

# **ST. JOSEPH ISLAND PLANNING BOARD MEETING**

**Monday, September 18<sup>th</sup>, 2023**

**7:00 P.M.**

**Township of Jocelyn Municipal Office**

**3670 5<sup>th</sup> Side Rd. (Hwy. 548), St. Joseph Island, Ontario**

## **AGENDA**

Declarations of Pecuniary Interest:

Minutes of Previous Meeting:

Agenda Review/Additions:

Consent Applications:

Ben Fairburn & Sam Whitley - # 6/23  
re: Pt. Lot 15, Con. L, Hilton Twp.

Barb Pavelich - # 7/23  
re: Pts. Lot 16, Con. D, St. Joseph Twp.

Delegations:

None

Correspondence:

Hilton, St. Joseph & Jocelyn Tps. & Hilton Beach  
re: Notice of Public Meetings on New Official Plan

Township of Hilton  
re: Zoning Amendment Application Notice

Township of St. Joseph  
re: Zoning Amendment Application Notices (2)

Ontario Land Tribunal  
re: Appeal Haering

Discussion/Reports/New Business:

2022 Financial Report

Official Plan Adoption & Submission

Ontario Land Tribunal Appeal

Payment of Accounts:

Adjourn:

# ST. JOSEPH ISLAND PLANNING BOARD

## NOTICE OF APPLICATION FOR CONSENT

TAKE NOTICE that the St. Joseph Island Planning Board has received a complete application for consent to sever land and will meet on Monday, September 18<sup>th</sup>, 2023, at 7:00 p.m. at the Township of Jocelyn Municipal Office, 3670 5<sup>th</sup> Side Road (Hwy. 548), St. Joseph Island, Ontario to consider that application.

The purpose and effect of the subject application for consent is to permit the severance of a parcel of land from Lot 15 Concession L in the Township of Hilton. This application proposes to sever a parcel of approximately 17.8 hectares (44 ac.) from Lot 15, Concession L. The parcel proposed to be severed has frontage of about 126 metres (413 ft.) on Hilton Road and is currently vacant bushland. The parcel proposed to be retained consists of about 17.8 hectares (44 ac.) of bushland with frontage of approximately 126 metres (413 ft.) on Hilton Road, and has a small cabin located thereon. Both proposed parcels also have frontage on one or more unopened public road allowances (K Line and/or 15<sup>th</sup> Side Road).

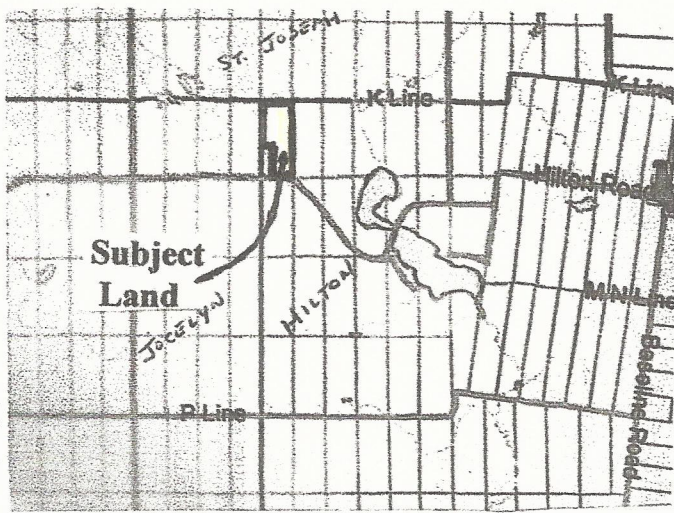
ADDITIONAL INFORMATION regarding the application is available for inspection by contacting the Secretary-Treasurer of the St. Joseph Island Planning Board at the address shown herein.

ANY PERSON may attend the meeting and/or make written or verbal representation either in support of or in opposition to the proposed consent. All persons wishing to attend and/or make verbal representation at the meeting are asked to contact the Secretary-Treasurer in advance of the meeting. If a person or public body that files an appeal of a decision of the St. Joseph Island Planning Board in respect of the proposed consent does not make written submission to the St. Joseph Island Planning Board before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the St. Joseph Island Planning Board in respect of the proposed consent, you must make a written request to:

**St. Joseph Island Planning Board**  
c/o P.O. Box 290  
Richards Landing, Ontario  
P0R 1J0

### KEY MAP



Dated at St. Joseph Island  
this 23<sup>rd</sup> day of August, 2023

  
Michael Jagger, Secretary-Treasurer  
St. Joseph Island Planning Board

Telephone: (705) 542-4606  
Email: [sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)

HILTON TOWNSHIP - LOT 15, CON L.



## Planning Report

To: St. Joseph Island Planning Board

From: Michael Jagger, Secretary-Treasurer

Date: September 18, 2023

Re: Consent Application # 6/23 – Benjamin Fairburn & Sam Whitely - Lot 15, Con. L (Hilton Road)

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### **Background:**

An application for consent to sever one parcel of land from part of Lot 15, Concession L, in the Township of Hilton. The parcel proposed to be severed is approximately 17.8 hectares (44 ac.) with frontage of about 126 metres (413 ft.) on Hilton Road and is currently a vacant bushland. The parcel proposed to be retained consists of about 17.8 hectares (44 ac.) of vacant rural land with frontage of approximately 126 metres (413 ft.) on Hilton Road, and has a small cabin located thereon. Both proposed parcels also front on unopened public road allowances (i.e. K Line, 15<sup>th</sup> Side Rd.)

The subject property is located in the Rural land use designation and consists of approximately 35.6 hectares (88 acres) of land with frontage of over 251 metres (826 feet) on Hilton Road. The property is primarily bushland and currently has one small cabin thereon. The proposed use will be residential for both the severed and retained parcels.

Notice of this application has been circulated in accordance with the provisions of the Planning Act. To date, no objections or other comments have been received.

### **Planning Rationale:**

Section A2.3 of the Official Plan encourages the maintenance and enhancement of the open space character of the rural area, and a landscape dominated by agricultural fields and forest.

Section B6.4.1 of the Official Plan provides that a maximum of two new residential lots may be created from a lot in the rural designation as long as the following are satisfied:

- a. the severed lot will not remove good agricultural land from production and is located where it would have the least impact on existing and future agricultural operations;
- b. The severed and retained lots are no smaller than 2.0 hectares and have a minimum frontage of 150 metres on an improved public road maintained on a year round basis;
- c. The boundary of the severed lot maintains a minimum distance of 300 metres from an existing barn or feedlot, or the minimum distance required by the Minimum Distance Separation I Formulae, whichever is the greater;
- d. The proposed lot complies with the criteria set out in Section D4 (General Consent Policies) of this Plan;

- e. For all lands outside the Settlement Areas, does not create more than two new lots from the original retained parcel as it existed on the date the Plan was approved; and,
- f. A maximum of 50 new lots may be created within the Rural designation in each incremental five-year planning period, beginning on the date this plan was approved.

The proposed lots are in compliance with all of the criteria outlined in section B6.4.1, except the requirement for minimum frontage of 150 metres on an improved public year-round maintained road.

The municipality's zoning by-law permits detached dwellings in the Rural – RU Zone in which the subject property is located and establishes a standard minimum lot size of 2 ha with at least 150 metres road frontage. The municipality's zoning-by law however has been amended to allow for the severance of the subject property by reducing the required open road frontage for the subject property to 125 metres.

Section D4.2 outlines the general criteria under which new lots may be created by consent, and the proposed severance meets all of the applicable requirements.


**Options:**

Approve the application as submitted without conditions, approve the application with conditions, defer the application or refuse the application.

**Recommendation:**

That Application No. 6/23 by Benjamin Fairburn and Sam Whitely be provisionally approved subject to the following conditions:

1. This approval shall apply to the severance of one new lot from part of Lot 15, Concession L, Township of Hilton, with an area of approximately 17.8 hectares (44 ac.) and frontage of about 126 metres (413 ft.) on Hilton Road.
2. Prior to the deeds for this transaction being stamped:
  - i. A Reference Plan prepared by an Ontario Land Surveyor of the subject lands, shall have been delivered to the St. Joseph Island Planning Board;
  - ii. All property taxes levied against the subject properties shall be paid in full;
  - iii. The applicant shall convey 5% of the subject lands to the municipality, if requested, for park purposes. Alternatively, the municipality may require cash in lieu of all or a portion of such conveyance.
3. The subject transaction shall be completed within two years of the date of notice of this approval.



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Amanda Richardson,  
Assistant Secretary-Treasurer (Trainee)

# ST. JOSEPH ISLAND PLANNING BOARD

## NOTICE OF APPLICATION FOR CONSENT

**TAKE NOTICE** that the St. Joseph Island Planning Board has received a complete application for consent to sever land and will meet on Monday, September 18<sup>th</sup>, 2023 at 7:00 p.m. at the Township of Jocelyn Municipal Office, 3670 5<sup>th</sup> Side Road (Hwy. 548), St. Joseph Island, Ontario to consider that application.

The purpose and effect of the subject application for consent is to permit the separation of two abutting residential parcels being parts of Lot 16, Concession D, in the Township of St. Joseph, which were previously separate parcels but have since merged under the provisions of the Planning Act as a result of property acquisition by the same owner. The parcel proposed to be severed (2059 Shore Rd.) has an area of about 0.15 hectares (0.38 ac.) with frontage of approximately of 30 metres (100 ft.) on Shore Road, and has a single dwelling and garage thereon. The parcel to be retained (2073 Shore Rd.) has an area of about 0.15 hectares (0.37 ac.) with frontage of about 30 metres (99 ft.) on Shore Road and also has an existing dwelling and a shed thereon.

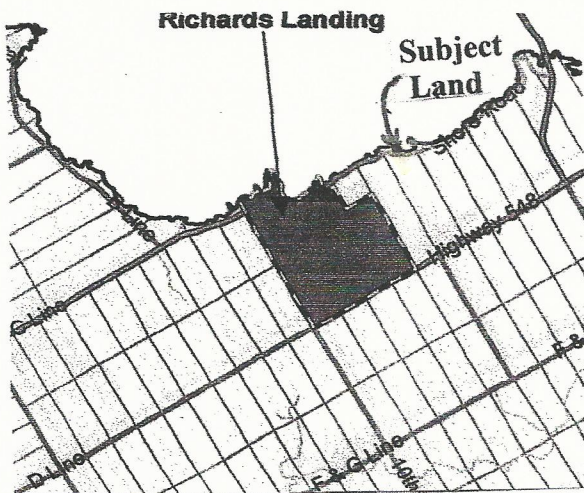
ADDITIONAL INFORMATION regarding the application is available for inspection by contacting the Secretary-Treasurer of the St. Joseph Island Planning Board at the address shown herein.

ANY PERSON may attend the meeting and/or make written or verbal representation either in support of or in opposition to the proposed consent. All persons wishing to attend and/or make verbal representation at the meeting should contact the Secretary-Treasurer in advance of the meeting in order to ensure compliance with any covid-19 protocols which may be in effect at the time of this meeting. If a person or public body that files an appeal of a decision of the St. Joseph Island Planning Board in respect of the proposed consent does not make written submission to the St. Joseph Island Planning Board before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

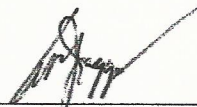
If you wish to be notified of the decision of the St. Joseph Island Planning Board in respect of the proposed consent, you must make a written request to:

**St. Joseph Island Planning Board**  
c/o P.O. Box 290  
Richards Landing, Ontario  
P0R 1J0

### KEY MAP



Dated at St. Joseph Island  
this 31<sup>st</sup> day of August, 2023

  
Michael Jagger, Secretary-Treasurer  
St. Joseph Island Planning Board

Telephone: (705) 542-4606  
Email: [sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)

Applicant: Barbara Pavelich  
Consent Application # 7/23

0.55 ac. (C)

353-01

353-02

353-03

PCL 0.57 ac. (C) A.L.G.  
353-04

PCL 0.34 ac. (C) P.L. 15  
R-8610  
353-05

345-00  
PCL 7957 ACS  
0.60 ac. (C)

N 80°49'30" W (P)  
PT. 2 PT. 5 R-7704

PCL 0.57 ac. (C)  
PT. 2 R-7088

PCL 0.58 ac. (C)  
PT. 3 R-7088

PCL 0.58 ac. (C)  
PT. 1 R-8978

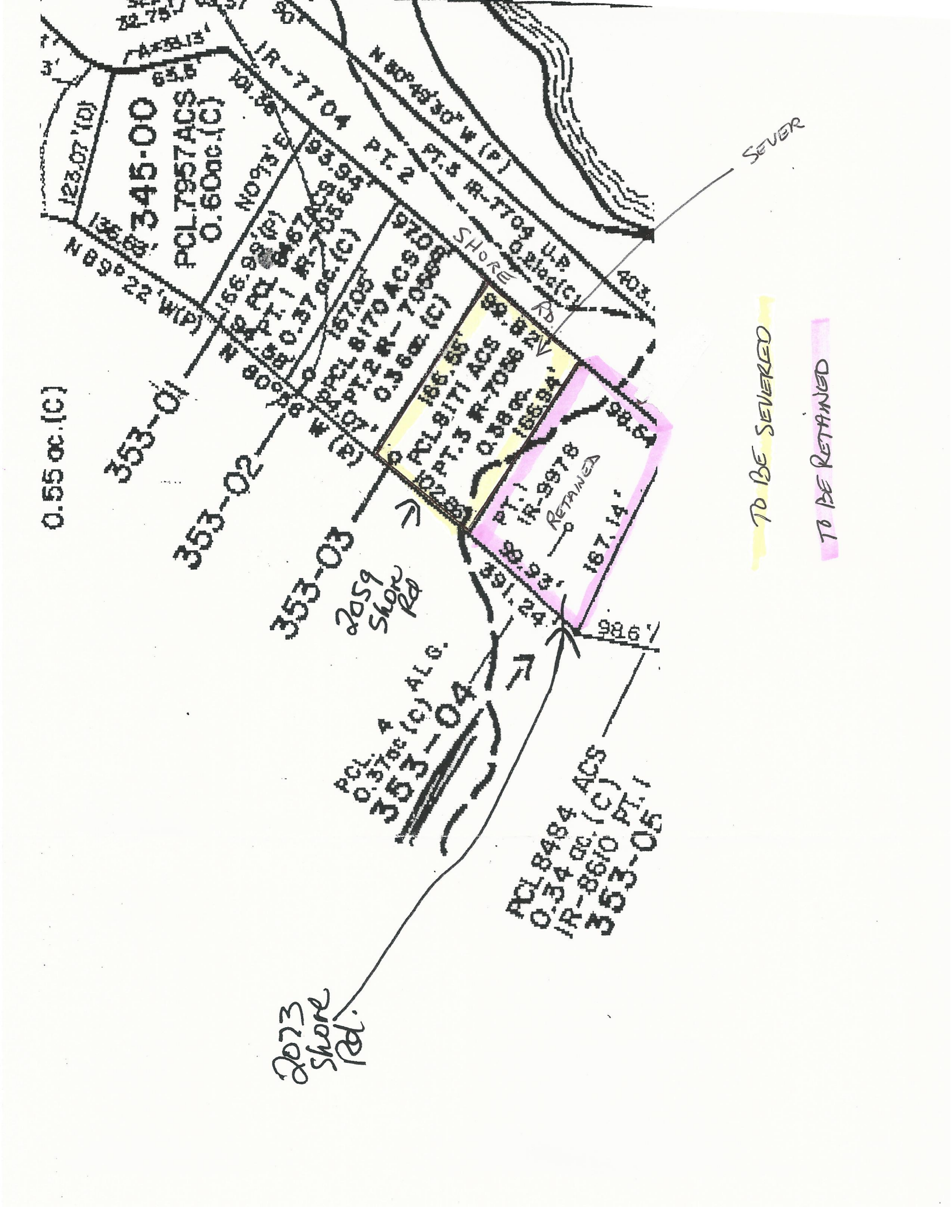
2073  
Shore  
Rd.

2059  
Shore  
Rd.

SEWER

TO BE SEVERED

TO BE RETAINED



## Planning Report

To: St. Joseph Island Planning Board  
From: Michael Jagger, Secretary-Treasurer  
Date: September 14, 2023  
Re: Consent Application # 7/23 - B Pavelich – Pts. Lot 16, Con. D, St. Joseph Township

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### Background:

An application has been received for Consent to permit the severance of two abutting residential parcels, both being parts of Lot 16, Concession D in the Township of St. Joseph. The parcels were previously separate lots but were merged under the provisions of the Planning Act as a result of property acquisition by the same owner. The applicant now wishes to separate the two parcels.

The parcel proposed to be severed (2059 Shore Road) has an area of approximately 0.15 hectares (0.38 acres) with frontage of approximately 30 metres (100 feet) on Shore Road and has a single dwelling and garage thereon. The parcel to be retained (2073 Shore Road) has an area of approximately 0.15 hectares (0.38 acres) with frontage of approximately 30 metres (99 feet) and also has a dwelling and an accessory building thereon.

The subject properties are located in the Shoreline land use designation and are zoned LSR (Limited Service Residential). Both of the subject properties are located on the back side of Shore Road which runs along the shoreline and both gently sloping toward that road and the shore. Both parcels have been developed and used for seasonal residential accommodation for many decades and have existing approved septic system thereon.

Notice of this application has been circulated. Algoma Public Health has indicated that they have no objections or concerns in relation to this proposal. No other comments or objections have been received to date.

### Options:

Approve the application as submitted without conditions, approve the application with conditions, defer the application or refuse the application.

### Planning Rationale:

Section B6.4.1 of the Official Plan provides for the creation of new residential lots by consent in the shoreline area subject to a minimum lot area of 1 hectare (2.5 ac.) and the General Consent Policies outlined in Section D 4.2.1 of the Official Plan. The municipality's zoning by-law places these lands in the Limited Service Residential (LSR) Zone which stipulates a minimum lot size of 1 ha. (2.5 ac.) and minimum road frontage of 45 metres (150 ft.)



These proposed parcels appear to be in compliance the requirements of Section D4.2.1 (General Criteria for New Lots by Consent) with the exception of criteria a) which states that newly created lots shall front on and will be directly accessed by a public road that is maintained on a year-round basis. They are located on a portion of Shore Road which is only seasonally maintained at this time.

These proposed parcels may however be considered pre-existing non-complying lots in accordance with Section E3 of the Official Plan, which in part reads as follows:

“A non-complying lot in existence prior to the effective date of the implementing zoning by-law that does not meet the lot area and/or lot frontage requirements contained within the implementing zoning by-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the implementing zoning by- law, and the buildings or structures comply with all of the other provisions of the implementing zoning by-law. In addition, such a lot shall have a minimum lot area of 929 square metres.”

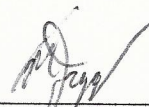
Each of the proposed parcels exceed that minimum lot area.

While neither of the proposed parcels meet the current minimum lot area or road frontage requirements of the Official Plan or Zoning By-law, these proposed parcels were separate pre-existing non-complying lots prior to being purchased by the same owner. Also, the sizes of these parcels are in keeping with the typical lot size and road frontage of other parcels of land in the immediate area. Approval of this application could therefore be considered on a pre-existing non-complying basis and would allow the applicant to dispose of a surplus dwelling.

**Recommendation:**

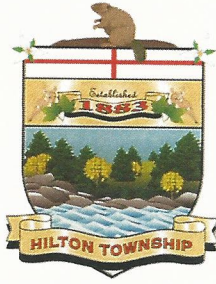
That Application No. 7/23 by Barbara Pavelich be provisionally approved subject to the following conditions:

1. This approval shall apply to the severance of one parcel consisting of that part of Lot 16, Concession D, in the Township of St. Joseph, with an area of approximately 0.15 hectares (0.38 ac.).
2. Prior to the deeds for this transaction being stamped:
  - a. A Reference Plan prepared by an Ontario Land Surveyor of the subject land shall have been delivered to the St. Joseph Island Planning Board;
  - b. All property taxes levied against the subject properties shall been paid in full; and the applicant shall convey 5% of the subject lands to the municipality, if requested, for park purposes. Alternatively, the municipality may require cash in lieu of all or a portion of such conveyance; and
  - c. The subject transaction shall be completed within two years of the date of notice of this approval.



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Michael Jagger, Secretary-Treasurer



# PUBLIC MEETING OFFICIAL PLAN



**September 6, 2023 from 3:00 to 4:00 p.m.**

**HILTON TOWNSHIP MUNICIPAL OFFICE  
2983 Base Line, Hilton Beach, ON.**

The St. Joseph Island Planning Board and Fotenn Planning + Design have prepared a new Official Plan for St. Joseph Island. The St. Joseph Island Planning Board is recommending approval of the draft Official Plan by Hilton Township.

The next step, as required under the Planning Act, is for Hilton Township to hold a Public Meeting to allow residents to make representations regarding the proposed draft Official Plan.

An Official Plan describes how land in the community should be used. It is being prepared with input from residents and will help to ensure that future planning and development will meet the specific needs of the community.

All landowners and residents of Hilton Township are invited to attend this Public Meeting to make comment on the draft Official Plan, which encompasses the entirety of St. Joseph Island, before it is considered for adoption by Council.

To view the Official Plan document and Land Use Schedules prior to the Public Meeting, please visit the Hilton Township Municipal Office or the Township website:  
[www.hiltontownship.ca](http://www.hiltontownship.ca)

**Hilton Township**  
2983 Base Line, Hilton Beach, ON.  
(705) 246-2472 or email at [admin@hiltontownship.ca](mailto:admin@hiltontownship.ca)

For more information about this matter, including information about appeal rights, contact Michael Jagger, Secretary-Treasurer of the St. Joseph Planning Board.

Michael Jagger, Secretary-Treasurer  
St. Joseph Planning Board  
P.O. Box 290  
Richards Landing, ON. P0R 1J0  
[sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)



# TOWNSHIP OF ST. JOSEPH PUBLIC MEETING OFFICIAL PLAN



**Date & Time:** September 6, 2023, from 6:30 to 7:30 p.m.

**Location:** Township of St. Joseph Municipal Office - 1669 Arthur Street,  
Richards Landing, ON.

The St. Joseph Island Planning Board and Fotenn Planning + Design have prepared a new Official Plan for St. Joseph Island. The St. Joseph Island Planning Board is recommending approval of the draft Official Plan by the Township of St. Joseph.

The next step, as required under the Planning Act, is for the Township of St. Joseph to hold a Public Meeting to allow residents to make representation regarding the proposed draft Official Plan.

An Official Plan describes how land in the community should be used. It is being prepared with input from residents and will help to ensure that future planning and development will meet the specific needs of the community.

All landowners and residents of the Township of St. Joseph are invited to attend this Public Meeting to make comment on the draft Official Plan, which encompasses the entirety of St. Joseph Island, before it is considered for adoption by Council.

To view the Official Plan document and Land Use Schedules prior to the Public Meeting, please visit the Township of St. Joseph Municipal Office or the Township website:

[www.stjosephtownship.com](http://www.stjosephtownship.com)

## **Township of St. Joseph**

P/O. Box 187 - 1669 Arthur Street, Richards Landing, ON.  
(705) 246-2625 or email at [clerkadmin@stjosephtownship.com](mailto:clerkadmin@stjosephtownship.com)

For more information about this matter, including information about appeal rights, contact the St. Joseph Planning Board:

Michael Jagger, Secretary/Treasurer

P.O. Box 290

Richards Landing, ON. P0R 1J0

[sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)

# PUBLIC MEETING OFFICIAL PLAN



**September 12, 2023 from 6:00 to 7:00 p.m.**

**JOCELYN TOWNSHIP OFFICE  
3670 5<sup>TH</sup> Side Road, Hilton Beach, ON P0R 1G0**

The St. Joseph Island Planning Board and Fotenn Planning + Design have prepared a new Official Plan for St. Joseph Island. The St. Joseph Island Planning Board is recommending approval of the draft Official Plan by Jocelyn Township.

The next step, as required under the Planning Act, is for Jocelyn Township to hold a Public Meeting to allow residents to make representation regarding the proposed draft Official Plan.

An Official Plan describes how land in the community should be used. It is being prepared with input from residents and will help to ensure that future planning and development will meet the specific needs of the community.

All landowners and residents of Jocelyn Township are invited to attend this Public Meeting to make comment on the draft Official Plan, which encompasses the entirety of St. Joseph Island, before it is considered for adoption by Council.

To view the Official Plan document and Land Use Schedules prior to the Public Meeting, please visit the Jocelyn Township Municipal Office or the Township website:  
[www.jocelyn.ca](http://www.jocelyn.ca)

**Jocelyn Township**  
3670 5<sup>th</sup> Side Road, R.R #1, Hilton Beach, ON.  
(705) 246-2025 or email at [admin@jocelyn.ca](mailto:admin@jocelyn.ca)

For more information about this matter, including information about appeal rights, contact Michael Jagger, Secretary-Treasurer of the St. Joseph Planning Board.

Michael Jagger, Secretary-Treasurer  
St. Joseph Planning Board  
P.O. Box 290  
Richards Landing, ON. P0R 1J0  
[sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)

\*\*Posted 2023 08 15\*\*



# PUBLIC MEETING OFFICIAL PLAN

**September 13<sup>th</sup>, 2023 from 5:00 to 6:00 p.m.**

**HILTON BEACH MUNICIPAL OFFICE  
3100 Bowker Street, Hilton Beach ON**

The St. Joseph Island Planning Board and Fotenn Planning + Design have prepared a new Official Plan for St. Joseph Island. The St. Joseph Island Planning Board is recommending approval of the draft Official Plan by the Village of Hilton Beach.

The next step, as required under the Planning Act, is for the Village of Hilton Beach to hold a Public Meeting to allow residents to make representation regarding the proposed draft Official Plan.

An Official Plan describes how land in the community should be used. It is being prepared with input from residents and will help to ensure that future planning and development will meet the specific needs of the community.

All landowners and residents of the Village of Hilton Beach are invited to attend this Public Meeting to make comment on the Official Plan, which encompasses the entirety of St. Joseph Island, before it is considered for adoption by Council.

To view the Official Plan document and Land Use Schedules prior to the Public Meeting, please visit the Village of Hilton Beach Municipal Office or the Township website: [www.hiltonbeach.com](http://www.hiltonbeach.com)

**The Village of Hilton Beach**  
3100 Bowker Street, Hilton Beach, ON.  
(705) 246-2242 or email at [info@hiltonbeach.com](mailto:info@hiltonbeach.com)

For more information about this matter, including information about appeal rights, contact Michael Jagger, Secretary-Treasurer of the St. Joseph Planning Board.

Michael Jagger, Secretary-Treasurer  
St. Joseph Planning Board  
P.O. Box 290  
Richards Landing, ON. P0R 1J0  
[sjiplanningboard@gmail.com](mailto:sjiplanningboard@gmail.com)

# ZONING BY-LAW AMENDMENT

**TAKE NOTICE** that the Council of the Corporation of the Township of Hilton will hold a public meeting on **Wednesday, September 6, 2023 at 7:30 p.m.** at the Hilton Township Municipal Office, 2983 Base Line, Hilton Beach, Ontario to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act.

The purpose and effect of the application is to amend the municipality's zoning by-law to allow for the construction of an accessory structure on the subject property prior to the existence of any other primary use structures.

The land affected by the Amendment is located on Lot 6 Part, Concession X, Township of Hilton, as shown on the Key Map below.

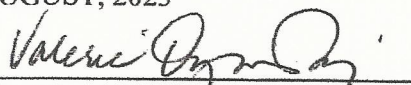
**ANY PERSON** may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed zoning by-law amendment.

If a person or public body would otherwise have an ability to appeal the decision of the Township of Hilton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Hilton Council before the by-law is passed, the person or public body is not entitled to appeal the decision.

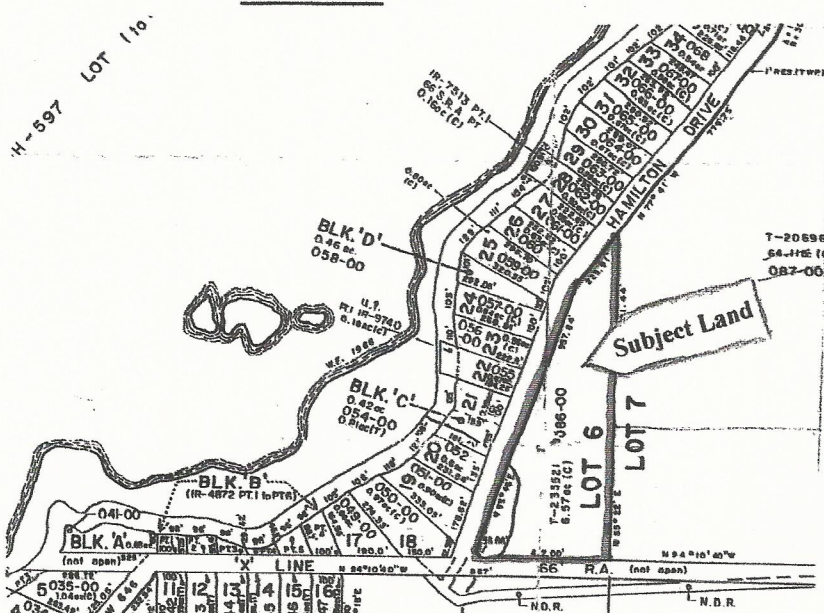
If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Hilton before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information relating to the proposed amendment, including information about appeal rights, contact Valerie Obarymskyj, Clerk Treasurer at the Township of Hilton, 2983 Base Line, Hilton Beach, Ontario, P0R 1G0 by phoning 705-246-2472 between the hours of 9:00 am and 4:30 pm, Monday to Friday or by emailing: [admin@hiltontownship.ca](mailto:admin@hiltontownship.ca)

DATED AT THE TOWNSHIP OF  
HILTON THIS 17th DAY OF  
AUGUST, 2023

  
Valerie Obarymskyj  
Clerk - Township of Hilton

## KEY MAP



**THE CORPORATION OF THE TOWNSHIP OF ST. JOSEPH**  
**NOTICE OF THE REFUSAL: ZONING BY-LAW AMENDMENT 2023-03**

**Applicant:** ARBUCKLE  
**Subject Property:** ST JOSEPH CON D PT LOT 19 W SHORE RD RP 1R13456 PART 1  
Also known as 2233 Shore Road  
**File Number:** ZBA 2023-03  
**Date of Decision:** July 19, 2023  
**Date of Notice:** August 16, 2023  
**Last Day to Appeal:** September 5, 2023

**Purpose and Effect**

This is a notice regarding a decision of Council on a Zoning By-Law Amendment Application, for the lands at ST JOSEPH CON D PT LOT 19 W SHORE RD RP 1R13456 PART 1, also known as 2233 Shore Road. Council refused this application at their meeting on July 19, 2023. The Zoning Amendment application sought to amend the municipality's Zoning By-law to reduce the minimum required interior side yard building setback to from 2 metres (6.5 feet) to 0.318 metres (1.04 feet) to permit the construction of a new accessory building and deck (S 4.1.2.1).

**Reason for Refusal**

Reducing the side yard setback to 0.318 metre (1 foot) would limit the space available to carry out any maintenance, without trespassing on the neighbouring lot. It is likely that the roof eave would extend over the property line so that it encroaches over the neighbouring lands. Council recommended that if the proposed addition cannot be redesigned to meet the current minimum interior side yard setback, then the applicant could consider acquiring a small piece of land from the abutting property in order that the necessary setback can be met, rather than reducing the setback as proposed.

**Appeal Process**

Council received written and oral submissions regarding the said By-law for which the effect was both duly considered and formed part of the deliberations of Council. Notice shall be given to any prescribed person or public body who has the right to appeal these by-laws. If you choose not to appeal these by-laws, no further action is necessary.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If you intend to appeal this decision, a Notice of Appeal must be filed with the Clerk Administrator, Corporation of the Township of St Joseph, no later than 20 days from the date of this Notice for each by-law and shall include:

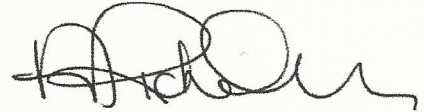
1. The reasons for the appeal and the specific part of the proposed Zoning By-law amendments to which the appeal applies.
2. A completed A1 Appellant Form. This form is to be completed by the appellant for appeals relating to the Zoning By-law amendment and is available on the Ontario Land Tribunal website.

3. A fee in the amount of \$400.00, pursuant to the Ontario Land Tribunal Act, 2021, S.O. 2021, payable by certified cheque or money order to the Minister of Finance.
4. More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

The last day for filing a Notice of Appeal is September 4, 2023.

An explanation of the purpose and effect, a description of the lands, and a key map showing the location of the lands, is shown below.

Dated at The Township of St. Joseph, August 16, 2023



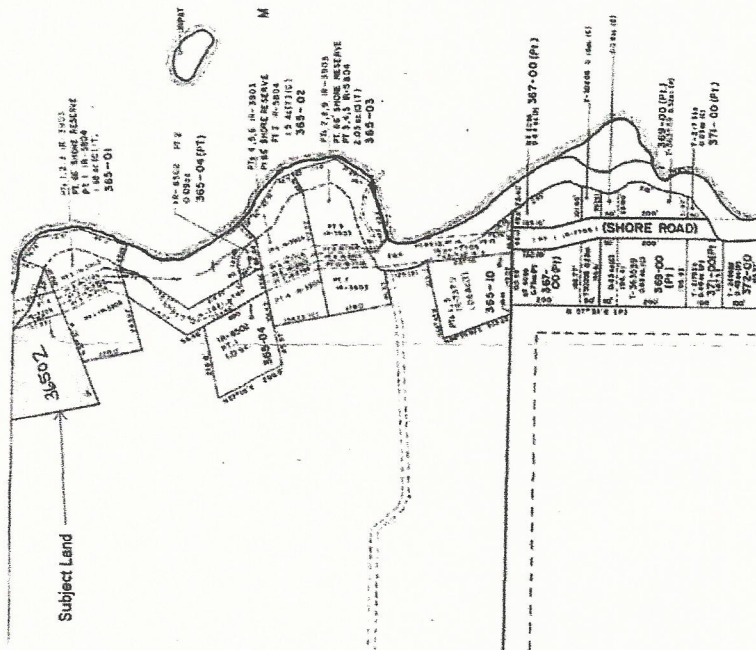
Amanda Richardson, Clerk Administrator  
 The Corporation of The Township of St. Joseph  
 P.O. Box 187  
 Richards Landing, Ontario  
 POR 1J0

EXPLANATION

SUBJECT PROPERTY:

ST JOSEPH CON D PT LOT 19 W SHORE RD RP 1R13456 PART 1  
 Also known as 2233 Shore Road

KEY MAP





**REVISED PUBLIC NOTICE CONCERNING A  
PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that The Corporation of The Township of St. Joseph has received an application to amend the Township's Zoning By-law regarding the following property:

**PLAN 4215 LOT 16 - Also known as 2242 Canoe Pointe Road**

Purpose and Effect: The proposed Zoning By-law Amendment would seek to amend the municipality's Zoning By-law to reduce the zone standard minimum lot area in the shoreline residential zone from 1 hectare (2.5 acres) to 0.9 hectares (2.22 acres) for a proposed new lot and 0.8 hectares (2 acres) for the existing lot and, also to reduce the required minimum lot frontage from 45 metres (150 feet) to 18 metres (60 feet) for a proposed new lot and 43 metres (140 feet) for the existing lot.

The Council of The Township of St. Joseph will hold a public meeting to consider the proposed amendment on Wednesday, **September 20<sup>th</sup>, 2023**, beginning at **6:45** p.m. at the Township Administration Office, 1669 Arthur Street, Richards Landing, Ontario.

Any person may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed amendment. Written submissions should be addressed to the undersigned, by no later than 3:00 p.m. on Tuesday, **September 19<sup>th</sup>**, 2023.

If a person or public body would otherwise have an ability to appeal the decision of Council for the Township of St. Joseph to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Corporation of the Township of St. Joseph before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of St. Joseph before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of The Township of St. Joseph on the proposed zoning by-law amendment, you must make a written request to:

The Township of St. Joseph PO Box 187  
Richards Landing, ON POR 1J0  
[clerkadmin@stjosephtownship.com](mailto:clerkadmin@stjosephtownship.com)

Additional information relating to the proposed zoning by-law amendment is available for inspection at The Township of St. Joseph municipal office, located at 1669 Arthur Street in Richards Landing.

A key plan showing the property location can be found on the reverse of this notice.

DATED AT THE TOWNSHIP OF ST. JOSEPH  
THIS 1<sup>st</sup> Day of SEPTEMBER 2023

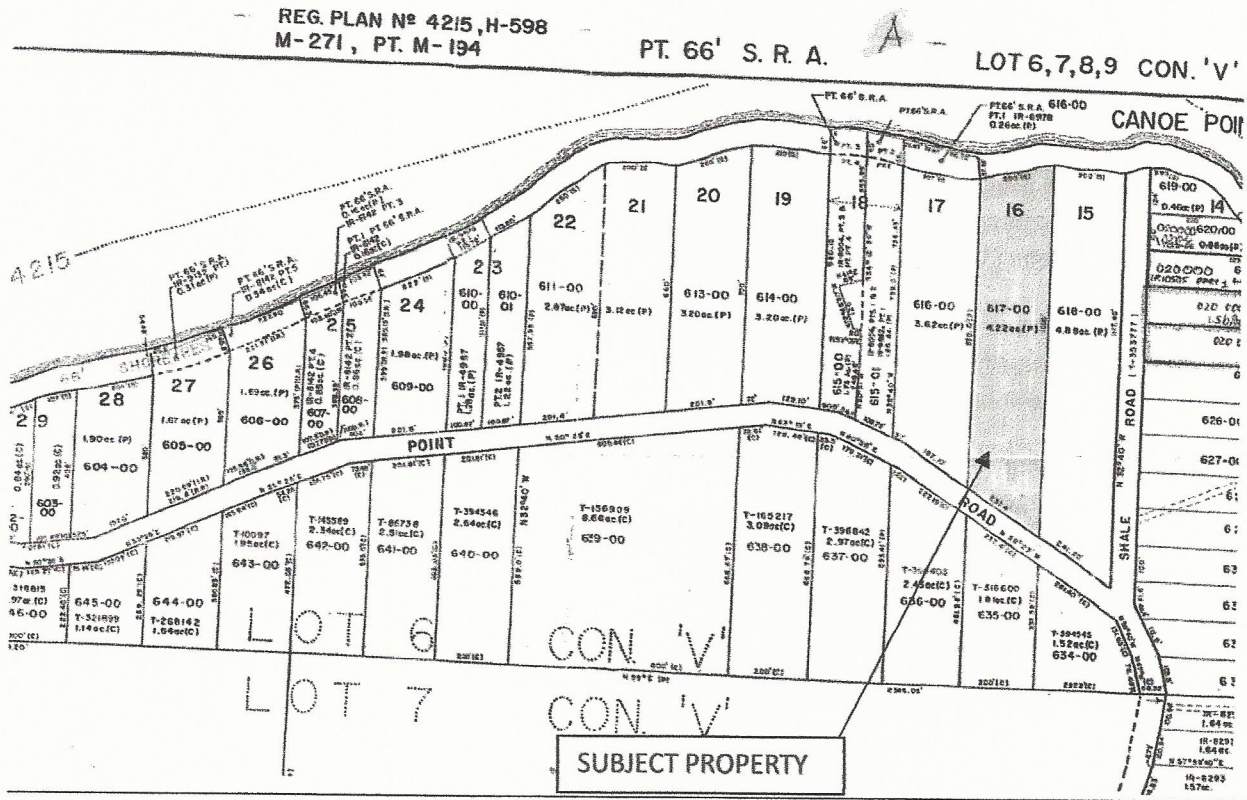


Amanda Richardson, Clerk Administrator  
The Township of St. Joseph  
[clerkadmin@stjosephtownship.com](mailto:clerkadmin@stjosephtownship.com)  
(705) 246-2625 x. 202

KEY MAP

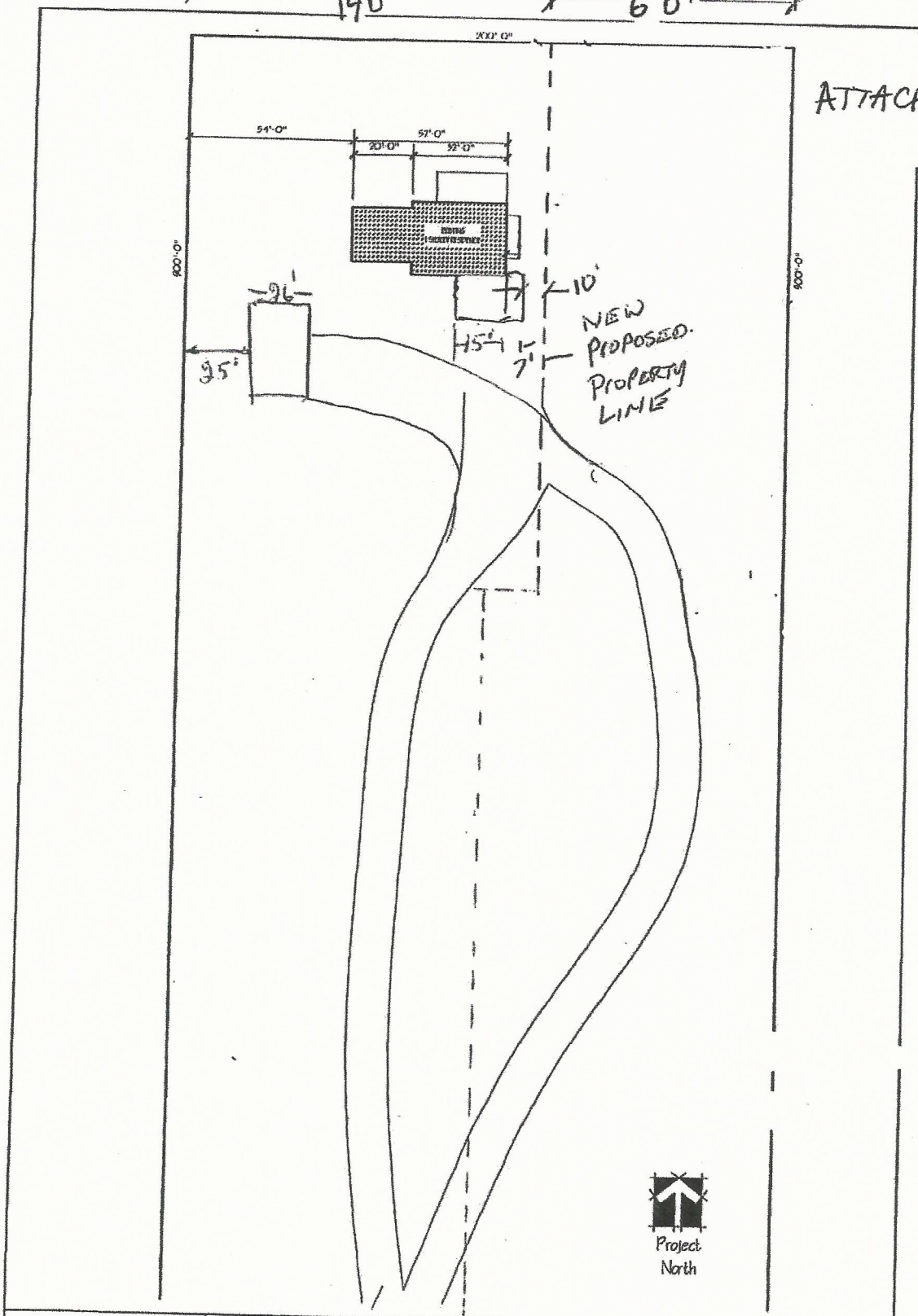
SUBJECT PROPERTY:

PLAN 4215 LOT 16 - Also known as 2242 Canoe Pointe Road



140' 60'

ATTACHMENT



	2242 CANOE POINT ROAD	SITE PLAN	
		Scale: 1" = 30'-0"	

## Ontario Land Tribunal

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Website: olt.gov.on.ca

## Tribunal ontarien de l'aménagement du territoire

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Site Web: olt.gov.on.ca



**PROCEEDING COMMENCED UNDER** subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	2296357 Ontario Inc.
Subject:	Consent
Description:	To permit the severance of a waterlot with a portion of the original shore road allowance for boat docking and residential use
Reference Number:	Consent Application # 3/23
Property Address:	1192-1198 Richards Street
Municipality/UT:	St. Joseph/Algoma
OLT Case No.:	OLT-23-000856
OLT Lead Case No.:	OLT-23-000856
OLT Case Name:	2296357 Ontario Inc. v. St. Joseph Island Planning Board

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The Ontario Land Tribunal ("Tribunal") will conduct a **Hearing** by Video Conference for this matter.

The event will be held:

**AT: 10:00 AM**

**ON: Monday, November 20, 2023**

**AT: <https://global.gotomeeting.com/join/927921077>**  
**Access code: 927-921-077**

The Tribunal has set aside **2 day(s)** for this matter.

The event will be held using **GoTo Meetings**. The appellant(s), applicant, municipality or approval authority, and those persons who intend to request party or participant status, are asked to log into the video hearing through the link provided above at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected to access and set-up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at GoToMeeting. A web application is also available:

<https://app.gotomeeting.com/home.html>. A compatible web browser for this service is Chrome.

Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **1-888-299-1889 (Toll Free) or +1 (647) 497-9391. The access code is 927-921-077.**

Event dates are firm – adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal’s Rules of Practice and Procedure Rule 17 on adjournments.

This event is conducted under Rule 20 of the Tribunal’s Rules. Rule 20.2 sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal’s Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the hearing event and must be copied to the other parties. All contact information is included in Schedule A.

If you do not attend the event, the Tribunal may proceed in your absence and you will not be entitled to any further notice of these proceedings.

#### **SUBMISSION REQUIREMENTS**

If a person intends to refer to a document at the hearing that is not in the Tribunal’s case file, the document is expected to be pre-filed electronically with the Tribunal **at least 10 days** before the date of the hearing, unless another filing date is specified in the Tribunal’s Rules. All pre-filed documents shall be served on the other parties electronically. All contact information is included in Schedule A.

If a person intends to call a witness, their witness statement and the information required under Rules 7.4, 7.5 and 7.6, must be pre-filed electronically with the Tribunal at least 10 days before the date of the hearing. Please note that if you intend to call an expert/professional witness, you must file the executed Acknowledgement of Expert’s Duty form which can be found on the Tribunal’s website (<https://olt.gov.on.ca/forms-submissions/>).

Submissions larger than **10MB** must be transferred to the Tribunal’s Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

#### **PARTY OR PARTICIPANT STATUS REQUEST:**

Persons other than the appellant(s), applicant, municipality or approval authority who wish to participate in the proceeding, either as a party or as a participant, are expected to file a written status request with the Tribunal to outline their interest in the proceeding.

The Party Status Request Form and Participant Status Request and Participant Statement Form are available on the Tribunal’s website (<https://olt.gov.on.ca/forms-submissions/>) and are to be used to assist with the preparation of the request. If you are

requesting status, this form must be provided at least 10 days in advance of the hearing to:

- The assigned Tribunal Case Coordinator **Eurus Pan** at [Eurus.Pan@ontario.ca](mailto:Eurus.Pan@ontario.ca).
- The municipality and the approval authority on the same day as it is emailed to the Tribunal Case Coordinator.
- The Applicant and the Appellant(s) on the same day as it is emailed to the Tribunal Case Coordinator.

The contact information for the parties is included in Schedule A.

The status request will be reviewed and considered by the presiding Member at the hearing. It will also assist the Tribunal in organizing the hearing event. **Attendance by the requestor, or their representative, at the hearing is required for all status requests.**

Persons who are granted **party status** may participate fully in the proceeding (see [Rule 8](#)).

Persons who are granted **participant status** may only participate in writing by way of a participant statement. This statement is expected to be provided 10 days advance of the hearing as part of the status request (see above) and sets out their position in the matter (see [Rule 7.7](#)).

Only persons who are **granted party or participant status** by the Tribunal at the hearing are permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

Please note that this matter is a hearing and the presentation of evidence will be required.

### **FURTHER DIRECTIONS**

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal's public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal's [Rule 22.1](#)).

The Tribunal shall issue a disposition following the event that will set out the directions of the Tribunal. A copy of the decision may also be obtained from the Tribunal's website (<https://olt.gov.on.ca/decisions/>) by referencing the above case number.

Please review the Tribunal's [Rules](#) for relevant information.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca). If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou [OLT.COORDINATOR@ontario.ca](mailto:OLT.COORDINATOR@ontario.ca).

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 15<sup>th</sup> day of September, 2023.

Euken Lui  
Acting Registrar

**The Corporation of the Township of St. Joseph**  
**Schedule 6 - St. Joseph Island Planning Board**  
**(Unaudited)**

**Statement of Operations**

For the year ended	Budget	2022	2021
<b>Revenue</b>			
Grants - municipal	\$ 14,500	\$ 14,500	\$ 13,800
Application fees	4,500	4,200	5,100
Interest	100	167	184
	<u>19,100</u>	<u>18,867</u>	<u>19,084</u>
<b>Expense</b>			
Administration services	6,800	6,797	6,715
General board expenses	3,500	3,109	3,002
Honoraria	2,025	2,810	910
Insurance	4,235	-	3,527
Official plan	18,500	14,688	9,231
Professional fees	400	444	400
	<u>35,460</u>	<u>27,848</u>	<u>23,785</u>
<b>Annual surplus (deficit)</b>	(16,360)	(8,981)	(4,701)
<b>Accumulated surplus, beginning of year</b>	33,187	33,187	37,888
<b>Accumulated surplus, end of year</b>	<u>\$ 16,827</u>	<u>\$ 24,206</u>	<u>\$ 33,187</u>

**Statement of Financial Position**

	2022	2021
<b>Financial assets</b>		
Cash	\$ 22,366	\$ 32,762
Accounts receivable	1,840	825
	<u>24,206</u>	<u>33,587</u>
<b>Liabilities</b>		
Accounts payable	-	400
	<u>-</u>	<u>400</u>
<b>Accumulated surplus (reserve for working funds)</b>	<u>\$ 24,206</u>	<u>\$ 33,187</u>

**Note:** The accumulated surplus which represents the reserve for working funds is being held for mandatory review and updating of the official plan.

**Participating Municipalities**

The municipalities participating in the Board are:  
Township of St. Joseph  
Township of Jocelyn  
Township of Hilton  
Village of Hilton Beach