

ADDENDUM

To the Statutory Pubic Meeting scheduled for
November 1, 2022

Proposed Zoning By-Law amendment
ROBERTS, Will Rootham

as of November 1, 2022 at 12:00 NOON

- Additional submissions received from:
 - Ted Fisher/Janet Fairy
 - Larry Watkinson
 - Anna Head
 - Charles and Candis Strickler
 - Amanda, Chris, Carol and Robert Mathewson\
 - Jim Anderson

October 24, 2022

Municipality of Whitestone
21 Church Street
Dunchurch, Ontario
POA 1G0

Re: Objection to proposed zoning by-law amendment (ROBERTS, Rootham Will)

This letter is to register our strong opposition to the proposed re-zoning of Parts 8, 9, 10 Plan 42R-20588 from Rural (RU) zone to a Tourist Commercial (C2) Zone.

To zone a lot commercial on Bolger Lake is definitely not in keeping with the rural and remote nature of this area.

We have been cottagers here for over 50 years and our love for and enjoyment of our property is inherently tied to the fact that there is no commercial development in this area.

Commercial rezoning brings with it so many possible negative impacts on both this community and the environment.

We have concerns regarding increased vehicle traffic and the ensuing deterioration to the access trail to the landing that is maintained by the MPA. Current contributions by the MPA and Whitestone may be insufficient in the future to keep this trail accessible and parking may become even more challenging.

An increase in people, boat, ATV, and snowmobile traffic that could arise from a Tourist Commercial zoning brings the distinct possibility of an increased need for emergency services. We know from personal experience that the response time for emergency services in this area is extremely long due to its remote location and off road trail access and we believe that Bolger Lake is not an appropriate location for any Tourist Commercial operation.

There is also a much greater risk of soil and or water contamination due to commercial activities that would be permitted with this rezoning. We question how this rezoning could even be considered when it abuts a conservation reserve.

We have personally been using the Bolger Landing as access to our cottage property since 1968 and while the landing has seen many changes over the years we commend all of the past and present MPA executive and the cottage volunteers who have given of their time, effort, and financial support over the years to make and keep the trail and the landing an example of community pride.

We thank you for your consideration of our viewpoint regarding this rezoning application and our objections to it.

Ted Fisher/Janet Fairy
8715 Bolger Lake

From: Larry Watkinson [mailto:fordman2691@hotmail.com]

Sent: October 27, 2022 9:00 PM

To: Council <Michelle.Hendry@whitestone.ca>; Council <councillor.gorham-matthews@whitestone.ca>; Council <councillor.lamb@whitestone.ca>; Council <councillor.mcewen@whitestone.ca>; Council <councillor.woods@whitestone.ca>; Council <mayor.comrie@whitestone.ca>

Subject: Will Roberts C2 REZONING

To: The Council of the Municipality of Whitestone.

I'm writing this letter to SUPPORT the proposed C2 rezoning at Bolger Lake. As a local contractor this will be a huge benefit for myself, and other local contractors in the area. If passed, we would be able to rent space for our tools and equipment to be safely and securely stored. Not to mention being able to have work boats docked so they wouldn't have to be towed in and out all the time. At this time there is no place at the current municipal landing to store boats, and no docking on the lake to rent dock slips.

As a Whitestone rate payer I think this is a great idea as the current landing is exceeding parking capacity on busy weekends. There is no place to park legally. If someone parked beyond the municipal boundary that person risks getting a ticket from the MOE. This rezoning could elevate some of those problems.

Will Robert's has the ONLY drive to properties on the entire lake system. He is presenting this once in a lifetime opportunity. If this rezoning were not to go through his property's will be used for other purposes. If private cottages were to be built on these properties, this opportunity will be lost forever.

Please do whats right for Whitestone and approve this application in full.

Larry Watkinson
LNK Maintenance

Paula Macri

From: Anna Head <annahead22@hotmail.com> on behalf of Anna Head
Sent: October 30, 2022 10:07 AM
To: mayor.comrie@whitestone.ca; councillor.gorham-matthews@whitestone.ca;
councillor.lamb@whitestone.ca; councillor.mcewen@whitestone.ca;
councillor.woods@whitestone.ca; bray@vianet.ca; nash.scott100@gmail.com;
Paula.macri@whitestone.ca
Subject: Re-zoning proposal on Bolger Lake

Dear Your Worship and Councilors,

My name is Anna Head, and jointly with my husband, we own WA8390 Bolger Lake. As I look at my week-old daughter, I feel it's incumbent upon me to write expressing my concerns with the application by Will Roberts to amend the Municipality of Whitestone's zoning by-law No. 07-2018 for Parts 8, 9, 10, Plan 42R-20588, geographic Township of Burton, now in the Municipality of Whitestone from the Rural (RU) Zone to a Tourist Commercial (C2) Zone.

By way of context, I have spent nearly every season of my formative years alongside my mother, and the late Dr. Head and my siblings as we enjoyed the serenity of summers and the peacefulness of winters at Bolger Lake. My father was drawn to the area at a very young age and actively sought property in the Magnatawan Pioneer Association (MPA) catchment area so that he could share his amazing childhood memories of Bolger Lake with his own growing family. I'm disheartened to learn of the application for the zoning by-law change and am concerned about the impact such a change could have on the area my family holds extremely dear.

I have long enjoyed that Bolger Lake is relatively untouched – it is peaceful – the community is respectful of each other and the environment – and the memories we have created are plentiful. I am concerned that the proposal by Will Roberts for boat, trailer, and car parking is beyond the original intent of the area (otherwise the area would have had a commercial designation at the outset), and that this development would be the opening of a floodgate to allow further development, potential devastating environmental impact, and see more traffic both on the hydro road and the water.

I would ask you (the Mayor and Councilors) to consider if you would be open to having such a development in your backyard – and the impact that that would have on the community. I am concerned that the intent of Mr. Roberts goes beyond helping his neighbours with boat, trailer, and car parking and that it blurs in to snowmobile guiding, camping, and encouraging more environmental and noise pollution while bringing in more traffic. This is aside from the concerns that I have of Mr. Roberts' proposal to offer gasoline and propane services.

I am at a loss as to why more boat parking is needed, as the boats at the landing have been in the same spot for 50 years. A part of the appeal of Bolger is the work that one has to put in (the 4x4 hydro right of way, loading a boat at the landing, unloading at your dock) to in turn enjoy the serenity of the lake. I will agree that the area has changed over time – largely due to severances, the road improvements, and large boats being brought into the lake system. However, now is the time to ensure that development does not go so far that the damage cannot be undone.

I had debated writing a letter, however, I know that my father (who loved the area so incredibly deeply – and sat on the MPA for many years) would have been in complete opposition to this proposal and would have expressed his concerns. I ask that you carefully consider the impact of development. I would encourage you to visit Bolger Lake – if you have not already – to understand the devastating impact that such a development would have.

Sincerely,

Anna Head

C. Anna Head

Tel: 613-983-8396

Whitestone Municipality and Council
21 Church Street,
Dunchurch, Ontario

October 31, 2022

RE: Objection to Zoning By-Law Amendment (Roberts, Rootham Will)

(sent by email on October 31, 2022)

To: Mayor Connie and Members of Town Council

Our names are Charles and Candis Strickler and we have owned a property on Bolger Lake for over 30 years, so we are still relative newcomers in many ways. We are writing today to express our opposition to a proposal that in our view will change the very nature of Bolger and will impact us all, good or bad, well into the future. Once we open this door it can never be closed again.

Firstly I would like to point out an error on the "Notice of Complete Application and Notice of a Public Meeting Concerning a Proposed Zoning By-Law Amendment (Roberts, Rootham Will)" The letter to the public dated September 28, 2022 identifies the property in question as being zoned Rural (RU). This is incorrect as demonstrated on the map on the back page of the letter as well in the Municipality of Whitestone Official Plan (OP) Schedule 'A' sheet 1 of 4.

- The OP 16.01 Rural and 16.01.1 states: *This designation will apply to the interior areas of the Municipality away from the recreational waterfront areas and beyond the communities of Dunchurch, Maple Island, Whitestone and Ardbeg.*

- John Jackson's report dated September 7, 2022 confirms that the subject property is zoned waterfront and that **"the municipality will require a number of studies to ensure that a proposed development is appropriate in terms of need, impacts and any mitigative measures."**

Could the Municipality please tell us what studies have been conducted to date that would ensure that the proposed development is appropriate in this case?

Secondly we notice that **Schedule 'B' Natural Heritage, sheet 1 of 4 of the OP** shows that the subject property's waterfront includes Type 1 Fish Habitat.

- The OP 12.01 Fish Habitat and 12.01.1.1 states: *The Municipality recognizes the importance and value of the sports fishery including the protection of fish habitats. New development will only be permitted where it can be carried out without negative impact on fish habitat.*

- John Jackson's report dated September 7, 2022 acknowledges that there is a small pocket of Type 1 Fish Habitat shown along the south boundary of the property. There is also a portion of the shoreline identified as Environmental Protection (EP) to reflect the aquatic vegetation in this area. The Policies relating to Natural Heritage features are applicable. These relate primarily to the presence of Type 1 Fish Habitat.

- 12.01.6 states: **Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.**
- In John Jackson's opinion "It is likely no adverse impacts would be expected as long as shoreline improvements are outside the areas of Critical emergent vegetation."
- Also stated in section 12.01.1.5 of the OP: **Any new structures along shoreline identified as Type 1 fish Habitat will not be permitted unless it can be demonstrated that there will be no adverse impacts.**

The recreational sport fishery at Bolger Lake is important to all of us and we worry that any increased pressure on this feature could have long lasting impacts. Could the Municipality please tell us what studies have been conducted to date and have they demonstrated that there will be no adverse negative impacts to the Type 1 Fish Habitat?

Thirdly, the property at the centre of this proposal is clearly adjacent to a significant Natural Heritage feature that needs to be taken into consideration. The Wahwashkesh - Naiscoot Conservation Reserve's (CR) Crown lands surround the subject property. It borders the property's perimeter and it also includes the Crown lake bed in front of the property. This conservation reserve was identified for protection during the 1999 *Ontario's Living Legacy Land Use Strategy* and it is regulated under Ontario Regulation 237/03. This CR protects a large area of diversity of both terrestrial, including species at risk, and aquatic habitats.

John Jackson's report dated September 7, 2022 states: "Given that the only neighbour to the subject rezoning is the applicant, it would appear that there would be no objection to the proposed rezoning."

We disagree with this statement and it is our firm belief that the Wahwashkesh - Naiscoot Conservation Reserve is an adjacent property owner and that it could suffer huge impacts from this rezoning proposal and any subsequent development.

- OP Section 12.0 Natural Heritage and 12.0.4 states: **No development or site alteration is permitted within Provincially Significant Wetlands or significant coastal wetlands. If development is proposed within or adjacent to other significant natural heritage features, a site assessment is required to determine if those features are present and to determine if further study is required to prevent negative impacts on the feature or its ecological function.**
- Section 12.0.5 states: **Adjacent lands are those lands that are within:**
 - a) **120 metres of: significant habitat of endangered and threatened species; provincially significant wetlands; significant coastal wetlands; significant woodlands and valleylands; Areas of Natural and Scientific Interest (life science); and fish habitat**

Since this proposed zoning amendment is adjacent to the Wahwashkesh-Naiscoot Conservation Reserve, could the Municipality of Whitestone please tell us whether a site assessment has been done to ensure there will be no negative impacts to this feature and its ecological function. If nothing has been done to date, we formally request that such a site assessment is done prior to the approval of this zoning amendment.

It should also be noted that the only access to the property at the heart of this matter is via the traditional portage trail between Miskokway and Bolger Lakes. This trail is included within the regulated boundaries of the Wahwashkesh - Naiscoot Conservation Reserve. The Statement of Conservation Interest (SCI) for this CR makes it clear on page 13 under Guideline that there is no provision for upgrading or maintaining this road/trail except through a Work Permit application. Today a work permit would need to be obtained through the Ministry of the Environment, Conservation and Parks (MECP) prior to any works to the trail being undertaken.

Also of note, this traditional trail and this area is a part of a long-standing Restricted Access Area E104A, which is intended to maintain the remote access characteristics of the area. Page 22 of the SCI states "New private roads, including additions to existing roads, will not be permitted except where there are existing commitments. New trails are also not permitted within this Restricted Access Area.

What are the implications of increased traffic using this trail? The hauling of materials for a proposed marina or tourist facility? Has the municipality taken any of these restrictions into account when considering rezoning and new development in this area?

Other sections of the Official Plan that appear to support opposition to the rezoning are:

- **12.06.5 Land Use Change and Land Use Compatibility**

*Changes in land use must be managed with the utmost care. It is a goal of this Plan that **no change in land use should be approved that would lead to land use conflicts** as a result of incompatible land uses locating near one another (or as a result of new land uses locating in proximity to other features which might create compatibility issues). Therefore all applications for a change in land use shall be assessed with respect to **the compatibility of the proposed new use and the impacts or likely impacts of the change in land use on existing or proposed features and uses within the area**. The Approval Authority will ensure, through the application of the following land use compatibility policies of this Plan, and through the application of provincial and federal policies and guidelines regarding land use compatibility, **that no incompatible land uses are permitted within the Municipality.***

Again, we suggest that this proposal, should not go forward as it would be incompatible with other land uses as have already been identified above.

- **16.02.10 All lake development will be reviewed in respect of the natural heritage and biophysical features of the lake including slopes, sensitive areas, soils, tree cover, views and impacts on the natural landscape. Individual site constraints will be considered during the review of any development.**

Are there sufficient constraints that could be imposed if this proposed rezoning and subsequent development is approved by the Municipality?

- 21.13 Amendments: In considering an amendment to Schedule 'A' with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, **Council shall have regard to the following criteria:**

i) **the need for the proposed use;**

iii) **the physical suitability of the land for such proposed use;**

iv) **the location of the areas under consideration with respect to:**

- **the adequacy of the existing and proposed roadway system;**

- **the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;**

- **the adequacy of the water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which Council shall request from the developer and subject to the approval authority having jurisdiction;**

- **the compatibility of such proposed use with uses in the surrounding area;**

- **the impacts of the proposed use on the natural environment.**

In closing, It would seem to us that there are many potential impacts from this proposal. To the Natural Heritage and wilderness features of Bolger Lake, to the CR, and to our continued road access into this area.

- The destruction over time of the Type 1 fish habitat and an impact to the sport fishery on Bolger Lake;
- Species at Risk (ie. Eastern Massassauga Rattlesnake, Five-Lined Skink, Whippoorwills) and their habitats in the area;
- The values that are protected by the Wahwashkesh - Naiscoot CR which is directly adjacent to this proposal;
- The Crown land trail that we all use to access our properties could suffer substantial impacts from the hauling of building materials to build new structures, heavy equipment use and increased traffic to the marina to name but a few.

It must be demonstrated by the Municipality that there is a need for this proposed rezoning and future development, that the necessary site assessments have been completed satisfactorily and that no negative impacts will result.

It is our opinion that this area and these lakes should not be re-zoned for ANY commercial ventures or operations and that this application should be denied.

Respectfully.

Charles and Candis Strickler



cc. Kelvin Williamson
President Magnatawan Pioneer Association

Oct 31, 2022

Dear Mayor Comrie and Whitestone Council,

I am writing this letter in regards to the rezoning request submitted by Will Roberts of his property on Bolger Lake. I would like to express our opposition to this plan.

Our family has been coming to this area since the 1920's and my grandfather purchased our island on Kashhegaba Lake in 1929.

Many people came to this area through commercial tourism from fishing and hunting but by the end it had left a bad taste for many of us. The Bolger Lodge had been hosting people for what must have been seventy years or longer. My father worked for the lodge as a guide and had some truly good stories to tell but also some stories that are questionable at best and scary at worst. I think everyone on the lake remembers how it ended after the lodge switched hands a few times. The garbage, the beer cans floating in the water, the "guests" fishing in a drunken stupor ten feet off of our docks, and the finishing touch, a drowning. I'm opposed to any venture that will invite this back into our lives.

In regards to the parking of boats on the shoreline, many improvements have been made to the area. Garbage has been cleaned up, residents are more responsible with their gas cans and motors and many of the unused boats have been removed. Efforts are being made to be able to continue to park our boats in this place in a cleaner, more orderly way. Yes, it could be considered unsightly but no more than a bunch of trailers, boats, shipping containers and fuel drums would be with this proposal.

The biggest reason for opposing this request is to protect the environment. This is a theme that has run through many of the letters I've read. We love the area and we want to protect it from over use. It may sound like exclusivism but is actually rooted in wanting to preserve it. People will find the area through use of the hydro road, through paddling the Magnetawan Canoe Loop or through hunting and fishing trips in the area. But we don't need to have a flashing neon sign inviting people to the area. Many popular outdoor spots like Algonquin Park and The Cheltenham Badlands have been overrun by tourists and had to close all or parts to allow the ecosystem to regenerate. Let's be proactive and not let it get to that point. The area that Will Roberts is proposing to park boats is a marshy area that supports many species of fish, amphibians and birds. A large area has already been clear-cut that will cause washouts and erosion during heavy rains. Our mandate as an association is to preserve and protect. Allowing this change to go through would be against our values and our mandate.

We as cottagers have come to Whitestone first as guests to the people who lived here, and then as owners and taxpayers who wanted a small slice of this wonderful country the residents call home. Whether we arrived last year or last century we came up to Whitestone for the beauty of the place, and a quietness most of us don't get at home. We simply want the place you successfully sold us on to remain the same. Please vote no to the by-law amendment.

Yours Sincerely,

Amanda, Chris, Carol, Robert Mathewson

Michelle Hendry

From: Jim Anderson <jimandersoncontracting@gmail.com> on behalf of Jim Anderson
Sent: November 1, 2022 7:40 AM
To: Council; Council; Council; Council; Council; Council; Council
Subject: Reasoning Mr Roberts

I want to put in writing that I stand behind what the Roberts are trying to do up at Bolger lake, I'm a local Contractor in Whitestone, I've been working in the Bolger area and as most of us know it's not a easy place to get too, or park, having a place that is safe for our materials ,tools and boats . Mr Roberts turning his land to accommodate contractors, lake residents, and other people that need a place to park or store there belonging, I believe that this application should be approved, all of us in the Whitestone area need to grow, Thank you
Jim Anderson Jim Anderson Contracting LTD Sent from my iPhone