

# The Township of The Archipelago

## Public Meeting Report

**Report No.:** Z06-24

**Date:** November 22, 2024

**Originator:** Maria Pinto, Planner

**Subject:** Public Meeting Report – Zoning By-law Amendment Z06-24

**Owner:** Portincross Estates Limited

**Agent:** Rupert Kindersley

**Location:** 1 B601 Island (Good Cheer Island), The Archipelago

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### **RECOMMENDATION**

Staff recommends that a decision with respect to the application be deferred until a future date, to permit a review of any comments from the public, agencies and Council.

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### **PROPOSAL**

The purpose of the proposed Zoning By-law Amendment No. Z06-24, is to amend the site specific 'Private Club Exception 1 (PC-1)' Zoning on Island B601 Island, being Good Cheer Island, in front of the Geographic Township of Cowper, The Archipelago.

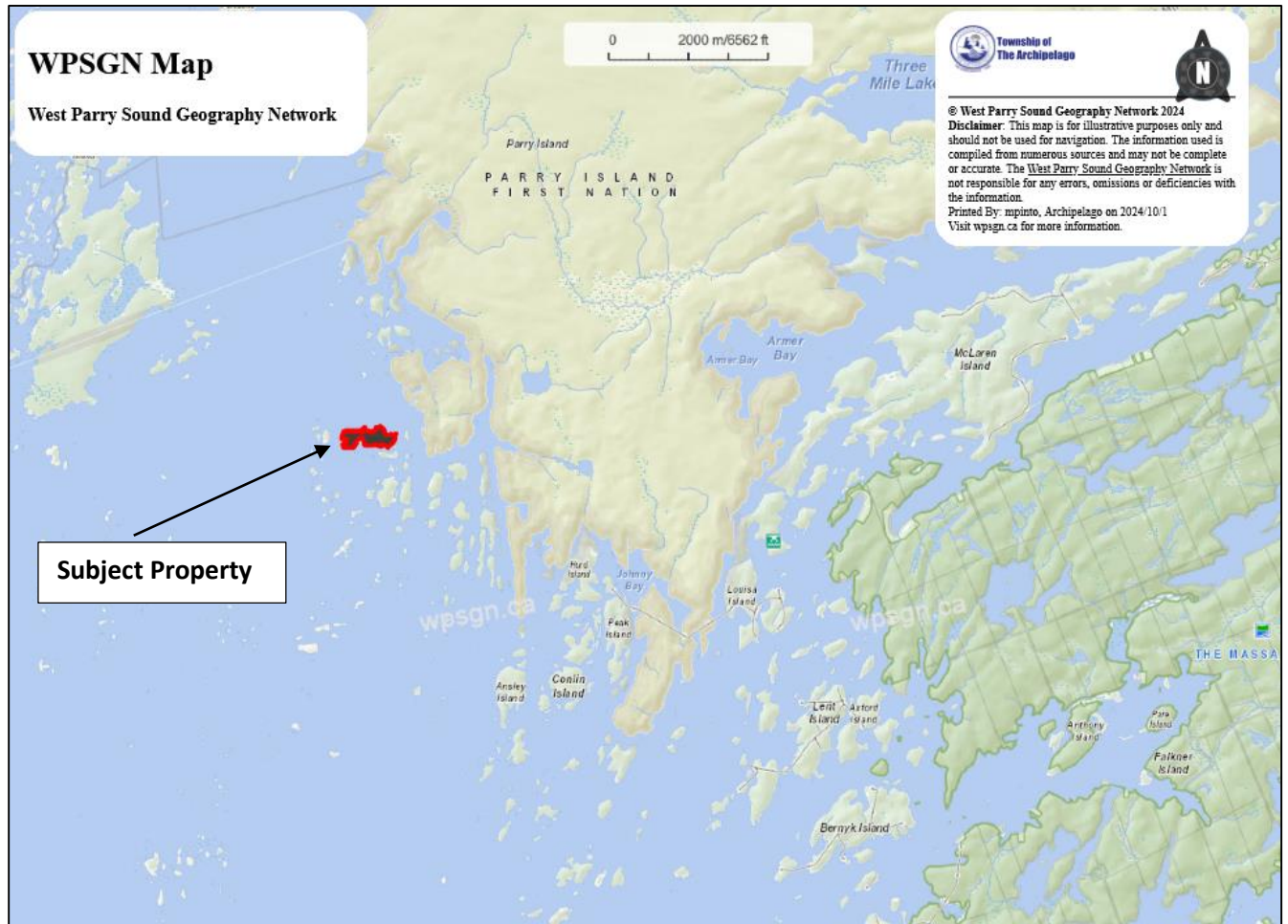
The effect of the proposed Zoning By-law Amendment would be to allow a maximum of fourteen sleeping cabins on the property, recognizing an existing oversized sleeping cabin, as well as reducing the maximum Total Lot Coverage of the property by 300m<sup>2</sup> (3229ft<sup>2</sup>) to a total of 2700m<sup>2</sup> (29,063ft<sup>2</sup>).

A draft by-law amendment is attached to this report as Appendix C.

### **PLANNING INFORMATION**

<b>Zoning By-law Amendment Application Z06-24</b>	
Property:	1 B601 Island (Good Cheer Island)
Official Plan Neighbourhood:	Long Sault-Amanda
Ward:	4
Existing Zone:	Private Club Exception One (PC-1)
Existing Use:	Private Club/Commercial/Residential
Property Size:	11 ha (27 ac)

## LOCATION MAP



## BACKGROUND

The subject property, Good Cheer Island, is located within the Long Sault-Amanda Neighbourhood in the Official Plan. The subject property has a lot area of 11 ha (27 ac), and is zoned Private Club Exception One (PC-1). The surrounding uses include residential, vacant lands and Wasauksing First Nation. Good Cheer Island is currently developed with 4 main dwellings, 6 sleeping cabins, and various accessory buildings/structures.

In 1990, the subject property was rezoned from a residential zone to a Private Club (PC) Zone to recognize an existing private club that was not captured in the 1983 Zoning By-law. The Official Plan also has a site-specific special policy, as part of Official Plan Amendment No. 14, to reflect the existing development on the property. Following that rezoning it was identified that the site-specific zoning combined with the Private Club zoning at that time limited development on the property. Subsequently, in 1998 a Zoning By-law Amendment was brought forward to return to the historical development rights on the property to be eligible for up to eight main dwellings together with the existing ancillary buildings and structures. This approval was contingent on development rights being removed from Island B620 (Nancy Island) and Island B621 (Campbell

Rock), which are also owned by Portincross Estates Limited (Figure 1), and resulted in one additional building site being permitted on Good Cheer Island. The current site-specific zoning permits a total of 8 single detached dwellings, existing sleeping cabins, and accessory buildings with site specific zone standards.

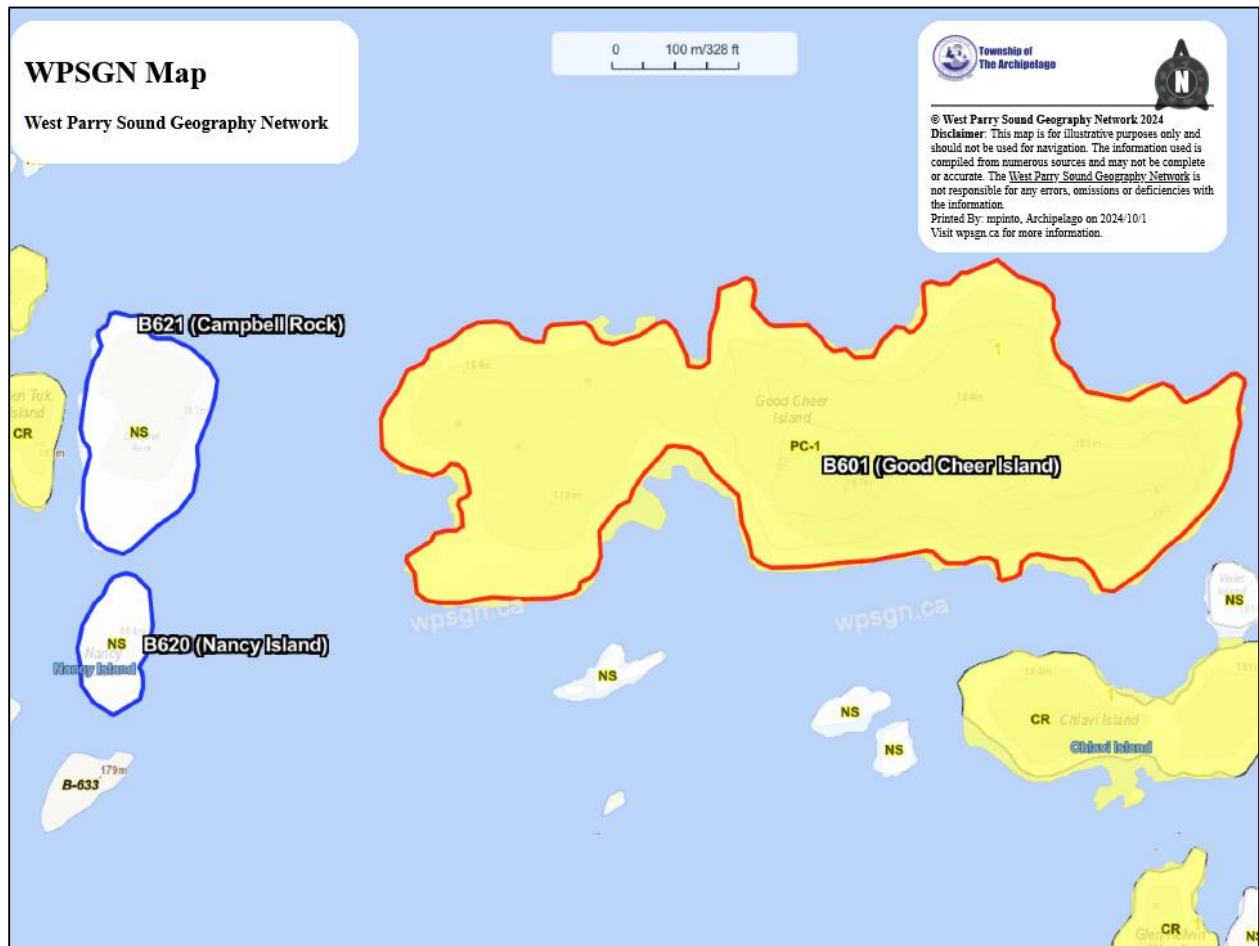
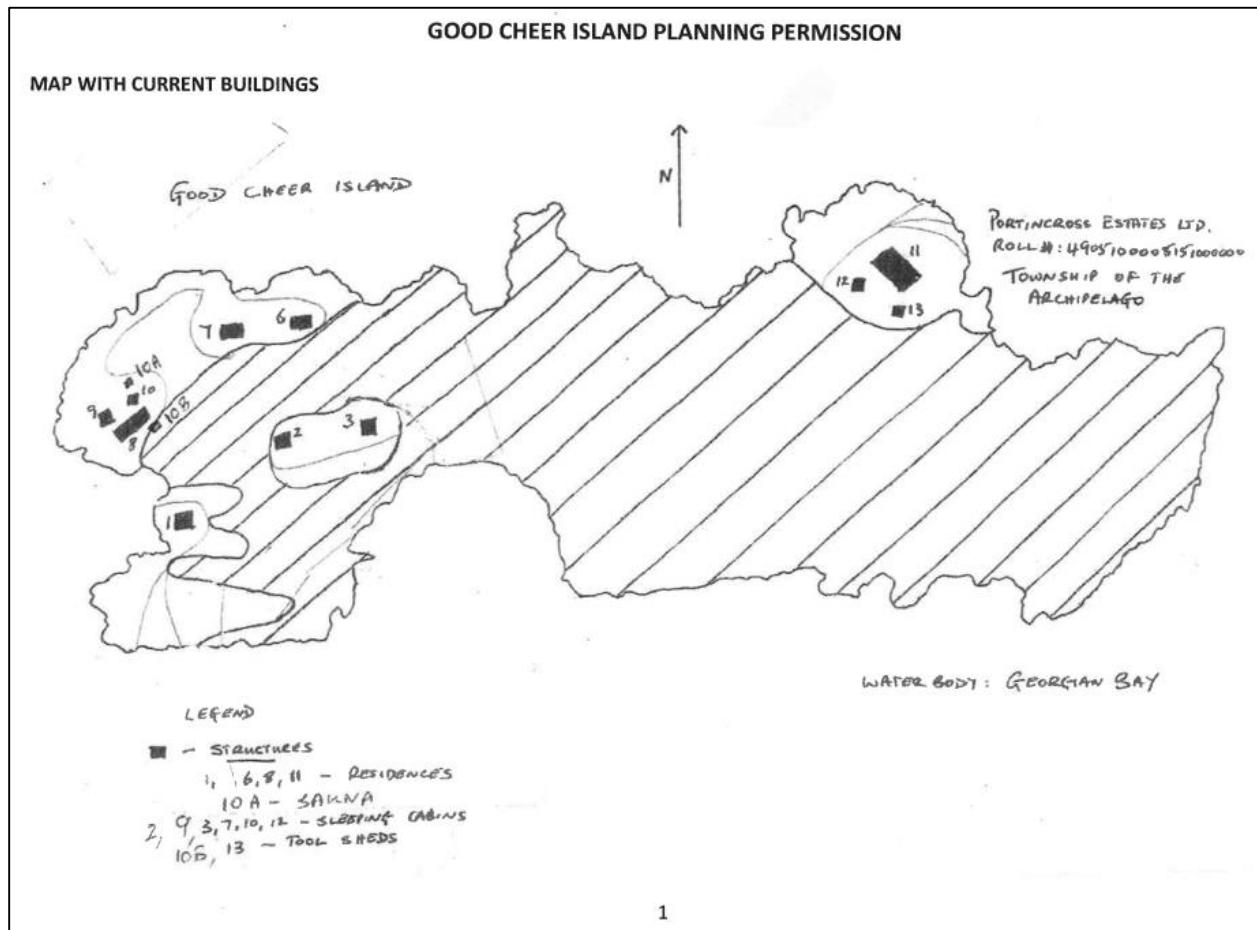


Figure 1- Portincross Estates Limited Properties

## SITE PLAN



## PLANNING ANALYSIS

### 1. PROVINCIAL PLANNING STATEMENT

The subject property is located within a rural area as per Section 2.5 of the Provincial Planning Statement, 2024 (PPS). Section 2.6 of the Provincial Planning Statement recognizes limited residential development and resource-based recreational activities on the subject property, it states:

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

- b) *resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
- c) *residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*

Further, Section 2.6.2. of the Provincial Planning Statement states:

2.6.2. *Development that can be sustained by rural service levels should be promoted.*

The proposal would allow for the subject property be used recreationally, including recreational dwellings for residential uses that can be sustained by rural service levels, is supported by the above policies.

### Conclusion

The proposal is consistent with the Provincial Planning Statement.

## **2. OFFICIAL PLAN**

The subject property is located within the Long Sault-Amanda Neighbourhood, and is characterized by numerous, small, medium and large sized islands. Most islands are privately owned but the neighbourhood is also influenced by the presence of The Massasauga Provincial Park and Wasauksing First Nation. The subject property is also subject to Official Plan Special Provision 16.22.

Section 16.22 states that:

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

While the subject property operates similar to a residential property, the property is recognized as a private club, as there are multiple owners, and the island contains three or more self-contained cottages which makes a more intensified land use, similar to a recreational/commercial land use. The Official Plan has specific policies related to commercial uses and private clubs.

Section 6.9-6.10 of the Official Plan states:

*'6.9 Existing commercial uses are recognized as permitted uses and as providing necessary and essential services to the inhabitants of the Planning Area. These commercial facilities represent a variety of types and intensities of land use. The number of existing commercial facilities has been deemed to be adequate for the present level of development in the Township. The need for commercial services, however, is likely to increase in response to further cottage development or extensions to existing tourist commercial establishments. In the meantime, the survival of these existing commercial facilities is vital to the proper*

*servicing of the present residents and Council will support the continued existence of these facilities so long as the goals and objectives of The Archipelago's Official Plan are met.*

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

- 6.10 *In accordance with Section 6.9 above, there may be enlargements or extensions to existing commercial or private club operations provided that the basic purpose of the establishment does not change. However, no alteration in the type of commercial use is permitted without an amendment to the Zoning By-law.*

*Further, the high level concern for the environmental and the desire to maintain the local character of various neighbourhoods, require that there be a limited amount of expansion or increase permitted at existing commercial or private club operations.*

*Commercial expansions or enlargements, including increases in density, intensity, amount of commercial use, or expansions onto adjacent lands, are permitted subject to the policies of this Plan including policies for environmentally sensitive areas where applicable.'*

Further, Section 6.23 states:

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

*Structure additions to existing private clubs may be permitted, subject to the limits set out in Section 6.10 above, with the submission and approval of a site plan indicating the extent of the existing and proposed development on the lands controlled by the private club.'*

The subject property has operated as a private club since prior to the formation of the Township in 1980. The applicant is requesting an increase in the number of permitted sleeping cabins to complement the existing development on the property, while proposing a reduction in the overall maximum permitted lot coverage on the property. The proposal to enlarge an existing use, while maintaining the primary use and operation of the property appears to conform to the Official Plan policies regarding expanding a commercial or private club use.

Section 14.6 of the Official Plan states:

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

Section 14.17 states:

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

In addition, Section 14.23 – 14.25 states:

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

*14.24 The preservation of the natural landscape is fundamental to maintaining the Georgian Bay and Inland Lake aesthetic. In an effort to preserve the natural landscape, the visual impact of the built form shall be minimized through limiting the size of buildings (i.e. area and height), sighting structures below and behind trees, using muted colours on structures to blend with the natural landscape, and designing and constructing a building to fit with the natural landscape rather than altering the landscape to fit a building design.*

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

The subject property is a large island located in Georgian Bay. The subject property is already developed, and the existing buildings are well setback from the shoreline. The Official Plan recognizes the importance of the waterfront area to the Township with the goal to preserve the unique and high quality of the natural environment, which leads to an experience that is aesthetically appealing to property owners and to visitors who use the area.

Conclusion:

Based on a review of the above policies, the use of the subject property appears to be consistent with a Private Club land use.

### 3. COMPREHENSIVE ZONING BY-LAW A2000-07, AS AMENDED

The subject property is zoned 'Private Club Exception 1 (PC-1)'. Section 15.2.1 outlines the specifics of the PC-1 Zone:

#### 15.2.1.1 *Permitted Uses*

*Uses permitted for lands zoned PC-1 are limited to the following:*

- i) Eight detached dwellings;*
- ii) Accessory buildings and structures associated with each of the dwelling units.*

#### 15.2.1.2 *Zone Standards*

*The regulations of Section 15.1.2, Zone Standards, shall apply to the uses permitted in the PC-1 Zone, with the exception of the following site specific provisions:*

- i) Any relocated dwelling unit shall be a minimum of 50 m from any other dwelling unit;*
- ii) The maximum lot coverage shall not exceed 3,000 m<sup>2</sup>;*
- iii) The maximum ground floor area of any one dwelling unit shall not exceed 275 m<sup>2</sup>*

The applicant is proposing to also recognize 6 sleeping cabins and permit an additional 8 sleeping cabins, for a total of 14 sleeping cabins on the subject property. One of the existing sleeping cabins has an existing size of 68.3 m<sup>2</sup>. The applicant is also proposing to reduce the overall maximum permitted lot coverage from 3,000 m<sup>2</sup> to 2,700 m<sup>2</sup>. The majority of the existing development on the property pre-dates the formation of the Township in 1980.

The subject property has been the subject of previous Zoning By-law Amendment applications. In 1990 the subject property was rezoned from a residential zone to a Private Club Zone to recognize the existing private club, as the use was not properly recognized in the original 1983 Zoning By-law for the Township of The Archipelago. Following that application, in 1998 a Zoning By-law Amendment was brought forward to return the historical development rights on the property to be eligible for up to eight main dwellings together with the existing ancillary buildings and structures. Concurrently, the applicants proposed to 'downzone' two separate islands also owned by Portincross Estates Limited, being Island B620 (Nancy Island) and Island B621 (Campbell Rock), to the Natural State (NS) Zone. The development rights on those islands were removed with the intention that the development would be contained on the existing developed island, Good Cheer Island.

The sleeping cabin provisions found in the Zoning By-law are only applicable to lots that are zoned for residential use, the subject property is zoned PC-1 and under that site specific zone Sleeping Cabins are not currently permitted. The subject property has 6 existing sleeping cabins. The applicant is requesting that the property be permitted to have up to 14 sleeping cabins to complement the permitted eight dwelling units. Staff are recommending that if the sleeping cabins



are permitted, then Section 5.36 Sleeping Cabins be applicable to the future development of sleeping cabins on the property, specifically 5.36 c) – i). This would ensure that the development of sleeping cabins would be consistent with the rest of the Township. The applicant has tried to offset the impact of the proposed sleeping cabins by reducing the overall maximum permitted lot coverage. While accessory buildings and structures are permitted on the property, this will ensure that the overall the development on the property will be reduced.

#### Conclusion

All other aspects of the proposed development would appear to comply with the requirements of Comprehensive Zoning By-law No. A2000-07, as amended.

#### **4. CONCLUSION**

Staff recommends that a decision with respect to the application be deferred until a future date, to permit a review of any comments received from the public and agencies and a final review of the applicable policies.

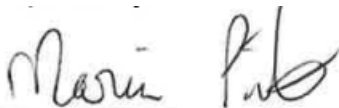
#### **CORRESPONDENCE**

The proposed Zoning By-law Amendment application was circulated to the required agencies and property owners as per the requirement of the *Planning Act*, R.S.O. 1990, cP.13 and associated regulations. Any comments received on or before November 22, 2024 will be made available to Council at the meeting.

#### **RECOMMENDATION**

Staff recommends that a decision with respect to the application be deferred until a future date, to permit a review of any comments received from the public, agencies and Council.

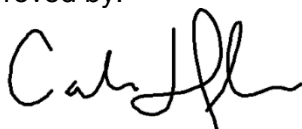
Respectfully submitted,



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Maria Pinto,  
Planner

Approved by:



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

## **ATTACHMENTS**

1. Appendix A- Application Submission
2. Appendix B – Site Photos
3. Appendix C – Draft By-law