



*The Corporation of the Township of Perry*

**MINUTES**  
**PUBLIC MEETING**  
**Zoning By-law Amendment**

Part of Lot 24, Concession 14  
Township of Perry  
Vacant Lot on Deer Lake Road (Meier)  
Wednesday April 20<sup>th</sup>, 2022 – 7:19 p.m.  
Municipal Office and Electronic Attendance  
(1695 Emsdale Road, Emsdale, ON)

Any and all Minutes are to be considered Draft until approved by Council at a  
Regular Meeting of Council

**In Attendance:**

**Municipal Office:**

Acting Mayor Paul Sowrey  
Beth Morton, Clerk-Administrator  
Kim Seguin, Treasurer-Tax Collector  
Erica Cole, Deputy Clerk

**Electronic Attendance:**

Councillors: Margaret Ann MacPhail,  
Joe Lumley, and Jim Cushman

Staff: Mike Wilmon, Chief Building Official

**Absent:**

Mayor Norm Hofstetter

**Members of the Public:**

Nicole Benn, John Jackson, Herb Schellhorn,  
Andrew Meier, Debbie McAlpine

**Resolution No. 2022-145**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Corporation of the Township of Perry does now adjourn from this Regular Meeting at 7:19 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regards to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 24, Concession 14, Township of Perry, located on Deer Lake Road (Meier)

**Carried**

**Resolution No. 2022-146**

**Moved by: Jim Cushman**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Corporation of the Township of Perry receives the report prepared by Beth Morton, Clerk-Administrator, for lands legally described as Part of Lot 24, Concession 14, Township of Perry, located on Deer Lake Road (Meier)

**Carried**

Acting Mayor Sowrey as the Chair advised that this is a Public Meeting to hear public comments and answer questions regarding the proposed Zoning By-law Amendment for lands legally described Part of Lot 24, Concession 14, vacant lot located on Deer Lake Road.

He outlined how the Public Meeting would be conducted. He stated that the Clerk/Administrator, Beth Morton, would advise as to when, how and to whom notice of the public meeting was circulated and outline the purpose of the proposed By-law.

He noted that the public meeting is not a public debate on the matter. The public will be afforded the opportunity to provide their comments or questions. He outlined that persons in favour of the application would go first. Those in opposition to the application would follow. He also advised that people providing comments or questions are asked to present them through him as the Chair.

He then noted that Council will have the opportunity to question the applicants, planning consultants or agents. He also advised that Council will consider the Zoning By-law Amendment at the May 4<sup>th</sup>, 2022, Meeting of Council. He stated that all persons addressing Council must state their full name, full mailing address and postal code and must direct their comments through the Chair.

Acting Mayor Sowrey then requested that the Clerk/Administrator, Beth Morton advise as to how and to whom notice of the public meeting was circulated.

The Clerk/Administrator, Beth Morton, advised that Notice of this Public Meeting was given by posting the application on the Township's website, [www.townshipofperry.ca](http://www.townshipofperry.ca) on March 30<sup>th</sup>, 2022; posted at the property; and forwarding it to all persons and public bodies as prescribed under the *Ontario Planning Act* Regulation, including owners within 120 metres of the applicant's property; and to those requested.

The Clerk/Administrator further explained the purpose of the proposed By-law is to rezone the lands from the Rural (RU) Zone to the Commercial Tourist Park – Exception One (CTP-1) Zone to allow for an Eco-Resort with up to fifteen (15) accommodation units or elevated accommodation units to be located on the lands. The applicant has requested the following exceptions to permit the proposed development: that an Eco-Resort be a permitted use; and that Accommodation Units and Elevated Accommodation Units shall be permitted uses within an Eco-Resort. In all other respects the provisions of this By-law shall apply. In addition

to the exceptions, definitions for Eco-Resort and Elevated Accommodation Unit have been established for inclusion. In all other respects, the provisions of Zoning By-law 2014-21 shall apply.

A full report was presented to Council and staff are recommending approval of the application.

Acting Mayor Sowrey then declared this to be a public meeting to deal with the proposed zoning by-law amendment.

The applicant, Andrew Meier and his agent John Jackson, were in attendance. Mr. Jackson noted that the proposed zoning by-law amendment would permit the creation of an eco-friendly camping resort that would bring additional business and economic growth to Perry Township.

Members of the public were in attendance to comment on the proposed zoning by-law amendment. Comments are noted below:

Debbie McAlpine (7 Nulty Lane)

- No comment

Herb Schellhorn (1905 Three Mile Lake Road)

- Concerns regarding the proposed campsite and the road allowance between his property, which is currently a managed forest, and Meier property, as the abutting road allowance accesses both Rat Lake and Three Mile Lake;
- Historically, ATVs/ORVs and snowmobiles have travelled this road allowance as it was an old snowmobile trail. The trail is now closed but over the years these off-road vehicles have traversed and trespassed onto Ms. Schellhorn's property;
- Concern on how the proposed campsite is to preserve this road allowance and restrict additional people trespassing onto his private property as a way of accessing Rat Lake or Three Mile Lake;
- Advised he submitted written comments to the Clerk prior to the public meeting.

Councillor Joe Lumley had the following questions for the applicant:

- How is the proposed campsite to be serviced (washrooms, septic system, potable water)?
- How is the proposed campsite proposing to restrict customers trespassing onto Mr. Schellhorn's private property north of the site?

Mr. Jackson advised that the proposed campsite will be fully serviced, by way of combination individual septic systems and wells (likely shared between 2 cabins). Depending on the requirements, approval will be received by North Bay Mattawa Conservation Authority or the Ontario Ministry of Environment, Conservation, and Parks. Regarding the road allowance, a combination of clear signage and fencing will be installed to help prevent resort patrons from trespassing onto private property.

Andrew Meier advised that he is aware of the old snowmobile trail and these ATVs/ORVs have trespassed onto his property as well. Confirmed fencing and signage will be installed bordering the proposed campsite.

Clerk/Administrator Beth Morton further highlighted:

- Fencing, Signage, Trails, Septic Services, Potable Water, Internal Roads, Location of Structures, etc. will be completed during the Site Plan Agreement process. This meeting is only in relation to the proposed rezoning of the lands from the Rural (RU) Zone to the Commercial Tourist Park – Exception One (CTP-1) Zone.

Acting Mayor Sowrey then asked the Clerk/Administrator, Beth Morton, what correspondence has been received with respect to the application.

Clerk/Administrator Beth Morton advised that the following written comments were received by the Township:

April 18, 2022 by Herb Schellhorn (1905 Three Mile Lake Road):

I am writing regarding the proposed change in zoning for the proposed Deer Lake Road property which is kitty corner from my 90 acre property in Armour (Three Mile Lake Road). I believe this change in zoning may potential effects on my property. Proposed use for this changed property zoning is a multiple unit ecotourist with the potential for many times the demands of a normal dwelling. A feature of this subject property is that it abuts to two unopened road allowances that could conceivably provide access to other properties -- one of these is my Armour property.

One potential problem or potential issue that I have is that there is former snowmobile trail that runs parallel to the allowance between Armour and Perry and this is, for about 300 meters, it is entirely on my property about 40 to 60 meters from the edge of the unopened road allowance.

I would prefer the trail that is on my property to be regarded for my own use rather than as a general use trail for an unlimited number of people. There are also two access trails that abut the "snowmobile trail" and lead into my property proper and through these trails to Three Mile Lake. On a few occasions, people have used these for ATV and snowmobile traffic without my permission (or knowledge in many cases) and I really do not want any increase in traffic on these secondary trails due to increased activity at neighbouring properties.

Can the proponent for the rezoning and development ensuring that there will no effects on neighbouring properties due to improper accessing of private trails?

No other written comments were received.

Acting Mayor Sowrey advised that those wishing to receive the Notice of Decision with respect to the application must make a written request as per previous instructions. He advised that Council will be considering the by-law at the May 4<sup>th</sup>, 2022 Meeting of Council and outlined that once Council makes a decision on the by-law, there is a 20-day appeal period from the date of decision of the by-law during which time any person may appeal the decision of Council to the Local Planning Appeal Tribunal.

Having received no further questions or comments, Acting Mayor Sowrey declared this public meeting to be conducted and presented the following resolution:

**Resolution No. 2022-147**

**Moved by: Joe Lumley**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Corporation of the Township of Perry does hereby now adjourn from this Public Meeting at 7:40 p.m. in order to recommence the Regular Meeting of Council of April 20<sup>th</sup>, 2022.

**Carried**

Dated this 4<sup>th</sup> day of May, 2022.

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Paul Sowrey, Acting Mayor

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Beth Morton, Clerk-Administrator