



Municipality of Shuniah COMMITTEE OF ADJUSTMENT

NOTICE OF APPLICATION(S) FOR CONSENT

TAKE NOTICE that under the provisions of Section 53 of The Planning Act, 1990, as amended, an application has been made to the Committee of Adjustment.

Application No(s):	B4-22 & B5-22
Applicant(s):	Alan Hutchison & Tami Hutchinson
Agent:	N/A
Roll No:	5-37450
Property Address:	2230 Amethyst Ave
Legal Description:	PT ML AB SCOTTS
Zoning:	Rural
Purpose:	Creation of a new lot
Time and Date of Hearing:	May 3rd, 2023 at 5:30 p.m.
Subject to Another Planning Application:	OP23-1 & Z23-1

The Municipality of Shuniah is now able to have Committee of Adjustment hearings open to the public. A live stream of the Hearing will also be available via Zoom. Log in information will be available on the meeting agenda.

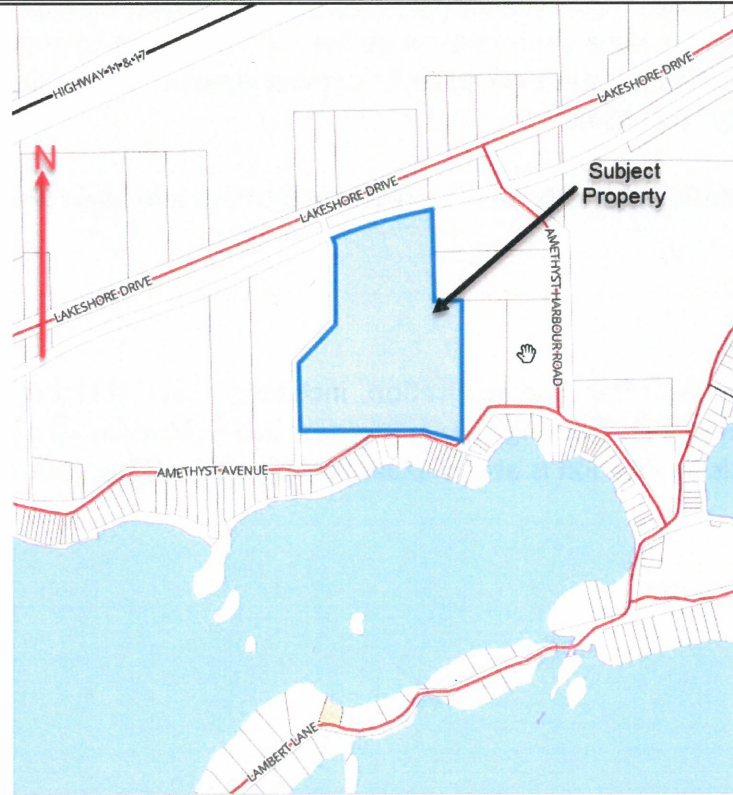
To submit written comments or make a deputation in person, or make an electronic deputation at the hearing please see Important Information on the next page or contact Jennifer of the Committee of Adjustment at clerkdept@shuniah.org or (807) 683-4548.

Written comments and deputation requests must be received by noon two business days prior to the scheduled hearing.

To obtain more information:

To obtain more information regarding this application, including plans, sketches and Staff Reports, please contact Committee of Adjustment staff during regular business hours (Monday – Friday, 8:30 a.m. to 4:30 p.m.). Information pertaining to this application is also available at www.shuniah.org (under the Application Notices heading).

Applicant(s): Alan & Tami Hutchinson Application No(s): B4-22 & B5-22



Important Information - Application Number(s): B4-22 & B5-22

Participation (In Person and Electronic options):

Any person who supports or opposes this application may appear either in person or electronically over Zoom. A person may either appear personally, by agent, or by solicitor, to present any reasons why this petition should be granted or denied. If someone is unable to attend the hearing, they may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until noon two business days prior to the scheduled hearing.

Written submissions can be mailed and/or emailed to: Municipality of Shuniah
420 Leslie Ave
Thunder Bay, ON P7A1X8
Email: clerkdept@shuniah.org

Residents can view a live stream of the meeting via Zoom. Log in information will be available on the meeting agenda.

To make a deputation, residents must complete and submit the Public Deputation Form **no later than noon two business days prior to the scheduled hearing** (see above for contact details). The Public Deputation Form is attached. Additional information regarding electronic meeting procedures and public participation is available at www.Shuniah.org. Presentations to the Committee are limited to 5 minutes in length.

Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application. If a party does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

If the applicant does not attend or are not represented at this hearing, the Committee may defer the file or proceed in your absence and make a decision, or may consider the application to have been abandoned, or withdrawn, and close the file.

Public Record:

Personal information collected because of this public meeting is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the Municipality of Shuniah, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

Notice of Decision:

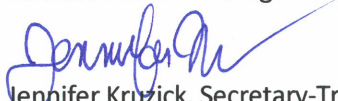
This notice is sent to the applicant, to various agencies, and, in some cases, to surrounding property owners for their information. If you wish to be notified of the decision in respect to this application or an Ontario Land Tribunal (OLT) hearing you must complete the attached Request for Decision form and submit to the Secretary Treasurer of the Committee of Adjustment. In the absence of a written request to be notified of the Committee's decision no further notice of this Hearing, a deferred Hearing date, or the decision of this Committee will be sent to anyone other than the applicant.

Ontario Land Tribunal (OLT):

In accordance with section 53(19) of the Planning Act, 1990 and amendments thereto, the decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister of Housing, or any person or public body who has an interest in the matter. Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated associations or group on its behalf. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

An appeal against the decision must set out the reasons for the appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment, and must be accompanied by the fee required by the Ontario Land Tribunal. The OLT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms can be obtained at www.olt.gov.on.ca or by visiting our office.



Jennifer Kruzick, Secretary-Treasurer
Committee of Adjustment
Municipality of Shuniah
420 Leslie Avenue
Thunder Bay, Ontario P7A 1X8
Encl.

mailing date: MARCH 6, 2023
email: clerkdept@shuniah.org
Phone: 807-683-4545
Fax: 807-683-6982

DEPUTATION FORM / REQUEST FOR DECISION

To make an electronic deputation, residents must complete and submit this Deputation Form no later than noon two business days prior to the scheduled hearing (see above for contact details). Zoom log in information will be available on the meeting agenda.

To be notified of the Committee's decision or a related Ontario Land Tribunal (OLT) hearing you must complete this form and submit to the Secretary-Treasurer of the Committee of Adjustment.

- Please provide me with a copy of the Committee's Decision(s) with respect to B4-22 & B5-22
- I wish to make an electronic deputation with respect to Application(s) B4-22 & B5-22
- My deputation will be (check one) in person electronic

*Please print and ensure form is legible

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

OFFICE USE ONLY:

Application No. B5-22 Receipt No. _____

Date of Pre-consultation Meeting: _____

Date Complete Application Received: FEB 6, 2023 Date Notice Given: _____

Fee Enclosed (amount): \$ _____ (LRCA) \$ _____ (Shuniah)

1. Registered Owner: (List Association Name if Applicable)

Owner's Name: TAMI & ALAN HUTCHINSON

Owner's Mailing Address: _____

City: _____ Prov.: _____ Postal Code: _____ Phone: _____

Cell: _____ Email Address: _____

2. Applicant/Agent Information: (If different from Registered Owner, An Owner's authorization is required, Schedule A)

Applicant's Name: _____

Solicitor/Authorized Agent/Firm: _____

Applicant's Mailing Address: _____

City: _____ Prov.: _____ Postal Code: _____ Phone: _____

Cell: _____ Email Address: _____

Send Correspondence To? Owner [] Applicant [] Agent/Solicitor []

3. Type and purpose of the proposed transaction:

Transfer: Creation of a New Lot Other: [] a charge

[] Addition of a lot [] a lease

[] an easement [] a correction of title

[] Other _____

3.1 If a lot addition, identify the lands to which the parcel will be added.

3.2 What is the existing land use to which the parcel will be added?

3.3 If known the name of the person to whom the land or an interest in the land is to be transferred, charged or leased?

4. Location of subject land:

Property Address: 2230 AMETHYST AVE

Property Roll Number - 58-28-0 0-00 5 - 37420 0000 (obtained from tax bill or assessment notice)

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Concession No.	Section No.	
Registered Plan No. <u>55R2965</u>	Lot(s) No.	
Mining Location <u>PTAB SCOTTS</u>	Reference Plan No.	Pts.
Geographic Township:	<input checked="" type="checkbox"/> MacGregor	<input type="checkbox"/> McTavish

5. Description of subject land:

	Severed	Retained
Frontage (m)	<u>61 m</u>	<u>103.5 m</u>
Depth (m)	<u>418 m</u>	<u>559.7 m</u>
Area (ha)	<u>2.55 HA</u>	<u>19.78 HA</u>

6. Building and structures (please include description, dimensions and dates of construction):

Description (main, shed, garage, etc.)	Dimensions (m)	Construction year
1. <u>MAIN</u>	<u>9.14 x 14</u>	<u>1977</u>
2. <u>GARAGE/BARN</u>	<u>7 x 4.5</u>	<u>1977</u>
3. <u>SITED</u>	<u>6 x 4.8</u>	<u>1977</u>
4. <u>WOODSITED</u>	<u>5 x 2</u>	<u>1977</u>

7. Access - Road ownership:

Common Name of Road AMETHYST AVE

Severed Parcel	Retained Parcel
<input checked="" type="checkbox"/> Municipality of Shuniah	<input checked="" type="checkbox"/> Municipality of Shuniah
<input type="checkbox"/> Ministry of Transportation	<input type="checkbox"/> Ministry of Transportation
<input type="checkbox"/> Private	<input type="checkbox"/> Private
Other: _____	Other: _____

8. Access - Road maintenance

Severed Parcel	Retained Parcel
<input checked="" type="checkbox"/> Municipality of Shuniah	<input checked="" type="checkbox"/> Municipality of Shuniah
<input type="checkbox"/> Ministry of Transportation	<input type="checkbox"/> Ministry of Transportation
<input type="checkbox"/> Private	<input type="checkbox"/> Private
Other: _____	Other: _____

9. Access - Water access

If the proposed access is by water, please describe the nearest public boat launching and car parking facility.

How far is it from the property and what facilities are there?

Other Access (Specify)

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10. Encumbrances:

10.1 Restrictions – Please indicate the nature of any restrictive covenants or easements affecting the subject property and describe each easement or covenant and its effect.

10.2 If known, the name of person(s) to whom the land or interest in land is to be conveyed, leased or mortgaged.

11. Designation and zoning of subject property /current and proposed land use:

	Severed	Retained
Official plan designation	RU ³ PA / RU-?	RU ³ PA / RU ³ PA
Zoning	RU / RU-?	RU / RU-?

12. Explain how the application conforms with the official plan policies (read official plan and cut and paste relevant sections into the Planning Justification Report - see Schedule B for example):
RU-? site specific number assigned by the municipality

13. If the land is covered by a Minister's Zoning Order, what is the regulation number? What uses are permitted by the order?

PLEASE SEE ATTACHED (MODIFIED) PLANNING JUSTIFICATION REPORT IN PARTICULAR P 1,2,3,4 & 9

 CURRENTLY, THIS DOES NOT APPLY.

14. Use of the property:

	Severed	Retained
Existing uses	VACANT	RESIDENTIAL
Proposed uses	RESIDENTIAL	RETREAT CENTRE - NEW DEFINITION

PROPOSED IN PLANNING JUSTIFICATION REPORT ON PAGE 3 AND TO BE INCLUDED IN THE SITE SPECIFIC ZONE

14.1 Is the subject property located in a high-density area? If so, what is the Green Star status (none, partial or full):
 NO

15. What are the surrounding land uses?

East VACANT LAND & RESIDENTIAL
 West VACANT LAND
 North VACANT LAND
 South SHORELINE RESIDENTIAL

16. Former use of subject property and adjacent lands (check as applicable):

Does the Owner own Adjoining Property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Is there any reason to believe that the site or adjacent site may be environmentally contaminated?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Has an industrial or commercial use, or an orchard, been on or adjacent to the property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown

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Has lot grading been changed by adding or removing earth or other material?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Has a gas station been located on the subject land or adjacent land at any time?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Has the Ministry of the Environment, Conservation and Parks, or any other agency formally or informally advised the owners that the property is or may be contaminated?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown

16.1 What information did you use to determine the answers to the above questions on former uses?

PREVIOUS OWNERS AND LOCAL KNOWLEDGE

16.2 If you answered YES to any of the Section 13 table above, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land is needed. Is the previous use inventory attached? Yes No

If the inventory is not attached, please explain.

16.3 If you answered Yes to any of the questions related to the Section 16 table above, was an Environmental Site Assessment (ESA) conducted under the Environmental Assessment Act or has a Record of Site Condition (RSC) been filed? Yes No Unknown

If no, why not? Explain on a separate page, if necessary.

17. Status of current and other applications under the Planning Act:

17.1 Is this a resubmission of an earlier proposal? Yes No Unknown

If yes, and if known, describe how it has been changed from the original application.

17.2 Has any land been severed from the parcel as it existed on January 16, 1975? Yes No

If yes, how many times? (See official plan Consent policies in Section 4)

ONCE

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			sensitive land uses.
Provincial Highway			Consult Ministry of Transportation if access to provincial highway is proposed. If located in proximity to provincial highway, a traffic impact and a stormwater management report may be needed.
An active railway line and major highways			Evaluate impacts of noise within 100m
Electricity generating station, hydro transformer, railway yard, etc.			If sensitive land use is proposed, and if within 1000m, a noise study may be needed to determine possible noise impacts and appropriate mitigation measures.
High voltage electric transmission line			Consult the appropriate electric power service.
Transportation, infrastructure and utility corridors			Will there be a negative impact on a planned corridor?
Cultural heritage and archaeology			Adverse impact on significant built heritage resources and significant cultural heritage to be mitigated. Development is only allowed on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved.
An agricultural operation, including livestock facility or stockyard			Development to comply with Minimum Distance Separation Formulae (MDS)
An active mine site or an aggregate site operation site within 1000m of the subject land			Will development hinder or be incompatible with continued operation or extraction?
Mineral aggregate resources areas			Will development hinder access to the resource or the establishment of new resources operations?
A non-operating mine site within 1000m of the subject property			Demonstrate that the mine has been rehabilitated OR all potential impacts have been investigated and mitigated.
A rehabilitated mine site, abandoned mine site or mine hazard			If proposal is on, adjacent to, or within 1000m, consult with the Ministry of Energy, Northern Development and Mines.
A significant coastal wetland A significant habitat of endangered species and threatened species A provincially significant wetland within 120 metres of the subject lands species			Development and site alteration are not permitted in the features. Are any significant coastal wetlands or unevaluated wetlands present on the subject lands or within 120 m? Are any known significant habitats present on the subject lands or within 50 m? Has there been preliminary site assessment to identify whether potentially significant habitats are present?
A significant wildlife habitat A significant Areas of Natural and Scientific Interest (ANSI)			Development not permitted, unless demonstrate no negative impacts. Indicate if there are any significant wildlife habitat, and Areas of Natural and Scientific Interest (ANSIs) on the subject lands or within 50 m.
Fish habitat			Development and site alteration are not permitted in fish habitat except in accordance with provincial and federal requirements. Is any fish habitat on the subject property or within 30 m? Is any lake trout lake on the subject lands or within 300 m? If yes to any of the above, an environmental impact study may be required.
Adjacent lands to natural heritage features and areas			Not permitted unless demonstrated that ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative impacts.
Floodplain			Identify if located in floodplain and address accordingly, as per official plan policies and Lakehead Region Conservation Authority.
A contaminated site			Assess an inventory or previous uses in areas of possible soil contaminations.
Hazardous sites****			Demonstrate that hazards can be address.
Erosion hazards			Determine feasibility within the 1:100 year erosion limits of river valleys and streams.
Sensitive surface water features and sensitive groundwater features			Restricted in or near sensitive surface water features and sensitive groundwater features. Demonstrate suitable mitigation measures and/or alternative development approaches to protect, improve or restore sensitive surface water features, sensitive groundwater features and their hydrologic functions.

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Crown land (identified by the Ministry of Natural Resources and Forestry as being of special interests, such as a lake access point)			Consult Municipality for assistance in dealing with planning issues relating to proposals requiring the acquisition or use of Crown lands. Contact the Ministry of Northern Development, Natural Resources and Forestry (MNDMNR) District Office regarding the actual acquisition or use of Crown land.
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*Class 1 industry: Small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

**Class 2 industry: Medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

***Class 3 industry: Processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

****Hazardous sites: property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils or unstable bedrock.

- 19.3 Is the subject property within an area designated under any provincial plan or plans? Yes No

If yes, explain how the application conforms or does not conflict with the provincial plan.

CURRENTLY, THIS DOES NOT APPLY.

20. Indigenous land claims:

- 20.1 Does the proposed application for consent apply to lands subject to any indigenous land claims or provincial/Indigenous co-management agreement?
 Yes No

If known, provide any information you may have as an attachment to the application.

CURRENTLY, THIS DOES NOT APPLY.

- 20.2 Have you consulted with Indigenous Peoples on this request for a proposed Consent?
 Yes No

If yes, provide any information you have on the consultation process and the outcome of the consultation. Please explain (and attach) on a separate page.

21. Archaeology:

- 21.1 Does the subject property contain any know archaeological resources or area of archaeological potential?

If yes, is the proposal consistent with the official plan Cultural Heritage Resources and Archaeology Policies?

Yes No If yes, please explain. Attach a separate page, if necessary. Submit a copy of the technical report(s), if applicable.

22. Servicing - Water supply:

Severed

Private: Well / Lake / Shared well

Other: _____

Retained

Private: Well / Lake / Shared well

Other: _____

Development on a communal or individual well system may need a servicing options report and a hydrogeological report. Non-residential development on a communal well system may need a hydrogeological report.

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23. Servicing – Sewage:

Severed

Retained

[] Private: Well / Lake / Communal

[] Private: Well / Lake / Communal

[x] Other: SEPTIC TANK

[x] Other: SEPTIC TANK

If the requested change would permit development on individual or communal septic system and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed. If the proposal would produce less than 4,500 litres per day, a hydrogeological report may be needed.

24. Other information:

Is there any other information you think may be useful to the Municipality of Shuniah or agencies in reviewing this application? If so, explain below or attach on a separate page.

PSR 3 SITE PLAN ATTACHED -

AFFIDAVIT OR SWORN DECLARATION

I/We, TAMI & ALAN HUTCHINSON of the City/District/Regional Municipality of [REDACTED] in the City/District/Regional Municipality of [REDACTED] solemnly declare that all the statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

SWORN/AFFIRMED /DECLARED before me at the MUNICIPALITY OF SHUNIAH In the Province)
 Of Ontario this 8 day of February 2023)

[Signature]
 SIGNATURE
 Susan Moore
 Treasurer, Deputy Clerk
 Municipality of Shuniah
 stamp
 Commissioner for taking Affidavits"

A Commissioner for taking Affidavits. Susan Moore
 signature

CONSENT OF THE OWNER:

AUTHORIZATION OF OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

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

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

 Date

 Signature of Owner

Planning Justification Report for the Subject Property located at 2230 Amethyst Avenue

June 28, 2022

UPDATED January 5, 2023 (see yellow highlight) and modified February 7, 2023 for ease of interpretation
using redline modification

Site Description

Tami and Alan Hutchinson are seeking Planning Act approvals to permit the creation of two new lots on the south-east portion of the property for sale and to develop a wellness retreat centre business on the retained portion.

The subject property is heavily wooded, is approx. 25 ha in size, with 228 m of frontage on Amethyst Avenue. An additional 300+ m exists along the southern boundary, abutting vacant land (please see Site Plan in Appendix 1).

The proposed new lots are 2.35 ha and 2.55 ha, respectively, each with a frontage of 61 m. The retained lot would be approx. 19 or 20 ha with a frontage of 107 m. (All values are approximate and will be verified upon completion of a reference plan completed by an Ontario Land Surveyor as a standard condition of approval).

The subject property fronts on Amethyst Avenue, and is separated from the intersection of Amethyst Harbour Rd by residential use and forest. Land on the south side of Amethyst Avenue abuts Lake Superior, is designated as R1 (minimum lot size is 1 ha unless safe servicing can be demonstrated), and zoned as Shoreline Residential (min. lot size is 0.18 ha). Land use to the north is residential beyond the rail corridor and Lakeshore Drive.

The current Official Plan Designation for the subject property is Rural (RU) and Protected Area (PA) (due to the wetland and stream). The Zoning is Rural (min. lot size 4 ha).

A site visit was conducted on June 27, 2022 (see photos in Appendix 8). The existing entrance is several metres east of a small bridge on a curve, which becomes a relatively long straight-stretch to the east. The buildings are mostly obscured from the road due to vegetation. The table land appears to be on high ground with the creek being down an incline of several metres – steep near the house, becoming less so to the north. A 2-storey structure dating back to the 1970s is the building intended for renovation. A shed is located several metres to the east. The site is vegetated beyond the structures.

For site location, see Appendix 3.

Official Plan Designation

Excerpts:

2.3.1 The intent of the RU Rural designation is to recognize the low density, multi-purpose area in which a variety of land uses can be accommodated. Lands designated as Rural are shown on Schedules A1 and A2 - Land Use Designations.

2.3.2 Goal: To support economic development with **compatible** uses while protecting the environment and existing uses and resources from incompatible uses.

2.3.3 Permitted uses include: limited residential, which may include accessory uses and home occupations, **additional residential units**, garden suites, and private individual energy facilities; **highway, tourist, and local commercial**; agricultural, agricultural-related, on-farm diversified; and normal farm practices; forestry; aggregate exploration and/or aggregate extraction operation; mineral exploration and/or mining operation; industrial; institutional; **recreational**; **resource-based recreational (including recreational dwellings)**, portable asphalt plant; alternative energy; cemetery; kennel; and existing remote cottage use.

2.4 Protected Areas (PA) Protected Areas are: 1) lands which need protection from development; and 2) lands which contain potential hazards to development. Development in both circumstances is governed by similar or the same policies.

The Protected Area land use designation is shown on Schedule A1 and A2 - Land Use Designations and the values which comprise the PA are shown as constraints in Schedule B1 and B2 – Development Constraints Map. In most circumstances, the PA designation is approximate; and the boundary is subject to change based on the findings of assessments, depending on the value that is being protected, (shown on Schedule B).

The designation in most cases is a trigger for appropriate studies to be conducted to ensure new development does not result in adverse effects. An official plan amendment is not required if a new boundary is established; rather the mapping will be updated periodically to reflect the changes, similar in process to that of a zone change to zone mapping. Where other land use designations tend to follow property ownership boundaries, the PA designation boundaries generally follow the feature(s) being protected or the value. Thus, the lines are approximate until verified by an assessment.

Measures to mitigate or eliminate adverse effects will be implemented through site plan, where appropriate.

Zoning

Rural Zone Excerpt:

Permitted uses include: agriculture, which may include one only permanent dwelling, conservation use, forestry harvesting, park, one only permanent dwelling, wayside pit, quarry, home occupation, accessory sale of fish baits, buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include a kennel, riding academy or stable; on properties that front onto Highway 527 only, up to three pulp trucks, or other such large commercial vehicles shall be permitted to be maintained and operated in association with a permitted residence.

Retreat Centre is not listed, or anything similar. The key distinguishing features from the existing permitted uses are overnight accommodation and provision of three meals per day, in my opinion (e.g., “short-term accommodation” which is a residential or local/tourist commercial use in the Official Plan).

Development Proposal

2

The Hutchinsons have described their proposal in detail in Appendix 2 – “Saudade Retreats Explained”. The Site Plan indicates the proposed structures. Note that Parking and loading area space is unlimited.

The Proposed Definition (modified from an existing Zoning By-law in a different jurisdiction):

“RETREAT CENTRE” means a use that is accessory to a main dwelling; and provides for the operation of spiritual, cultural or educational indoor and outdoor programs for single-day or in-residence multi-day guest use, including sleeping accommodation for a maximum of 12 in-residence guests and 2 staff which includes: one shared kitchen and eating area, meeting space, shared washroom facilities, and accessory buildings. In terms of the Official Plan, it can be categorized as a residential, local or tourist commercial use, and could also be described as a resource-based recreational use.

To facilitate this development, three different Planning Act application types are required.

- Two Site-Specific Zoning By-Law amendments:
 1. For the retained to permit the Retreat Centre, additional dwelling units; a reduced frontage from approximately 120 m to 107 m on the retained property; to permit occupancy (General Provisions s. 4.4); and to permit a second storey in an accessory building (if not already legal non-conforming)(General Provisions s. 4.6.2)
 2. For the new lots with a reduced frontage from 120 m to 61 m each and reduced area from 4 ha to 2.35 ha and 2.55 ha, respectively
- One Site-Specific Official Plan amendment (only on the portion to be severed) to permit the smaller new lots (i.e., less than 4 ha)
- Two Consents for lot creation for residential use (both meet the unity of ownership criteria in the Official Plan of January 15th, 1979)

All other development standards and requirements will be met for the Rural designation and the Rural zone.

Comprehensive Zoning By-law Excerpts (subject to site-specific amendment)

4.4 OCCUPANCY RESTRICTIONS 4.4.1 Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof: a) A building which is accessory to a residential use, except a bunk house in the following zones: Recreational Cottage, Recreational Association, Recreational – Lambert Island, Recreational – Bass Lake, Recreational – Black Bay, Recreational – White Birch Beach, Recreational – Remote, Shoreline Residential, Shoreline Residential - Black Bay, Shoreline Residential – Moonlight Bay, Shoreline Residential – Back Lots Zone at Eldorado Beach;....

4.6.2 Accessory uses, buildings or structures to a permitted residential use shall be permitted, provided: a) the height of any residential accessory building shall not exceed BL-2194-064.5 6 metres measured to the highest point of the roof, and shall not include a second storey;....

Planning Analysis

Executive Summary

3

For all Planning Act applications, the Official Plan (OP) and Provincial Policy Statement (PPS) have been read in their respective entireties and all relevant policies have been applied to the evaluation of this proposal, as required by the Planning Act.

In addition to the Introduction, the following OP policies are particularly relevant:

Objectives: 1.5

Designations: 2.3, 2.4 (proposal conforms and no amendment is required)

General Policies: 3.1, 3.2, 3.4, 3.5, 3.13, 3.17, 3.20

Implementation: 4, 4.1, 4.2(g) (amendment is triggered to permit lot size reduction from 4ha to (approx..) 2.5ha), 4.3, 4.4, 4.5

The PPS policies are implemented by the OP; however, those policies which are particularly relevant are:

1.1.4, 1.1.4.1, 1.1.5.2, 1.1.5.3, 1.1.5.6, 1.7.1 (listed below with titles), 3.1

For simplicity, only those policies for which there was a potential adverse effect have been included below for discussion.

Land Use Compatibility Considerations

OP Excerpt:

3.20 Compatible Development - In order to proceed, all new development requiring a Planning Act approval shall be compatible with existing uses in the vicinity by avoiding adverse effects or minimizing adverse effects to acceptable or negligible levels, and where applicable, in accordance with Provincial guidelines.

Where a development initiative has the potential to be incompatible with or cause adverse effects to other land uses/users in the vicinity, appropriate technical studies evaluating compatibility; and mitigation using avoidance, buffering, separation distances or other measures, shall be part of the planning justification in a complete application (see OP section 4).

Potential Adverse Effects - Common potential adverse effects of a proposed development relate to, but are not limited to: • pattern, scale, massing, design of development, servicing levels of existing and future development; • visual impacts relating to outdoor storage; • shadowing and/or lighting and/or visual impacts on surrounding land uses including privacy of adjacent residential uses • **traffic volume and safety** • vehicle access and parking • **hydrological and hydrogeological functions** • **surrounding natural heritage features and cultural heritage resources**; and, • noise, vibration, odour, dust and other contaminants or emissions.

With respect to Questions #12 & 19 on the Consent application, in my opinion, the Official Plan Amendment to permit site-specific permission for the residential use 2.35 ha and 2.55 ha proposed lots will have no impact (adverse effects) to the surrounding neighbourhood. The lot size compared to the shoreline lots to the south at 0.18 ha remain extremely large, significantly exceed the minimum lot size for the zone (which is 0.8ha, currently). Furthermore, final approval will be subject to the standard conditions of access and safe servicing. Finally, to the east is a major intersection, supporting "hub" type development of a higher density, including ensuring traffic flow. Due to the large size and required setbacks, two new driveways will not have an impact on traffic flow, in my opinion. The zoning is the same as that which is

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further to the west where the landscape and land use is very similar. No trigger for traffic study has been identified. The creation of the proposed lots and zoning conform to the other policies of the Official Plan (see Planning Analysis below) and are consistent with the Provincial Policy Statement (see list of most relevant policies below). The new lots do not exceed the maximum number allowed since January 15, 1979.-

With respect to the propose use of the retained portion ~~which is summarized as short-term accommodation/residential~~ (serenity/eco-based), the scale (site-specific, small scale), the location (accessible to nature, recreation trails (on-site), adjacent to a watercourse and Amethyst Harbour Campers Association, a decommissioned rail corridor which may become a recreation corridor), distance (separation) from adjoining neighbours, road access (close to an intersection/easy access to TransCanada highway), thick vegetation for screening, abundant groundwater (which will be verified as condition of approval), **the only potential adverse effects, could be those criteria which are in bold font, above.** They are addressed below.

Traffic Volume and Safety (OP 3.20 and 4.4)

In addition to discussion from the applicant in Attachment A, traffic generated from 12 guests that stay for more than one day may be similar to that of a single dwelling given the plan for group transport to local attractions for day-trips. Specifically, 12 vehicles would not be coming and going daily, rather it would be every 2-4 days.

The traffic along the full length of Amethyst Avenue would be minimal because the location is close to the intersection, which accesses Lakeshore Drive and the TransCanada Highway. Also, the speed limit is very low (40km/hour).

Traffic count/information for the intersection has been requested from the Ministry of Transportation (MTO); but it is likely that traffic generation would be less than other *currently permitted* uses, e.g., wayside pit/quarry, kennel, riding academy/stable, home occupation.

During pre-consultation (email with Municipal Staff), no a trigger for a formal traffic study of any kind was identified.

Hydrological and Hydrogeological Functions (OP 2.4, 3.4, 3.13, 3.16, PPS 3.1)

Triggered by the Protected Area designation (wetland & creek) and the Lakehead Region Conservation Authority (LRCA) Regulated Area, an Ecological Assessment Report was completed for the subject land which informed the developable lands, e.g., no development within 30 m of the edge of the wetland (see Report in Appendix 3). LRCA staff also conducted a site visit.

Hydrological concerns were not flagged during pre-consultation; and the site plan takes into account any required protection for the creek and wetland (including hydrogeological function). The LRCA provided feedback (Appendix 4).

Due to the size of the lots (greater than 1ha), no hydrogeological study is triggered (i.e., there is no potential adverse effect). Currently, the well in use has an overflow set-up by the installer due to the excess water flowing to the surface, which is directed to the creek; so groundwater study is not triggered as there is nothing to suggest a neighbouring well could be impacted. A licensed installer will conduct a well-recovery test to satisfy the requirements of the Official Plan as a condition of approval (18 litres/minute for 1 hour). But the reality is that there are no close neighbours on either side; except to the south which have lake-water access if needed, in addition to some having drilled wells (deep aquifer). The scale of the water use is

similar to that of a second family; which, in my opinion (combined with the above), does not trigger a study (i.e., no potential adverse effect).

Surrounding Natural Heritage Features and Cultural Heritage Resources (OP 3.4, 3.5, PPS polices listed below)

Already discussed above, an Environmental Impact Study was requested (referred to as Environmental Impact Statement); and LRCA provided support. There is no further trigger (i.e., potential adverse effect) for studies. In summary, very little new construction is required, and will meet Ontario Building Code requirements, including drainage requirements. A stormwater management study is also not triggered (in my opinion) because of the large size of the site and topography/substrate.

For developments that may cause widespread and deep disturbances within 300 m of a watercourse or waterbody, a stage 1 archaeological assessment is triggered. However, this is for lot creation for residential development on a small-scale (two new lots), plus land development that is limited to that which is shown on the Site Plan (i.e., it is not an unlimited Commercial land development). Existing buildings are primarily being used plus a sauna which do not trigger stage 1 assessments. There will be no excavation for any basements. Therefore, there is no potential adverse effects, or trigger for a Stage 1 in my opinion, unless the Municipal screening process reveals a known site.

Concerns Raised through Early Input (see Appendix 7) (OP 4.4)

1. Issue: 10 tourist cabins or bunkies. The original proposal included a much larger volume of guests to be accommodated in 10 tourist cabins (or “bunkies”) x 2 people/bunkie (max.) = 20 guests plus the full range of permitted uses in the Tourist Commercial zone.

Mitigation: To address these concerns, the formal proposal has been reduced to accommodation in or attached to the main dwelling and in an accessory building for a **total of 12 guests** AND has changed to a site-specific amendment indicates that this will remain a small, low-impact operation. By comparison, other uses that are *currently permitted* in the Rural zone have much higher potential for adverse effects relating to noise and traffic.

2. Issue: Noise. Although noise was raised as a concern, it is not clear what would generate the noise from the proposed use.

Mitigation: n/a. Noise is not a planning issue in this case (it’s not a wayside pit or quarry or kennel, for example). Shuniah Noise By-laws and Property Standards By-laws will be in effect.

3. Issue: Smaller lots will be approved on a widespread basis all along the shore (backlots).

Mitigation: n/a. the subject lots are close to an intersection, which is a common location in land use planning for higher-density development. However, these lots are far from high-density at 2.5 ha each (average). The 1 ha lots permitted in the RC (Community Residential Zone) characterize half of MacGregor’s backlots. These are more than double that size. The size reduction from 4 ha to 2.45 (average) ha, would not be starting a trend as it is site-specific. Planning Act applications are always evaluated in their own merits.

4. Issue: “strangers” or non-residents not wanted.

Mitigation: n/a. Not a land use planning issue. The road is public, the property is private.

Economic Development and Financial Viability Considerations (OP 1.5, 4.4, PPS 1.1.5.3, 1.7.1)

Because the severed lots will be sold to finance the proposed development, there is little to no financial risk to either the proponent or the Municipality.

In fact, the proposed use will be a net benefit and is promoted by the overall policy direction Official Plan policies, Provincial Policy Statement, and Growth Plan for Northern Ontario which seek balance between economic, environmental and social well-being.

Driving the local and regional economy with an eco-based business that is focussed on well-being, addresses them all at once.

There is a clear demand for wellness services. See Appendix 5 for selected references.

Official Plan Conformity and Provincial Policy Statement Consistency

The Planning Act requires all municipal decisions to conform to the Official Plan, be consistent with the Provincial Policy Statement and conform to or not conflict with the Growth Plan for Northern Ontario. All documents have been read in their entirety. The most relevant policies excerpts are included in Appendix 6 and are summarized below.

Growth Plan for Northern Ontario

4.1 Preamble

How communities are planned and designed has far-reaching impacts. Well-planned and thoughtfully designed communities will attract investment and support economic development, attract and retain skilled workers, strengthen cultural identity and heritage, and maintain a clean and healthy environment. The policies in this section of this Plan support community planning in Northern Ontario that balances the equally important priorities of human, economic and environmental health.

Provincial Policy Statement

In addition to the Part IV Vision of balancing economic development with environmental protection and social well-being, the PPS states that:

1.1.4 It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature;

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

- a) the management or use of resources;

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

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

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

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

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- h) providing opportunities for sustainable tourism development

Official Plan

The Municipality of Shuniah shall have responsibility for this plan, and will:

- incorporate policies from other relevant municipal documents in decision-making such as, but not limited to, Recreation, Parks and Facilities Master Plan, **Tourism Strategy**, Asset Management Plan and the MWWSP;

1.5 Planning Objectives

- to promote sustainable development that balances rural quality of life with development;
- to develop a basic economic foundation in employment and assessment, including activities related to compatible larger-format commercial development, aggregate and mining activities in areas of high potential, transportation, agriculture, forestry, recreation and tourism, and other rural level industrial activity;
- to avoid incompatible development and land use patterns which may cause environmental or public health and safety impacts or adverse effects, particularly impacts to vulnerable surface and ground water features and their hydrologic function;
- to promote resource-based recreational residential and value-added tourism development that is compatible with the neighbourhood character and natural environment; and which is economically feasible.

3.2.6 Short-Term Accommodation & Home Sharing - The Municipality is supportive of home-sharing or short-term accommodation to promote economic development and provide opportunity for diversity in local accommodations while limiting potential impacts to neighbourhoods.

3.17.3 Tourist Commercial Development Tourism has the potential to contribute significantly to the local economy; and as such, the Municipality created a tourism strategy.

The objective of the tourism strategy is to formulate developmental framework with emphasis on policy and strategy, planning, institutional strengthening, legislation and regulation, product development and diversification, marketing and promotion, tourism infrastructure and superstructure, economic impact of tourism and tourism investment, human resource development, and socio-cultural and environmental impacts of tourism.

Key areas of focus identified in the plan are supported by official plan policies; and include: 1. Community Pride and Promotion 2. Lake Accessibility 3. Outdoor Recreation Trails 4. Business Connections 5. Regional Collaboration Tourist commercial uses include activities that focus on attracting and retaining visitors on a year-round basis for economic gain such as, but not limited to campgrounds, lodges, resort hotels, marinas, ski centres, off-road biking and hiking trails, and recreational facilities.

Tourist commercial uses are permitted where compatible with surrounding land uses and are in association with an attraction or resource. Examples of an attraction or resource include, but are not limited to a lake, mountain, forest trails, or regional commercial use.

Tourist commercial uses shall not detract from the adjacent landowner's enjoyment of their property or existing rural character. (See Compatibility Criteria OP s. 3.20)

Consultation and Engagement Plan

Neighbours in the area were engaged by Tami Hutchinson starting nearly two years ago. Tami's "Saudade Retreat Explained" document has been circulated to Council to assist with the questions they were receiving.

The (original) proposal has also been posted publicly on the Shuniah website during pre-consultation; and been discussed on social media (see early feedback sent to the applicant in Appendix 7).

The community will continue to be engaged through the Planning Act requirements as part of the decision-making process.

Conclusion

In my opinion, the proposed development is consistent with the Provincial Policy Statement, conforms to the Official Plan and Growth Plan for Northern Ontario; and with the mitigation measures and standard conditions of development, will be representative of good planning.

Respectfully Submitted,



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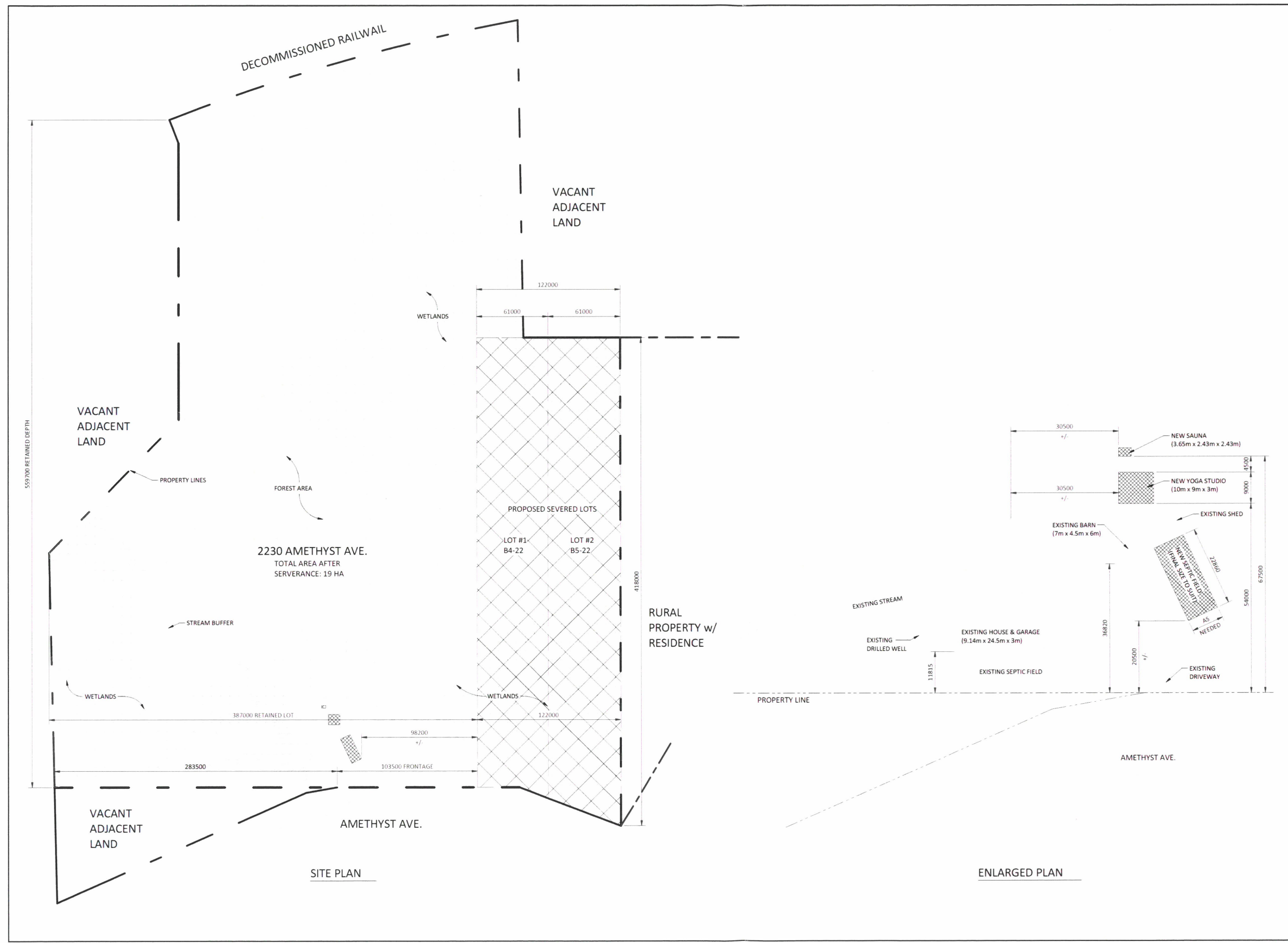
Shannon Dodd-Smith, MSc, RPP, MCIP

Disclosures:

In 2020, when no longer working for the Municipality of Shuniah, I was retained by the applicant to complete the original Planning Report. In the Spring of 2022 before agreeing to assist with the current application, I consulted with the Ontario Professional Planners Institute regarding the Standards of Practice for conflict of interest and sought permission from the Municipality of Shuniah for which I continue to provide unrelated general land use planning services. The applicant has also received disclosure.

Appendix 1 - Site Plan





2230 AMETHYST AVE

SITE PLAN

Project number	
Date	
Drawn by	
Checked by	
Scale	1000
	As indicated

Appendix 2 – Saudade Retreat Explained (by Tami and Al Hutchinson)



Who are we?

Saudade Retreats is a wellness retreat centre offering a uniquely Northwestern Ontario experience. Our vision is to open a warm and welcoming retreat centre and foster community both at Saudade and throughout Shuniah. We provide guests with an opportunity to share in the beauty of Northwestern Ontario & Lake Superior, disconnect from the everyday, and re-connect with themselves through nature. We promote finding a balance between relaxation and exploration; cozy accommodations, daily yoga, and meditation are provided for relaxation in conjunction with outdoor activities throughout Shuniah; such as time on Lake Superior, hiking, forest bathing, rock climbing, biking, skiing, and visiting Northwestern Ontario gems that highlight Mother Nature in all her glory. We plan to partner with as many local businesses as possible in the interest of providing a fulsome Northwest - Ontarian experience.

What is Saudade Retreat Centre?

Our retreat centre focuses on the benefits of disconnecting from the stressors of everyday and immersing oneself in nature.

We offer a refuge to recharge, reset, and relax during a three-to-four-day retreat experience because wellness is increasingly necessary with so many people living fast faced lives with little or no time for self-care.

What does a women's multi-day experience entail?

On Day 1 Guests arrive in the late afternoon and settle into their accommodations before introductions, orientation, and dinner. Each day begins with a meditation and yoga class followed by a nutritious and delicious breakfast with food sourced from as many local providers as possible. Guests then prepare for the day's Northwestern Ontario experience and lunch offsite.

Transportation will be provided by Saudade Retreats where required for the day's activities in the interest of limiting traffic.

Evenings are farm to table dinner experiences to highlight local food producers. After dinner guests can choose to return to their room and cozy in for the night or spend time around the fire sharing stories.

Free time is built into every retreat to allow for introspection, journaling, reading, enjoying a sauna, naps, or whatever a guest may fancy.

Other types of retreats we will facilitate

We may occasionally host single day retreats to provide guests the opportunity of experiencing the benefits of a wellness retreat at a more accessible cost.

There are organizations within Thunder Bay that have expressed an interest in corporate mental health and wellness retreats, and we would love to offer our services to accommodate this need.

Frequency of Retreats/Events

Upon launch, we plan to host one women's multi-day retreat per month. We are able to gradually increase this to two monthly retreats according to demand.

The maximum capacity per retreat is ten guests.

We may on a monthly basis offer a single day retreat.

Future plans may include an overnight stay, breakfast, yoga, and meditation package for couples, similar to the offerings at <https://www.nectaryoga.ca/>, in the interest of offering the full retreat experience at a lower cost to experience Saudade.

Zoning

Our 62-acre property is currently zoned rural. We were originally advised by the Shuniah Municipality office that in order to open a wellness retreat centre and provide washroom facilities in an existing outbuilding, we will need to re-zone to commercial recreational. We have recently (May 11th 2022) been advised we can instead remain in our rural zoning and apply for a site-specific zoning for a wellness retreat centre that would allow us to operate and carry out our vision. We are happy with this change, especially as it addresses potential concerns regarding what the property could be used for when we are no longer the owners.

Buildings on property

Parking – we have included a parking lot on our site plan to address any potential concerns regarding parking on the road.

Main House – This is an existing structure where we reside. The main house & patio is where we will host some meals, while some will be offsite in public locations throughout Shuniah.

Our main house will also serve to accommodate 3-6 guests, dependant on double occupancy.

Barn Building – This is an existing structure. The former barn will be converted to house two guest suites. This building will serve to accommodate 2-4 guests, dependant on double occupancy.

Yoga Structure – This will be new construction. We plan to build a structure for indoor yoga and meditation for year-round use. This building will house a bathroom.

Sauna – This will be new, small-scale construction.

Cabins – We have no current plans to build cabins. We have removed them from the revised site plan to mitigate our neighbours' concerns. We included them on the original site plan upon receiving advice to include any possibility of future buildings dependant on the growth of the business. We did this to eliminate the need to re-apply should we ever wish to have guests in an eco-cabin as opposed to the main house.

Mitigation of Community Concerns

Traffic – We don't anticipate a significant increase in traffic, as the scale of the business is small. The number of participants per retreat is limited to a maximum of 10. The number of multi-day retreats is limited to 1-2 a month. The number of single day retreats is limited to one per month. Trips for all retreat attendees to local area tourist attractions will be accommodated by one (possibly two) vehicle to limit traffic.

Noise – There will be extremely minimal, if any, noise impact on the community, as on-site activities will focus on quiet activities such as yoga, meditation, forest bathing, cross-country skiing and walking on our trails. Transportation to offsite activities will be provided by 1-2 vehicles to Sleeping Giant Provincial Park, Ouimet Canyon, and other local attractions.

Creek and Fish Habitat – We are adhering to all suggestions put forth by our environmental impact study conducted by Harris Ecological Studies and required by Lakehead Regional Conservation Authority. Environment impact is very important to us, and we wish in everything we do, to have as small a footprint as possible.

Wetlands – whilst the wetlands on the property are not provincially significant, there is more than enough land to adhere to all requirements put forth by LCRA, Ministry of Environment and any others concerned for the small-scale development we propose.

Waste Water - We are adhering to all suggestions put forth by in our environmental impact study conducted by Harris Ecological Studies, all requirements by Lakehead Regional Conservation Authority, the Thunder Bay Health Unit, the municipality and the provincial ministries concerned. There will be one Class IV septic implemented for the additional washroom facilities the correct distance from all wetlands and the creek.

Operation: we are currently not operating and have not run any retreats thus far on our property. We do have an Instagram account where we share our progress in the interest of building a following. We encourage you to follow us @saudade_retreats. Many of the pictures you will see are family members and close friends

Amethyst Harbour property – we have no intention of using any AHCA properties, tennis courts, etc. for any Saudade activities.

Benefits To the Shuniah Community

1. Partnering with local businesses will increase revenue for and exposure of those businesses, such as:

Sleepy G Farm

The Fish Shop

Crystal Beach Variety

Missing Horse Restaurant

Sail Superior

Silver Islet General Store

Pass Lake Campground & Store

Mont Baldy Ski Resort

Skills & Thrills Adventures

Amethyst Mines

Bears & Bees

Eagle Canyon

2. Hiring local professionals to partner with on retreats to provide unique experiences, including local:

Yoga teachers

Fitness instructors

Speakers

Holistic practitioners

Wellness experts

Artists

Hiking Guides

Rock Climbing Guide

Local artists and artisans

Forest therapy guides

3. Employment of local residents and/or students
4. Walking and cross-country ski trails open to the community

5. Local yoga facility which we will happily open to the community and hope will be utilized by the AHCA sports program
6. Exposure to the township of Shuniah to support the official plan goal, increasing permanent residency and tax base and also bringing new business to the township

Summary

Saudade aspires to have a 70% occupancy rate for our multi-day retreats. We hope to have 10 women attend monthly (7 guests at 70% occupancy) or perhaps bimonthly for yoga, meditation, food, relaxation, and seasonal outdoor activities. Saudade is not a campsite, resort, or motel; it is a small-scale wellness retreat centre that the entire community can benefit from and enjoy. We do not intend to disrupt the local cottagers' summer activities, and as permanent residents we will operate year-round. The majority of land owners are seasonal residents (as supported by the information in the master wastewater and water servicing plan) therefore, we anticipate the impact will be even less during Spring, Fall and Winter. Though there are Shuniah residents opposed to our business, many support us as well. We truly feel that a whole understanding of our business plan will alleviate any and all concerns. It is also worth noting that we have four neighbours within 120 m of our property. We welcome any concerns with regard to planning and are prepared to mitigate those concerns. Our hope is to bring something of value to Shuniah that can benefit the township and the people while honouring the land.

Supporting Sections from the Official Plan

- 1.1 Municipal Vision and Mission Statements Vision Statement: Shuniah is intended to be a modern, vibrant and connected community with a strong sense of identity, located on the picturesque shores of Lake Superior; working together to build a safe, clean, friendly, and prosperous future.
- 1.2 Mission Statement: Shuniah is committed to providing the highest quality of life by building a healthy rural community through the delivery of essential services provided by responsible leadership, planning, and effective management of municipal resources.

In the larger context, Shuniah expects to continue to provide residential accommodation and some industrial, institutional, and commercial land use secondary to the City of Thunder Bay, the Northwestern Ontario economic growth hub identified by the Places to Grow - Growth Plan for Northern Ontario.

1.3 Development Challenge

It is Shuniah's desire to integrate the historic fragmented growth pattern within the Municipality through compatible, rural level infill and intensification – to concentrate development to attract local commercial and institutional activity that will provide local services and activities, primarily at local hubs.

1.5

1.6 Planning Objectives

- to develop a basic economic foundation in employment and assessment, commercial development, aggregate and mining activities in areas of high potential, transportation, agriculture, forestry, recreation and tourism, and other rural level industrial activity;
- to promote resource-based recreational residential and value-added tourism development that is compatible with the neighbourhood character and natural environment; and which is economically feasible.

2.3 Rural Designation (RU) 2.3.1 Intent of the Designation The intent of the RU Rural designation is to recognize the low density, multi-purpose area in which a variety of land uses can be accommodated. Lands designated as Rural are shown on Schedules A1 and A2 - Land Use Designations. Rural is a term used in this document as a land use designation. It does not have the same meaning as rural areas in Ontario's Provincial Policy Statement. 2.3.2 Goal To support economic development with compatible uses while protecting the environment and existing uses and resources from incompatible uses.

2.3.3 Permitted Uses Permitted uses include: limited residential, which may include accessory uses and home occupations, additional residential units, garden suites, and private individual energy

facilities; regional, highway, tourist, and local commercial; agricultural, agricultural-related, and on-farm diversified; and normal farm practices; forestry; aggregate exploration and/or aggregate extraction operation in areas of high potential; mineral exploration and/or mining operation in areas of potential; industrial; institutional; recreational; resource-based recreational (including recreational dwellings), portable asphalt plant; alternative energy; cemetery; kennel; and existing remote cottage use. Notwithstanding the general list of permitted uses, only those uses that are compatible with the operation of a patrol yard shall be permitted to locate adjacent to or in close proximity to the Ministry of Transportation patrol yard on Highway 527 in Mining Location 1, Savigny's Survey; the patrol yard located on Highway 11/17 in the NE quarter section 6, and SE quarter of section 5, Concession 3, McTavish; and the former patrol yard located on Highway 587 in the SW quarter section 11

3.2 Accessory Uses in All Land Use Designations

In all land use designations, accessory uses that are compatible with, incidental to, and secondary in nature to main uses may be permitted provided that adverse effects upon abutting or nearby main uses is minimized, and that the main use of the property continues to be dominant and to be provided with space for traffic parking and mobility, amenity area and landscaping and necessary servicing. Septic and well function and capacity per the policies (see section 3.13) of this official plan must be demonstrated.

Site plan control (see section 4) shall apply where mitigation measures require implementation. Accessory uses may also include loading areas, landscaping, fencing, and similar features; and may also include private alternative energy facilities, home occupations, bed and breakfast establishments, and garden suites, subject to the policies of the plan, including any limitations in the land use designation.

3.2.3 Bed and Breakfast Establishments

A bed and breakfast establishment is a single or semi-detached dwelling in which guest bedrooms or suites are provided for gain as temporary accommodation on a daily basis. It is not considered short-term accommodation or home-sharing. Bed and breakfast use within a single detached or semi-detached dwelling are permitted provided that the physical character of the dwelling is not

substantially altered. The dwelling must clearly be the principal use of the land and the bed and breakfast component clearly an accessory use to the dwelling. Such establishments must have the owner of the residence/proprietor residing on the premises. The TBDHU shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. Bed and breakfast establishments are implemented through zoning.

3.17.3 Tourist Commercial Development Tourism has the potential to contribute significantly to the local economy; and as such, the Municipality created a tourism strategy. The objective of the tourism strategy is to formulate developmental framework with emphasis on policy and strategy, planning, institutional strengthening, legislation and regulation, product development and diversification, marketing and promotion, tourism infrastructure and superstructure, economic impact of tourism and tourism investment, human resource development, and socio-cultural and environmental impacts of tourism. Key areas of focus identified in the plan are supported by official plan policies; and include: 1. Community Pride and Promotion 2. Lake Accessibility 3. Outdoor Recreation Trails 4. Business Connections 5. Regional Collaboration Tourist commercial uses include activities that focus on attracting and retaining visitors on a year-round basis for economic gain such as, but not limited to campgrounds, lodges, resort hotels, marinas, ski centres, off-road biking and hiking trails, and recreational facilities. Tourist commercial uses are permitted where compatible with surrounding land uses and are in association with an attraction or resource. Examples of an attraction or resource include, but are not limited to a lake, mountain, forest trails, or regional commercial use. Tourist commercial uses shall not detract from the adjacent landowner's enjoyment of their property or existing rural character.

Appendix 3 – Environmental Impact Statement



Harris Ecological Consulting

136 S. Hill St.
Thunder Bay, Ontario
P7B 3V1
aharris@tbaytel.net

19 July 2021
Tami Hutchinson



Re: Environmental Impact Statement for Rezoning of 2230 Amethyst Ave

This report is an Environmental Impact Statement (EIS) for a property situated at 2230 Amethyst Avenue in Shuniah Township (approximately 48° 32' 44.97" N, 88° 52' 59.68" W).

The property owner proposes to sever two lots at the southeast edge of the property and rezone the retained portion from Rural to Recreational Commercial (Figure 1).

An EIS was submitted to the Lakehead Region Conservation Authority (LRCA) to support the severance of the two lots. The EIS satisfied the LRCA that the proposed mitigation measures will avoid, minimize, or mitigate any impacts on wetland function (email from Michelle Sixsmith, LRCA; June 4 2021).

The present report is to support rezoning the property following the Natural Heritage Reference Manual (MNR 2010).

Proposed Development

The property owner would like to sever two lots of about 2 ha each on the southeast corner of the property. The proposed development plans are not currently known; however, the two 2 ha lot severances will likely include the following future development:

1. Residential dwelling
2. Garage
3. Driveway
4. Septic field

The retained portion of the property will be used to develop a wellness centre, which may feature yoga/meditation, retreat centre, cabins, and "glamping".

Methods



Fieldwork was conducted on April 14th 2021 by Allan Harris and Lindsay Spenceley. The snow cover had melted by this date, but the ground was mostly frozen, and vegetation had not yet greened up. A follow up site visit was conducted on May 11th 2021 to assess the soils, hydrology and wetland after spring thaw. Significant wildlife habitat and stream habitat were also assessed.

Field observations were supplemented with Forest Resource Inventory data and Google Earth imagery and data from LRCA. eBird (2021) and iNaturalist (2021) were searched for records of species at risk on or near the property.

Results

The property slopes gradually upward from south to north. A series of sandy former beach ridges runs east-west in the north part of the property (Figure 2, Figure 3). Most of the property consists of upland Black Spruce, White Birch, and Balsam Fir forest (Ecosite B104) (Figure 2, Figure 3). Soils are fresh to moist sandy. Lower portions consist of moist, coarse Spruce-Fir-Tamarack forest with a moisture regime of approximately 5-6 (Ecosite B067).

Four polygons of wetland (non-provincially significant) occur on the property (Figure 1). Vegetation consists mainly of Black Spruce dominated poor conifer swamp (ecosite B127) with Labrador Tea and over 50% cover of Sphagnum mosses (Figure 4). Smaller linear areas of wetland (approximately 3 -5 m wide) are found in the swales between the old beach ridges.

Wetland soils consist of 20 to >100 cm of humic to fibric peat over medium to coarse sand. Peat is generally less than 20 cm deep within 35 m of the road, but deeper (75 cm to >100 cm) between 35 m and 130 m of the road. Shallower peat (<20 cm) occurs on lower the raised beach ridges beyond 130 m north of the road. The ground surface is flat and lacks strongly developed hummocks and hollows (Figure 4, Figure 2).

Hydrological functions provided by the wetland are probably minor given its small size (~3 ha) and small volume of water movement. Its proximity to Lake Superior (about 100 m) suggests that the flood attenuation and groundwater recharge functions are probably not significant (OMNR 2014). No open water or fish habitat are present in the wetland.

No Provincially Significant Wetlands, habitat for Threatened or Endangered species, Significant Areas of Natural or Scientific Interest or Significant Wildlife Habitat were observed or previously documented for this property. Significant Woodlands and Significant Valleylands do not apply in northern Ontario (OMNR 2010).

Fish habitat does occur in the stream along the southwest portion of the property (Figure 6). Detailed assessments of the fish community or habitat were not completed but the stream almost certainly provides year-round habitat for fish given its perennial flow and proximity to Lake Superior.

Potential Impacts

Clearing vegetation, excavating soils, increasing hardened surfaces, and depositing fill on the property have the potential to alter fish habitat by increasing sedimentation and nutrient input

and/or warming water temperatures. Runoff from septic fields and lawns containing nutrients, pesticides and fertilizer could also alter water quality.

Mitigation

If the following mitigation measures are applied, the proposed development will not result in significant loss of fish habitat functions of the stream.

1. Apply a 30 m buffer from the highwater mark of the stream to maintain temperature regulation and sediment removal (MNR 2010). Within the buffer, maintain at least 80% of the natural vegetation and soils.
2. Comply with the LRCA development regulations. Development in and adjacent to wetland areas may be subject to LRCA restrictions.
3. Limit the use of pesticides, herbicides and artificial fertilizers to the extent practicable.

Conclusion

No Provincially Significant Wetlands, habitat for Threatened or Endangered species, Significant Areas of Natural or Scientific Interest or Significant Wildlife Habitat were observed or previously documented for this property. Fish habitat in the stream along the southwest portion of the property will be protected by a 30 m wide buffer where development activities will be restricted.

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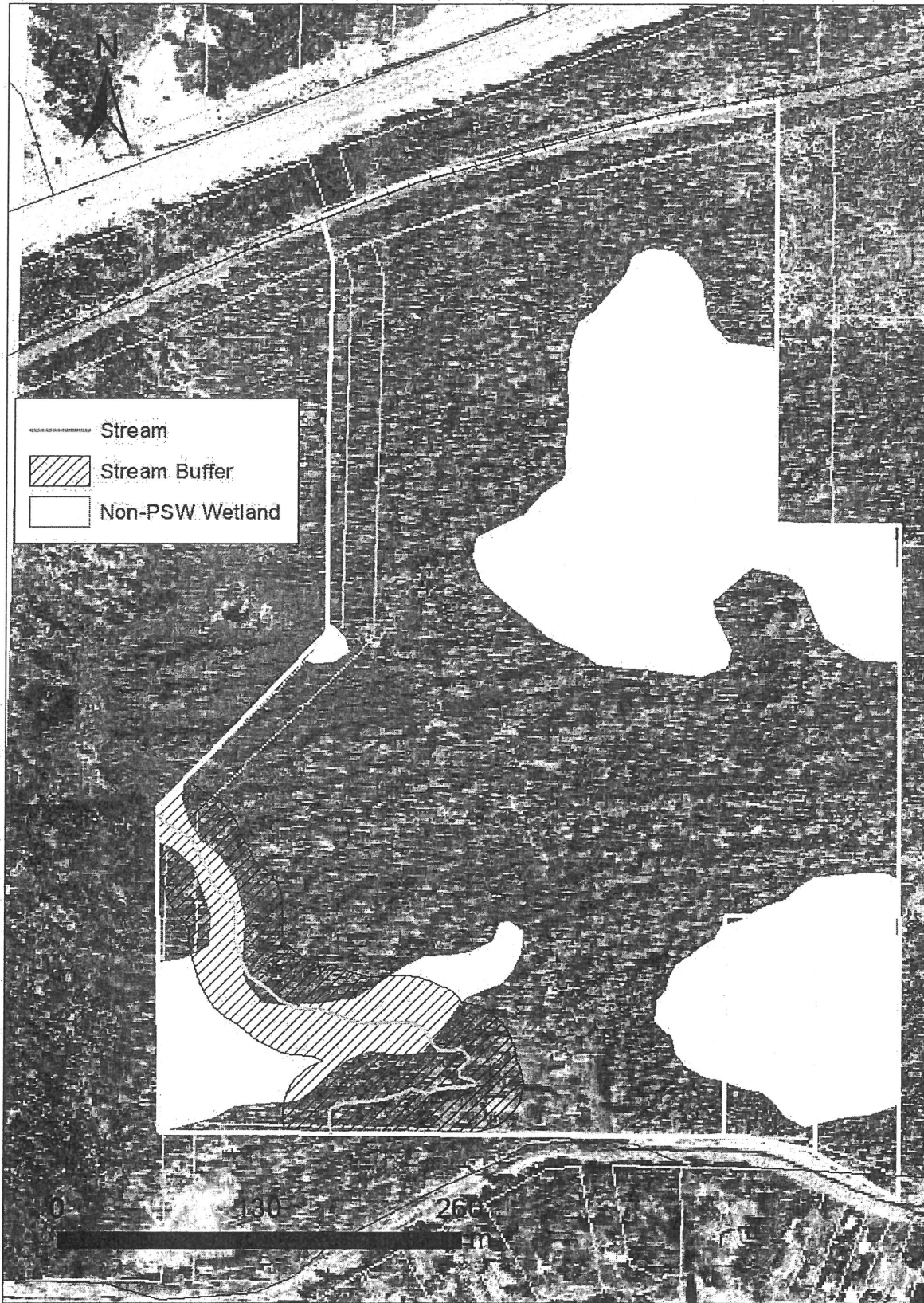


FIGURE 1. MAP SHOWING 2230 AMETHYST AVENUE.



FIGURE 2. BLACK SPRUCE AND BALSAM FIR DOMINATED FOREST ON MOIST SANDY SOIL (ECOSITE B067) ON THE NORTH PART OF THE PROPERTY.



FIGURE 3. SANDY BEACH RIDGE.



FIGURE 4. POOR CONIFER SWAMP (ECOSITE B127) ON THE SOUTH PORTION OF THE PROPERTY.



FIGURE 5. DITCH ON THE SOUTH EDGE OF THE PROPERTY.



FIGURE 6. STREAM AT SOUTHWEST EDGE OF PROPERTY.

Sincerely,

Allan Harris
Principal

Appendix 4 – Lakehead Region Conservation Authority (LRCA)
Communications



From: Michelle Sixsmith <michelle@lakeheadca.com>
Date: Friday, June 4, 2021 at 11:59 AM
To: " " <>
Cc: Tami Hutchinson <>, 'Lindsay Spenceley' <linnaea.ecological@gmail.com>
Subject: Re: Wetland Assessment at 2230 Amethyst Ave

Hi Al,

The EIS covers our concerns with the proposal. The LRCA will support the proposed severance based on the provide EIS report.

Thank you,

Michelle Sixsmith

Michelle Sixsmith

Development Regulations Officer

Lakehead Region Conservation Authority

130 Conservation Road, Box 10427

Thunder Bay, ON P7B 6T8

Telephone: 807-344-5857 Ext. 229

Fax: 807-345-9156

Email: michelle@lakeheadca.com

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From: aharris@tbaytel.net <aharris@tbaytel.net>

Sent: May 30, 2021 9:14 PM

30



SuperiorConsultingTeam.com

Cell/Text: 807-632-2784

To: Michelle Sixsmith <michelle@lakeheadca.com>
Cc: 'Tami Hutchinson' <[REDACTED]>; 'Lindsay Spenceley' <linnaea.ecological@gmail.com>
Subject: Wetland Assessment at 2230 Amethyst Ave

Hi Michelle,

Here's the Environmental Impact Statement for the 2230 Amethyst Road property.

Let me know if you have any questions.

Thanks,

Al

Allan Harris

136 S. Hill St.

Thunder Bay, ON

P7B3V1

(807) 344 7213

Michelle Sixsmith <michelle@lakeheadca.com>

Mon, Jul 4,
4:19 PM

to me

Hi Tami,

Based on my site visit, your attached site plan drawing and review of the previously submitted EIS from Al Harris, the LRCA will support your proposal. Once the zoning and severance is approved by the Municipality of Shuniah, please contact the LRCA about a permit for the yoga studio and sauna.

Thank you,
Michelle Sixsmith

Michelle Sixsmith
Development Regulations Officer
Lakehead Region Conservation Authority
130 Conservation Road, Box 10427
Thunder Bay, ON P7B 6T8

Telephone: 807-344-5857 Ext. 229

Fax: 807-345-9156

Email: michelle@lakeheadca.com

Appendix 5 – Economic Feasibility/Demand (references)



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Appendix 6a) Provincial Policy Statement and b) Official Plan Policy
Excerpts

APPENDIX 6a) Provincial Policy Statement (PPS) (Excerpts)

PPS VISION

The Provincial Policy Statement, 2020 allows for recreational development in rural areas, protection of natural heritage, promotes compatible development and economic development.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region. Strong, liveable and healthy communities promote and enhance human health and social wellbeing, are economically and environmentally sound, and are resilient to climate change.

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1

1.1.1

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Healthy, liveable and safe communities are sustained by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- promoting development and land use patterns that conserve biodiversity; and
- Preparing for the local and regional impacts of climate change.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;

Provincial Policy Statement, 2020 | 10

- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature;

1.1.5 Rural Lands in Municipalities

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

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

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

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

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

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

11 |

Provincial Policy Statement, 2020

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
- f) promoting the redevelopment of *brownfield sites*;
- g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- h) providing opportunities for sustainable tourism development;

- i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*;
- j) promoting energy conservation and providing opportunities for increased energy supply;
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.

Appendix 6b) Official Plan Excerpts

1.4 Responsibilities - Municipal planning in Ontario is conducted through the enabling legislation of the Planning Act, under an umbrella of Provincial areas of interest and land use policy, and any related provincial plans.

The official plan and all decisions made by or on behalf of Shuniah must conform to or not conflict with the Places to Grow - Growth Plan for Northern Ontario, be consistent with Ontario's 2020 Provincial Policy Statement, and have regard to areas of Provincial interest.

The Municipality of Shuniah shall have responsibility for this plan, and will:

- incorporate relevant aspects of the Growth Plan for Northern Ontario and/or Ontario's Provincial Policy Statement as such documents might be amended from time to time;
- incorporate policies from other relevant municipal documents in decision-making such as, but not limited to, Recreation, Parks and Facilities Master Plan, **Tourism Strategy**, Asset Management Plan and the MWWSP;

Shuniah's 2019 Tourism Strategy... "An Action Plan has been developed which further details how each objective can be pursued over the next three years. Research conducted throughout the project is provided in greater detail in two supplementary reports: Market Research and Stakeholder Input. The Shuniah Tourism Strategy is designed to bring together community interests, existing tourism assets, local businesses and regional partners to develop tourism products and promote Shuniah as a unique and memorable place to visit, whether for a day, a week or a whole season."

1.5 Planning Objectives Shuniah wishes to establish and to achieve the following planning objectives as set out in this section and which are intended to guide decision-making with respect to physical change within the municipality including the administration, operation, and extension of public infrastructure and public services:

- to promote efficient development and land use patterns which sustain efficient operation and financial well-being of the Municipality and the Province of Ontario over the long term, consistent with Ontario's Provincial Policy Statement (PPS) and conforming to the Growth Plan for Northern Ontario;
- to promote a land use pattern, density of development, and mix of land uses that minimize climate change impacts, such as impacts upon municipal infrastructure and public services, and the length and number of vehicle trips taken by the residents of the Municipality;
- **to promote sustainable development that balances rural quality of life with development;**
- to help prevent and adapt to climate change and prevent other economic and health impacts by optimizing the use of existing infrastructure and public services; evaluating the need for future infrastructure; promoting orderly, economic, efficient, and effective creation and delivery of common infrastructure, public services, and public service facilities; and by promoting cost effective development standards to minimize land consumption and servicing costs;
- to adapt to climate change impacts by anticipating the increased risk of flooding by directing development away from low-lying areas;
- to advance the process of concentrating development within the municipality in order to maximize efficient use of resources, mitigate climate change; and to achieve local development densities at levels that can support the expansion of local commercial, institutional activity and other employment opportunities;

- to manage for the sustainability of natural heritage resources within the municipality and where possible promote enhancement of such resources, particularly the aesthetic and environmental quality of the shoreline of Lake Superior and various inland lakes;
- **to develop a basic economic foundation** in employment and assessment, including activities related to compatible larger-format commercial development, aggregate and mining activities in areas of high potential, transportation, agriculture, forestry, **recreation and tourism**, and other rural level industrial activity;
- **to avoid incompatible development and land use patterns which may cause environmental or public health and safety impacts or adverse effects, particularly impacts to vulnerable surface and ground water features and their hydrologic function;**
- to have regard for and improve accessibility for the elderly and persons with disabilities, as provided for under the Accessibility for Ontarians with Disabilities Act and corresponding amendments to the Planning Act and to eliminate or prevent land use patterns which restrict full participation in the community by these persons;
- to encourage the preservation and possible adaptive re-use of the decommissioned CNR railway corridor along the shoreline of Lake Superior and to maintain that corridor's integrity and continuous linear characteristics while seeking connections with other trails including the Province-wide Cycling Network, parks or open space systems; and while taking into account public input; OFFICIAL PLAN OF THE MUNICIPALITY OF SHUNIAH 10 March 27, 2021
- to encourage a sense of place through well-designed built form and cultural heritage planning which conserve the features that help define character, including but not limited to the cultural heritage resources identified by Indigenous communities;
- **to promote resource-based recreational residential and value-added tourism development that is compatible with the neighbourhood character and natural environment; and which is economically feasible.**

2.1 Land Use Compatibility - The Municipality wishes to minimize the possibility of conflict between land uses or land use incompatibility. Land use compatibility is partially achieved through separation of uses by the Land Use Designations described in this section; but is also achieved using **evaluation criteria (see Planning Analysis)**, by separating sensitive land uses to avoid potential adverse effects, and by implementing mitigation measures. If land use compatibility cannot be demonstrated for proposed development initiatives, the Municipality may decide that development shall not proceed. See section 3.20 Compatible Development which applies to all new Planning Act development in all Land Use Designations.

3.2.6 Short-Term Accommodation & Home Sharing - The Municipality is supportive of home-sharing or short-term accommodation to promote economic development and provide opportunity for diversity in local accommodations while limiting potential impacts to neighbourhoods. Short-term accommodation shall be permitted in all designations as set out in a Municipal by-law for any period less than increments of thirty (30) consecutive calendar days in the entire main unit of any main dwelling. Short-term accommodation shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit or similar commercial or institutional use; all of which require site specific zoning and site plan control as needed for implementation of mitigation measures. All home-share dwellings shall be Ontario Building Code (OBC) and Fire Code compliant; water quality must meet MOHLTC standards; and septic systems must meet OBC to the satisfaction of the TBDHU.

Additional Residential Units - Due to the limitations of rural servicing levels and the desire to direct development to serviced areas in order to achieve efficient development, additional residential units are limited to one additional residential unit within any legally existing main residential dwelling and one additional residential unit within an ancillary structure within the Municipality

3.13.3 Stormwater Management - All new applications for commercial, industrial and institutional developments shall include stormwater management plans intended to minimize contamination, prevent loss of life, minimize community disruption and property damage, and maintain and enhance surface and ground water resources. Stormwater management plans shall include but not be limited to, landscaping and planting which will be implemented through site plan approval and/or other tools, as needed. See also section 3.13.2.

3.17 Commercial Development - The intent of the Commercial Development policy is to recognize existing commercial development; and to create opportunity for economic development and the provision of local, tourist and highway amenities in compatible locations across the municipality (see section 3.20). **Commercial development must be compatible with existing uses and rural character; and will be permitted through zoning and site plan control to ensure adequate access, parking, landscaping, buffering, setbacks, storm water management and implementation of any other mitigation measures.**

All commercial uses must be considered to be a “dry use” as defined by MECP unless it can be demonstrated that it can be adequately serviced by private, individual on-site water and sewage in accordance with section 3.13; and justified through a servicing options statement. The planning justification for new commercial development shall include but not be limited to: • a groundwater impact assessment or hydrogeological study to determine the susceptibility of groundwater to contamination from sewage effluent, the ability of the site to treat sewage effluent to Provincial standards, the adequacy of groundwater in terms of both quality and quantity to service the proposed development, and the potential for interference with the water supplies of neighbouring properties; • a market impact study evaluating the economic feasibility given demographic and market trends; • storm water management plan in accordance with section 3.13.3; and, • any other site-specific studies to evaluate and mitigate potential adverse effects (see section 3.20 and section 4) **as determined by the Municipality. Scope and complexity of studies shall be appropriate to the scale and complexity of the proposed development including potential impacts.** Expansion, redevelopment or new development of commercial uses that are located on a Provincial Highway shall be subject to, among other things access regulations and practices of the Ministry of Transportation (see section 3.11). New commercial development shall, wherever possible, make use of municipal roads rather than Provincial Highway for access.

3.17.3 Tourist Commercial Development Tourism has the potential to contribute significantly to the local economy; and as such, the Municipality created a tourism strategy.

The objective of the tourism strategy is to formulate developmental framework with emphasis on policy and strategy, planning, institutional strengthening, legislation and regulation, product development and diversification, marketing and promotion, tourism infrastructure and superstructure, economic impact of tourism and tourism investment, human resource development, and socio-cultural and environmental impacts of tourism.

Key areas of focus identified in the plan are supported by official plan policies; and include: 1. Community Pride and Promotion 2. **Lake Accessibility** 3. **Outdoor Recreation Trails** 4. **Business Connections** 5.

Regional Collaboration Tourist commercial uses include activities that focus on attracting and retaining visitors on a year-round basis for economic gain such as, but not limited to campgrounds, lodges, resort hotels, marinas, ski centres, off-road biking and hiking trails, and recreational facilities.

Tourist commercial uses are permitted where compatible with surrounding land uses and are in association with an attraction or resource. Examples of an attraction or resource include, but are not limited to a lake, mountain, forest trails, or regional commercial use.

Tourist commercial uses shall not detract from the adjacent landowner's enjoyment of their property or existing rural character. (SEE COMPATIBILITY OP s. 3.20)

Selected OP Definitions

Residential Unit – Planning Act definition of residential unit means a unit that: a) consists of a self-contained set of rooms located in a building or structure, b) is used or intended for use as residential premises, and c) contains kitchen and bathroom facilities that are intended for the use of the unit only.

Resource-based Recreational Use – activities, including residential, which are related to the use of the resource such as a lake, trails, rivers, mountains.

Rural Character – a state or condition dominated by open space, natural features and ecological functions, and/or traditional rural activities such as farming or natural resource use, where such activity predominates over a built environment.

Sensitive – in terms of land use, it means buildings, amenity areas, or outdoor spaces where routine or normal activity occurs at reasonably expected times and which would experience one or more adverse effects from nearby sources of noise, contaminants or other discharges by nearby properties. Sensitive lands may be a part of the natural or built environment such as residences, institutional uses such as day care or schools, or some commercial uses such as offices.

Short-term – in terms of home-sharing, short-term is considered any period less than thirty (30) consecutive calendar days.

Appendix 7 – Early (Written) Feedback During Pre-consultation

I can certainly understand what you are wanting to do as it is amazing and quiet and serene out here. Lake living at its best. But call it a wellness retreat or a campground, it's still bringing a lot of people in, with your plan of 10 cabins (how big are these cabins and how many ppl?). And while Northwestern Ontario certainly is a gift, I personally don't believe everyone should be experiencing Amethyst Harbour unless they live there (or have relatives who live there) and pay taxes. It's a small piece of heaven cottage/home owners have here and we all know we are very lucky to be able to spend time in this beautiful place, and we aren't interested in sharing it with the world. There are many concerns with this (like what happens with the garbage from the people of those 10 cabins and bear attraction—which is already becoming an issue, influx of vehicles, road safety, do you plan on using the main dock? Or the beach? Or tennis courts/basketball courts/pickleball, the private trails, and bringing complete strangers from anywhere in the world to this little piece of heaven) and as (Name Removed) pointed out, this will set precedent for other businesses as well. Amethyst Harbour is an escape from the city, we don't need to try and turn it into one.

AHCA Members

I am certain that you are all aware of the impending submission to the Municipality of Shuniah requesting a rezoning change for the property at 2230 Amethyst Ave.

The intent of the owners is to operate a wellness retreat/centre using existing structures as well as renovating and building new. Future plans include building 10 bunkies/cabins on the property .

They are presently advertising and operating under the name Saudade Retreat (Instagram) and hoping to arrange boat/sailing trips to Caribou which may include using the Main dock at Amethyst. Since the main dock is owned by AHCA this could become a major and costly litigious issue.

2/3 of the property at 2230 Amethyst Ave is designated as wetlands and therefore protected. Any development could adversely affect this area.

If this rezoning application is approved, it is precedent setting and opens the way to future commercial residential development anywhere along the shoreline from Bare Point to Bay's End. Imagine your neighbours operating a fish cleaning establishment, a dry cleaning/laundromat or a gas station on the property next to yours. If you live or own property on the lakeshore this application AFFECTS YOU.

The minutes of the Shuniah Council Meeting May 10,2022 (which I attended by Zoom) indicate that Shuniah has hired a planner (because of opposition to the application) to assist specifically in reviewing this application and perhaps others. It was suggested that the role of the planner would be to not only review concerns expressed by the residents but also to meet with the applicant to discuss the concerns in order for the applicant to make adjustments to the proposal that would satisfy Shuniah and fit the official plan.

IN 30 PLUS YEARS OF LIVING ON THE LAKE IN SHUNIAH I AM UNAWARE OF SHUNIAH HIRING A PLANNER OR OTHER STAFF PERSON TO SPECIFICALLY REVIEW AND DISCUSS THE CONCERNS OF ANY ONE RESIDENT REGARDING A REZONING APPLICATION

In my opinion, residents' concerns should be addressed by Mayor and Council in order to ensure any application fits the parameters of the Official Plan and best serves the residents.

WE CAN PREVENT THIS REZONING

The purpose of this posting is firstly to ensure that residents and property owners are aware of this rezoning application and possible future repercussions if it should be approved and also to encourage each of you to e-mail your concerns to: clerkdept@shuniah.org and / or to call or email all your councilors.

Their contact info is available online in the Shuniah newsletter or from the municipality office and also at end if this post This should be done ASAP since there is a public Meeting on May 24 at 4:00 pm by Zoom (possibly an open meeting at MacGregor Rec centre check with Shuniah)

Zoom ID# is available from Shuniah office or on website under meetings

I also strongly encourage everyone to pass this information along to all associations and individual property owners between Bare Point and Bay's End as well as other areas: ie Loon Lake and any individuals who may be concerned that an influx of strangers may compromise the safety of their children, may affect their property values, that an increase in traffic could affect the serenity, peace and quiet of life at the lake, about the environmental impact, future development and damage to roads resulting in higher taxes etc

To mention a few.....

Please e-mail concerns to Shuniah and your council members (08)
REMEMBER IT IS AN ELECTION YEAR!
All that is required is for each of us to e-mail our councilors and say
"I oppose the application to rezone 2230 Amethyst Ave"
Sorry for the lengthy post
Mayor Wendy Landry
807 626 6686
wlandry@shuniah.org
Councilor Donna Blunt
807 983 2129
dblunt@shuniah.org
Councilor Ron Giardetti
807 983 2501
807 627 7115
rgiardetti@shuniah.org
Councilor Don Smith
807 6211904
dsmith@shuniah.org
Councilor Meghan Chomut
807 983 3399
mchomut@shuniah.org

Some are trying to use our facilities for their own gain....

Who will provide the extra liability insurance??

That is just one issue...

Land use and septic issues??

She has already got some council support.

We must act and we must make it quite clear to Hutchinson that her guests cannot randomly use our facility . I am hearing that she might even try y to use the dock for boat excursions to Caribou Is. Caribou is privately owned. Even members have historically NOT kept boats at the dock for constant or extended periods.

We need legal advise!

The late (name removed) ,,my friend,

Used to provide service for the AHCA...

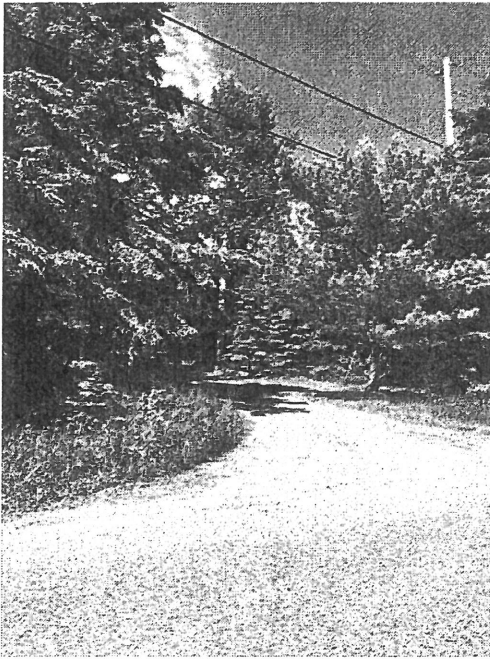
I understand you have something you perceive would be of benefit to our area, something you believe we are lacking. I do not think you will find many people agreeing with you. And quite frankly the only person/people it would benefit would be you/your family, Shuniah for tax purposes possibly and the people who get to come experience our beautiful little community at a cost to those who actually live/camp here. Sell it to me how it would be a benefit to our community? Tell me how the people of Amethyst Harbour will benefit from this? You seem like a lovely person and we are neighbours so I want to be sympathetic to your plight, but convince me it's in my best interest to be in favour of this in my own back yard?! If this gets approved, what's stopping you from selling and someone else coming in and putting in something quite the opposite of a "wellness retreat"? Once that Pandora's box is open it cannot be closed and I foresee our quiet, safe little community becoming something quite different

I am a bit uneasy about commenting on this only because I do not want the Hutchinson's to feel unwelcome or alienated. But because it has a greater impact, we should also be aware that they propose to sever their lot to create two undersized lots in addition to the one with their house. This opens the door for all the back lots on the beach roads to create numerous undersized lots. Currently the Shuniah By-law zones those properties on the north side of the beach road as Rural. The current size requirements are 4 ha (10 acres). I am not sure if their application is still in place but their proposal was to create two undersized lots of 2 ha (5 acres) each in addition to the one containing the dwelling. If this proceeds, Shuniah will be setting a precedent for all the rural lands abutting the beach roads. And yes to Margie's question there will be a sign placed on the property and those who are within a range will be notified by mail of the public meeting. That is the time to either appear in person or send a letter to Council. If you appear you can speak for or against the application.



Appendix 8 – Selected Site Visit Photos

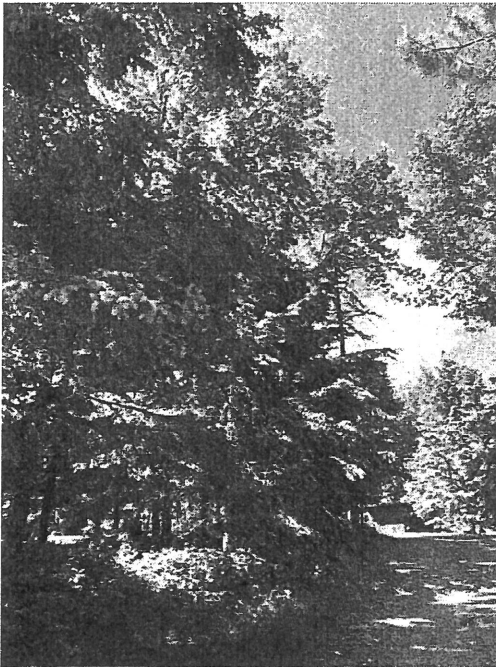




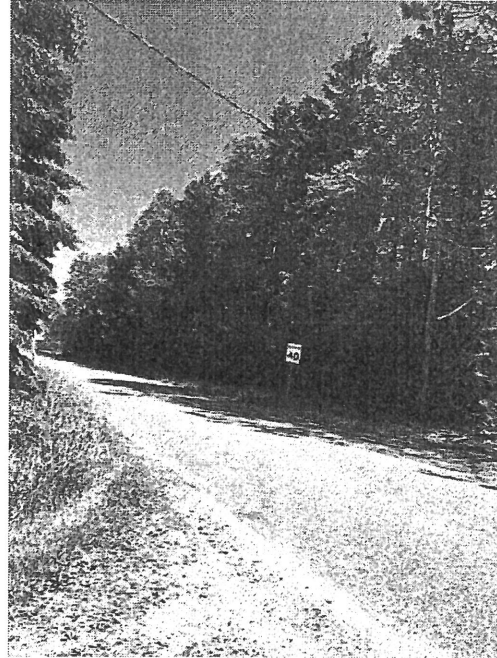
View from Amethyst Avenue into driveway



View from driveway to the west



View from end of driveway into property



View from driveway to the east