surrounding the new By-Laws the Council Members and the township wish to implement concerning Site Alteration and Tree Preservation in the Archipelago Township. I attended the virtual online open house on January 30th, and I still have some concerns. This letter is intended to outline some of these concerns and questions that have come to my attention.

These new by-laws will apply to the residentially zoned areas of the township, but not the commercially zoned areas. How is that fair and just? The Site Alteration By-Law and Tree Preservation By-Law addresses anyone who intends to significantly alter their property through altering the grade/topography affecting natural environmental features or by removing trees or native shoreline vegetation that would significantly and negatively impact the sensitive environment.

As stated by attendees of the virtual open house the rampant destruction of trees and shoreline is the result of new development which includes the demolition of old structures and clearing new lots which require drastic changes to the environment to accommodate new buildings and water access. The locals and the owners of older cottages are most likely not the individuals causing environmental destruction that should be held responsible for the destruction and negative impact on the environment. Therefore, the By-laws as written are overreaching.

Archipelago Township is made up of several islands, freshwater lakes and lands that are generally undeveloped located which resides on Anishinabek territory. How are these areas affected? The by-laws should not be focused on the locals and the cottagers but rather focused on contractors and landowners that hire them to conduct the destructive and damaging changes to the sensitive biosphere of the Georgian Bay Area.

It is understood that there is some recognition for the rights of the property owners to use and maintain their property through minor changes which have little impact on the environment. The current rules are written such that the township insinuates that we, the cottagers, and residents, do not cherish or respect the environment that we love. The township seems to want to tie the hands of the residents/cottagers who have maintained and nurtured the very environment that they cherish and have loved for generations.

Residents/cottagers cut dead trees for firewood to heat their homes or cottages, not for clear cutting purposes to get a better view or water access. They cut down dead trees and remove brush to prevent the spread of forest fires and potential damage to structures on their property. This will encourage new growth of trees and vegetation which in turn will enhance our natural environment. The wrong hands are being tied.

Do locals/cottagers that need a tree removed before that tree becomes dangerous, either to buildings or people must wait for someone from the township to come out and decide if it is in fact dangerous? What level of priority will these cases be to the township? If the tree falls and causes harm, damage or even a death during the waiting period is the Township liable?

The overall goal and the Township's philosophy is to limit development by controlling growth through the responsible use of land, development, and environmental planning. A philosophy which is focused on the preservation and protection of the Georgian Bay shoreline and watershed areas. Its focus should turn from the residents and cottagers to the new landowners and contractors that are employed to significantly alter the environment which negatively impacts the Georgian Bay Biosphere.

The property of the township and its council seem to be the priority in meeting their goals and objectives without the due diligence and collaboration of the locals and the cottagers who have built, maintained, and shown respect for the Georgian Bay Biosphere that is a very part of who they are as a people. There should be more meetings regarding this issue when the cottagers are present during the summer months.

Every project has a beginning, however many locals/cottagers only found out about the intended new By-Laws when they received notification of the open house. Why didn't the township/council members notify locals/cottagers earlier in the project? The township's philosophy and overall goal must have By-Laws and rules in place to achieve and maintain the desired outcome of protecting the lands, inland freshwater lakes, and islands that make up the prestigious beauty of the Archipelago Township. What makes it necessary to add the Site Alteration & Tree Preservation By-Laws? Who is going to enforce these new By-Laws if they are brought forward and accepted by council members and community?

For thousands of years the Ojibway and Anishinaabe people have resided here and utilized the territory for their livelihoods throughout the generations. First Nations peoples still reside in The Archipelago. Has their Chief and council members been advised of the New By-Laws that are being brought forward by the Township? If so, have they had the opportunity to advise and make recommendations regarding these By-Laws and the impacts they may have on the care and nurturing of the natural environment?

Are the intended By-Laws necessary? What is the return for the locals/cottagers who will be expected to pay more taxes (4% increase)? There are many questions and concerns regarding the complexity of these By-Laws that are being proposed. Perhaps educating people through open houses, community interactions and showing respect to the locals/cottagers who have cared for, nurtured, and cherished the lands of the Archipelago, would achieve a much greater commitment dedication to preserve the shorelines, trees, and natural habitat. Full transparency regarding the work of the Agency that was brought in to assess the situation and just where the project stands would create a better

understanding of the intentions of Council. What about all the cottagers that purchased their waterfrontage when the government came around years ago? Are you saying that now our investment is worthless if this new By-Law goes through, since we are losing our rights to maintain our own property? Why should the members of Council who do not reside in Ward 1 even have a say/vote in what goes on in our area?

If you want any support from your community then stop overreaching, be more inclusive, transparent and realize we are not all wealthy cottagers. A lot of us have been a do it yourself, self-sufficient, multi-generational community to maintain our properties and financially keep our cottages. We have always respected and embraced the serenity of the natural beauty that Mother Nature provides. It feels that we are being dictated to what we can or can't do on our own property. Most of the cottagers have not done anything wrong to deserve this outrageous overreaching and increase in taxes. This By-Law is going to create conflicting situations with one another and could potentially cause the loss of generational properties due to increasing taxes and fees.

It is imperative that you listen to your community and other points of view before making any major decisions regarding this matter.

Thank you for taking the time to read our letter.

Brian Burk (cottage owner, generational property "Camp Georgian" (Sturgeon Bay Marine) 76 years.

Rhonda Beckensall (cottage owner, generational property) 65 years.

Steve Wark

From: Cale Henderson
Sent: February 28, 2024 1:50 PM
To: Steve Wark
Subject: FW: Draft Bylaw - Trees and Fill
Attachments: TOA Site Alteration ^0 Tree Preservation By-law - Infographic ^N2 Site Illustration AODA(1).pdf; TOA Graphics - Site Alteration Bylaws 2023 REV03.pdf

From: T. Scott Sheard [REDACTED]
Sent: Wednesday, February 28, 2024 11:33 AM
To: 'Dave Bunston' [REDACTED] Bert Liverance - Reeve
[REDACTED]
Cc: 'Wendy Bunston' [REDACTED] Cale Henderson [REDACTED] Earl Manners -
CouncillorWard3A [REDACTED] Scott Sheard - CouncillorWard3B [REDACTED]
Subject: RE: Draft Bylaw - Trees and Fill

Dave, hope this finds you well and our appreciation to you for providing input on the DRAFT Site Alteration and Tree Cutting Bylaw.

While most of our residents work within the OP and CZBL, the intent of any change must deal with those that have no intention to do so. Staff and our consultants have included what other municipalities have embraced to prevent extreme alteration. The purpose of community consultation is to tailor it to our Township and provide remedies and tools to deal with egregious acts by a property owner. Your comments are valued by Council and Staff to tailor this prospective DRAFT bylaw to our community.

However, there is a misconception that property owners will not be able to remove a threatening tree or build a path on their properties without bureaucratic oversight or process. I've included a pictogram from the Township website that was developed by Staff to illustrate what a property owner can do. From my perspective, it displays the ability of a property owner to continue everyday decisions on their properties. I hope this helps clarify what is currently permissible in the DRAFT bylaw.

I've copied our Manager of Planning & Environmental Services, Cale Henderson to include your comments in the formal consultation process. Staff is preparing a report on the consultation process for March Council meeting.

We are happy to discuss further, and please reach out by phone as your schedule allows.

Kind regards and best to Wendy,

Scott

Ps. I've copied our formal Township emails as well.

T. Scott Sheard
Councillor Ward 3

From: Dave Bunston [REDACTED]
Sent: Tuesday, February 27, 2024 7:12 PM
To: Earl Manners [REDACTED] Scott Sheard [REDACTED] Bert Liverance
[REDACTED]
Cc: Wendy Bunston [REDACTED]
Subject: Draft Bylaw - Trees and Fill

Scott & Earl,

Thanks for your all your support in representing us locally.

We are emailing you to reconsider the new bylaws as currently drafted regarding tree cutting and fill. We believe that if the goal is to prevent clear cutting and significant modifications to the natural topography within the Township, the bylaws as currently written extend far beyond that objective and create a problem for those property owners simply looking to make more modest decisions around dealing with dying or unsafe trees or a pathway to ensure safe passage.

I understand that if you are trying to prevent clear cutting then you should create bylaws to address clear cutting that establish a specific threshold of tree removal instead of a bylaw requiring an owner to seek formal approval for every single tree.

This common sense should also apply to adding fill. If someone wants to create a simple path using some fill then we should be able to do it without applying for a permit.

Best Regards

Wendy and David Bunston
[REDACTED]