



*The Corporation of the Township of Perry*

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

Lots 4 and 5, Plan M77, Township of Perry  
Located at 471 North Bay Lake Road (Orzel)  
Wednesday August 21<sup>st</sup>, 2024  
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:**

**Council Chambers:**

Mayor Norm Hofstetter  
Councillor: Margaret Ann MacPhail, Jim Cushman, Paul Sowrey, and Joe Lumley  
Beth Morton, Clerk-Administrator  
Kim Seguin, Treasurer-Tax Collector  
Erica Cole, Deputy Clerk  
Mike Wilmon, Chief Building Official/By-law Enforcement Officer

**Electronic Attendance:**

Mark Rykman, Marc Reaman, Sandy Tyers

**Members of the Public:**

Mike & Allison Orzel, See Sign In Sheet

**Declaration of Pecuniary Interest**

Nil

**Resolution No. 2024-241**

**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 8:09 p.m. to commence a 'Public Meeting' for a proposed Zoning By-law Amendment for lands legally described as Lots 4 and 5, Plan M77, Township of Perry, located at 471 North Bay Lake Road (Orzel)

**Carried**

**Resolution No. 2024-242**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***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 Lots 4 and 5, Plan M77, Township of Perry, located at 471 North Bay Lake Road.

**Carried**

Mayor Norm Hofstetter 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 as Lots 4 and 5, Plan M77, located at 471 North Bay 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 September 4<sup>th</sup>, 2024 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.

Mayor Hofstetter 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 July 18<sup>th</sup>, 2024; 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 purpose of the proposed By-law is to rezone the lands from the Shoreline Residential (SR) Zone to the Shoreline Residential – Exception Forty-Five (SR-45) Zone in order to allow for specific exceptions to allow for an additional dock with sauna to be located on the lands. The exceptions requested would increase the maximum area for decks and docks within 30 metres of the shoreline from 60 square metres to 98 square metres; it would increase the maximum width of all shoreline structures, including docks, decks and boathouses from 8 metres or 25 per cent of the shoreline frontage to 15 metres; it would allow for an additional dock with 62.5 metres of frontage on a lot; and it would reduce the setback from the normal average or maintained high water mark for a sauna from 4 metres to 0 metres to allow for the sauna to be placed on the dock. Specific exceptions within the proposed By-law to be included are outlined as follows:

Shoreline Residential (SR) Exception Number	Permitted/Prohibited Uses	Zone Regulations
SR-45	<p>Notwithstanding Section 3.2.5 iii) to the contrary, two docks shall be permitted on a lot with 62.5 metres of frontage;            Notwithstanding Section 3.2.5 v) to the contrary, the maximum width of all shoreline structures, including docks, decks and boathouses shall be 15 metres;            Notwithstanding Section 3.2.5 vi) to the contrary, the maximum area of a dock and decks within 30 metres of the shoreline shall be 98 square metres; and            Notwithstanding Section 3.2.12 ii) to the contrary, a sauna may be located on a dock.</p> <p>In all other respects, the provisions of Zoning By-law 2014-21 shall apply.</p>	

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

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

The applicants, Mr. and Mrs. Orzel, were in attendance to answer any questions from Council or the public. They did not make comment.

Members of the public present made the following comments:

**Don Sommers, ■ North Bay Lake Road**

- Does not live directly on Bay Lake, but does have property on Bay Lake Road and regularly walks his dogs on North Bay Lake Road;
- Concerns over the general growth on Bay Lake, and believes that the lake is over capacity. Where will the new gray water from the Sauna go? The lake is smelly enough.

Mayor Hofstetter thanked Mr. Sommers and noted that the Bay Lake Property Association does conduct water quality tests regularly and provides those to the Township and health unit officials.

Mr. Orzel also noted that the Sauna does not have any gray water / water run off. It has a small steam machine, and no washroom facility.

**Angela Slager, ■ Hwy 518E**

- How is the septic permit system monitored?

Mayor Hofstetter advised that for the Township of Perry, all septic permit applications and approvals are overseen by the North Bay Mattawa Conservation Authority. The Township is working with the Provincial Government and Ministry of Environment to change legislation to have the Township oversee septic permits within the Township but it has been a slow process.

No other members of the public made comment.

There were no questions or comments from Council.

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 as of 4:30 p.m. on August 21<sup>st</sup>, 2024, staff had received comments from:

**Tim Bedard, Bay Lake Road**

*"Hello Beth*

*I wanted to send a formal e-mail in support of the proposed zoning by-law amendments at 471 North Bay lake Road. From the notice I understand that there is a meeting August 21st. Thank you*

*Tim Bedard, [REDACTED] Baylake Road"*

**Mike & Robyn Kurtes, North Bay Lake Road**

*"Hello Beth,*

*We would like to acknowledge and support the bi-law amendment in place on 471 North Bay Lake Road. Thank you.*

*Mike and Robyn Kurtes, [REDACTED] North Bay Lake Road"*

**Danielle Groves, North Bay Lake Road**

*"Hi Beth, I'm reaching out as an owner of [REDACTED] North Bay Lake Rd to confirm that I support the bylaw amendment that is being reviewed for the Orzel's at 471 North Bay Lake Rd. Thank you.*

*Danielle Groves"*

**Charlene & Darren Elliott, North Bay Lake Road & Raspberry Lane**

*"Good Morning Beth*

*We are writing in support of 471 North Bay Lake Road, Lots 4 and 5, Plan M77, Township of Perry. It is our opinion that the dock adds to the aesthetic of the lake, in non-intrusive, and has no negative environmental impacts.*

*For the reasons noted above, we support the proposed by-law amendment for 471 North Bay Lake Road.*

*Sincerely,  
Charlene and Darren Elliott  
█ North Bay Lake Road  
█ Raspberry Lane"*

**Steve Vermeiren, Maple Drive**

*"Hi Beth,  
This is just a message to let the Town know that I support the proposed zoning by-law amendment for 471 North Bay Lake rd at the meeting this Wednesday, August 21st.*

*Thank you  
Steve Vermeiren  
█ Maple Drive, Emsdale, ON"*

**Brett Anderson & Heather Chittick, █ North Bay Lake Road**

*"Hello  
For your consideration, we are not opposed to the zoning by-law amendment in reference to the Orzel application scheduled to be heard on August 21, 2024, whereby they wish to amend the Zoning By-law 2014-21 at 471 North Bay Lake Road, Township of Perry.  
Thanks very much!  
Brett Anderson & Heather Chittick"*

Mayor Hofstetter advised that those wishing to receive the Notice of Decision with respect to the application must make a written request as per previous instruction. He advised that Council will be considering the by-law at the September 4<sup>th</sup>, 2024 Meeting of Council and outlined that once Council makes a decision on 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, Mayor Hofstetter declared this public meeting to be conducted and presented the following resolution:

**Resolution No. 2024-243**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Corporation of the Township of Perry hereby now adjourn from this Public Meeting at 8:26 p.m. in order to recommence the Regular Meeting of Council of Wednesday August 21<sup>st</sup>, 2024.

**Carried**

Dated this day 4<sup>th</sup> of September, 2024.

***"Originally Signed"***

Norm Hofstetter, *Mayor*

***"Originally Signed"***

Beth Morton, *Clerk-Administrator*