



Town of Huntsville Staff Report

Meeting Date: June 16, 2021

To: Planning Committee

Report Number: DEV-2021-71

Confidential: No

Author(s): Richard Clark, Manager of Planning

Subject: Z/09/2021/HTE & B/23-24/2021/HTE - Tilstra and Muskoka Conservancy - 25 Town Line Road West and 139 Brunel Road

Report Highlights

Staff review and recommendation to the Planning Committee respecting Zoning By-law Amendment Application Z/09/2021/HTE.

Recommendation

That: Planning Committee APPROVE Zoning By-law Amendment Z/09/2021/HTE, changing the zoning from a Residential Two (R2) and a Rural One (RU1) Zone to a Conservation (C) Zone, to reflect the proposed use and new lot configuration.

Background

The lands at 25 Town Line Road West are known as the Nelson Head Nature Reserve and were donated to the Muskoka Conservancy by Aldine Head. The owners of the abutting land at 139 Brunel Road would exchange approximately 0.8ha of the 25 Town Line Road West lands for 4.0ha off the rear of 139 Brunel Road; resulting in a net increase in area of the nature reserve lands from 3.7ha to 6.9ha. The consent applications facilitate this exchange, with the zoning amendment application reflecting the use of the Muskoka Conservancy's enlarged lands as a nature reserve.

Z/09/2021/HTE:

The purpose and effect of this application is to rezone a portion of 25 Town Line Road West from a Residential Two (R2) Zone to a Conservation (C) Zone and a portion of 139 Brunel Road from a Rural One Exception "0400" (RU1-0400) Zone to a Conservation (C) Zone. This zoning change will reflect the continued use of the lands as a nature reserve.

B/23/2021/HTE and B/24/2021/HTE:

As objections to these applications have been received, the approval authority for the consents rests with the Committee of Adjustment. Once a decision on the zoning amendment has been rendered, the applications will be considered by the Committee of Adjustment.

The purpose and effect of these applications is to facilitate the creation of one new residential lot and a lot addition. The severed lot subject to Consent Application B/23/2021/HTE would have an area of approximately 0.8ha with 105m of frontage on Town Line Road West; while the retained lands would have an area of approximately 2.8ha with 166m of frontage on Town Line Road West. The lot addition subject to Consent Application B/24/2021/HTE would remove 4ha from 139 Brunel Road and add these to the nature reserve lands at 25 Town Line Road West. As a result of the lot addition, the benefiting lands at 25 Town Line Road West would have an approximate area of 6.9ha with 166m of frontage on Town Line Road West and the retained lands at 139 Brunel Road would have an approximate area of 4ha and 96m of frontage on Brunel Road.

Site Characteristics and Surrounding Uses:

The lands at 25 Town Line Road West have an approximate area of 3.7ha, with 271m of frontage on Town Line Road West and 58m of frontage on Brunel Road. The lands at 139 Brunel Road have an approximate area of 8ha, with 96m of frontage on Brunel Road. The proposed severed and retained lots associated with the lands at 25 Town Line Road West are presently vacant. These lands are completely located within a mature wooded area and contain steep forested slopes with rock outcrops, seepage areas and a cold water stream. The retained lands at 139 Brunel Road are characterized by similar natural features, but are developed with a single detached residential dwelling and a detached garage with secondary residential dwelling unit. The surrounding uses are low density residential, convenience commercial and open space in nature.

Location: Part of Lot 14, Concession 14, Brunel, designated Part 1 on Plan 35R-12032, and Part of Lot 14, Concession 14, Brunel, designated Part 1 on Plan RD-914

Previous/Current Files: Z/42/2018/HTE

Natural Constraints: Streams, 20 to 40 Percent Slopes, Wetlands

Human Constraints: None

Official Plan: Urban Residential

Zoning: Rural One with Exception "0400" (RU1-0400), Residential Two (R2)

Access: Brunel Road (Year Round Maintained District Arterial Road) and Town Line Road West (Year Round Maintained Municipal Urban Collector Road)

Servicing: Municipal Piped Water and Sewer Services

OSRA Status: None

Technical Background Report(s): None

Discussion

Town of Huntsville Official Plan

The lands are designated "Urban Residential" and are contained within the Huntsville Urban Settlement Area as illustrated on Schedules A and B-1 of the Huntsville Official Plan. The Plan encourages a broad mix of tenure, affordability and housing types within the Town's Urban Area. Section C3.2.27 states that residential intensification will generally be encouraged throughout the built up area where existing infrastructure and services are available. The Plan also identifies a number of intensification policies such as: promoting a range of housing choices, increasing densities and achieving an appropriate transition of built form to adjacent areas (C3.2.30, C3.2.31). Although this proposal includes the down zoning of lands that could be used for residential intensification purposes in an area that is fully serviced with water and waste water infrastructure, it is noted that a smaller

development lot will be created in this area; thereby helping to achieve intensification objectives applicable in such areas. Additionally, the down zoning of the remainder of the lands is to reflect their use as a nature reserve.

Sections C3.3.1 and C3.3.3 of the Official Plan states that a mix of residential densities and dwelling types, from single detached dwellings to higher density apartments, will be contemplated. While the Official Plan does not provide specific requirements for lot area and frontage, the proposed 0.8ha new residential lot is generally in conformity with Section C3.3.7, which permits a maximum gross density of 25 units per hectare for low density residential development. Additionally, this new lot would comply with the lot requirements applicable within Residential Two (R2) Zone, which require lots to have a minimum lot area and frontage of 465m² and 15m respectively, where fully serviced, as is the case in this instance.

The Nelson Head Nature Reserve would increase in area from 3.6ha to 6.9ha as a result of the proposal and is to be rezoned to a Conservation (C) Zone to prohibit future development and protect its natural heritage features and areas. However, to facilitate this proposal, the exchange would result in the removal of 0.8ha of the Muskoka Conservancy lands for the creation of a new residential lot. Policies in Part B of the Official Plan require that natural heritage features and areas, and their ecological functions, be protected from impacts relating to development. In this case, constraint mapping and site recognition has identified mature wooded areas containing steep slopes, streams, seepages, and bedrock outcrops. However, the majority of these features, with the exception of the wooded areas that occur throughout the nature reserve, are concentrated on the retained lands. The Official Plan recognizes that streams and other water resources such as wetlands and seepages are an integral component of the Town's natural heritage system and protection of the quality and quantity of ground and surface water resources is critical to maintaining and improving the resiliency of natural heritage features and areas. As the water resources are contained within the retained portion of the Muskoka Conservancy's lands, and these lands are to be rezoned to a restrictive zone category, the Water Resource policy objectives outlined in Section B3 of the Official Plan are being addressed.

The Muskoka Conservancy provided additional information regarding their proposal, which is provided in Attachment #6 to this report. In their letter, the Conservancy elaborates on the rationale for the land exchange, and clarifies that the larger 4.0ha backlot area to be exchanged for the proposed 0.8ha lot is less impacted by edge effects associated with nearby urban use. Additionally, they note that a stream flowing through the nature reserve has its headwaters on the 4.0ha backlot. Hence, in addition to expanding the Nelson Head Nature Reserve's area through this proposal, they will also make it more resistant and resilient to pressures like drought and invasive species. In follow-up correspondence provided in Attachment #7, the Muskoka Conservancy also detailed the ecological justification for the exchange and indicated that the proposed 0.8ha severed lot has a comparatively lower ecological value than the overall value to be achieved through achieving a larger, more diverse nature reserve. It should be noted that the policies in Section 2.1.6 of the Official Plan encourage the preservation of lands containing natural heritage features and area through landowner stewardship, agreements, easements or restrictive covenants, or through ownership and acquisition of lands by public agencies, environmental organizations or land trusts. To address these policies, a condition relating to placing a conservation easement on title for the nature reserve lands is recommended.

District of Muskoka Official Plan

The lands are included in the "Urban" designation. The proposal would appear to conform to the intent of the District Official Plan, as confirmed by District staff in their written comments contained in Attachment #8.

Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) applies to this proposal and indicate that the lands are located within a settlement area. Policies in Section 1.1.3.1 direct that settlement areas shall be the focus of growth and development and that their vitality and regeneration be promoted. Land use patterns within settlement areas shall also be based on densities that efficiently use land and infrastructure. In addition to this focus, Section 2.1.2 states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved. It would appear that this proposal is achieving both objectives by facilitating intensification in a manner that will efficiently use land and infrastructure, and also providing for the long-term protection of natural features and areas.

Consent Applications:

Staff are recommending that the consent applications be approved, with the following conditions.

B/23/2021/HTE:

That: the Committee of Adjustment APPROVE Consent Application B/23/2021/HTE, for the creation of one new residential lot.

Conditional On:

- 1. A registerable description of the severed lot being submitted to the Clerk, (including all rights-of-ways and easements), along with a registered copy of the reference plan.**
- 2. The Owners' taxes being in good standing.**
- 3. A site inspection fee of \$235.00 being paid to the Town of Huntsville.**
- 4. A consent finalization fee in the amount of \$180.00 being paid to the Town of Huntsville.**
- 5. 5% Cash-in-lieu of parkland being paid to the Town of Huntsville on the severed lands.**
- 6. An entrance permit being obtained from the Town of Huntsville for the severed lot.**
- 7. Zoning By-law Amendment Z/09/2021/HTE being approved and in effect.**

B/24/2021/HTE:

That: the Committee of Adjustment APPROVE Consent Application B/24/2021/HTE, for a lot addition.

Conditional On:

- 1. A registerable description of the severed lot being submitted to the Clerk, (including all rights-of-ways and easements), along with a registered copy of the reference plan.**
- 2. The Owners' taxes being in good standing.**
- 3. A site inspection fee of \$235.00 being paid to the Town of Huntsville.**
- 4. A consent finalization fee in the amount of \$180.00 being paid to the Town of Huntsville.**
- 5. Zoning By-law Amendment Z/09/2021/HTE being approved and in effect.**
- 6. A conservation easement be placed upon the lands to address their future protection for long-term conservation purposes.**
- 7. An undertaking be provided from the solicitors acting for the parties indicating that the severed lands and the abutting property (Part Lot 14, Concession 14, Brunel, designated as Part 1 on Plan RD914) will be (a) consolidated into one PIN under the Land Titles System.**

The severed lands subject to Consent Application B/24/2021/HTE are to join in title to the lands to which they are being added. Section 50(3) and (5) of the Planning Act, R.S.O. 1990, as

amended, applies to any subsequent conveyance or transaction in relation to the land subject to this consent.

Summary

In view of the foregoing, the applications appear to meet the intent of the Official Plan, and are consistent with the Provincial Policy Statement.

Options

Committee could recommend to Council that the zoning amendment be denied; however, that is not recommended, as the applications would appear to conform to the intent of the Official Plan and be consistent with the Provincial Policy Statement.

Council Strategic Direction / Relevant Policies / Legislation / Resolutions

Strategic Plan

Protection - Demonstrate and follow through the Town's commitment to protecting the quality and character of the natural environment (Env. 1.6).

Sustainability - Integrate sustainability principles into planning & development policies and processes (Env. 2.2, 2.4).

Awareness - To increase awareness of Town Services and events (Com.1.4).

Community Engagement - Increase opportunities for public engagement (Com.2.1).

Unity Plan

Social Considerations

Goal 5: Land Use Planning: Huntsville will become a model of sustainable community development, by incorporating the principles of smart growth, sustainable design and green buildings into all land use planning decisions. This will include a commitment to the protection and maintenance of Huntsville's rural small town character and vibrant downtown, both of which are valued by the community.

Goal 6: Social well-being: The community will encourage and support social diversity and personal sense of well-being by improving accessibility, promoting volunteerism, striving to reduce poverty, and maintaining a healthy, safe, friendly community to live, work, and play for all ages, cultures and abilities.

Environmental Considerations

Goal 1: Environmental Protection: The community will protect, preserve, restore, and enhance the terrestrial and aquatic environments and biodiversity of Huntsville and surrounding area by being responsible stewards of the environment.

Relevant Policies/Legislation/Resolutions

Provincial Policy Statements

Planning Act, R.S.O. 1990, cP.13

District of Muskoka Official Plan

Town of Huntsville Official Plan

Zoning By-law 2008-66P, as amended

By-law 2019-106 (delegation of authority by-law)

Attachments

[Attachment #1: Location Map](#)

[Attachment #2: Sketch](#)

[Attachment #3: Sketch of Enlarged/Rezoned Nelson Head Nature Reserve](#)

[Attachment #4: Draft By-law](#)

[Attachment #5: Site Photos](#)

[Attachment #6: Muskoka Conservancy Justification Letter](#)

[Attachment #7: Muskoka Conservancy Ecological Justification Letter](#)

[Attachment #8: District Comments](#)

[Attachment #9: Objection Letters](#)

Consultations

The applications were circulated in accordance with the provisions of the Planning Act.

Seven (7) letters of objection have been received raising concerns about the exchange of a lands originally donated to the Muskoka Conservancy for long term conservation purposes. These letters of objection are contained in this Report as Attachment#9. Staff requested and received confirmation from the applicants that the lands were not subject to any restrictive covenants or easements that would preclude this exchange. It should also be clarified that the lands at 25 Town Line Road West were donated in their entirety to the Muskoka Conservancy; hence are not publicly-owned by the Town. One objection appears to mistakenly indicate that the lands were donated to the Town.

Respectfully Submitted: Richard Clark, Manager of Planning

Manager Approval (if required): Richard Clark, Manager of Planning

Director Approval: Kirstin Maxwell, Director of Development Services

CAO Approval: _____

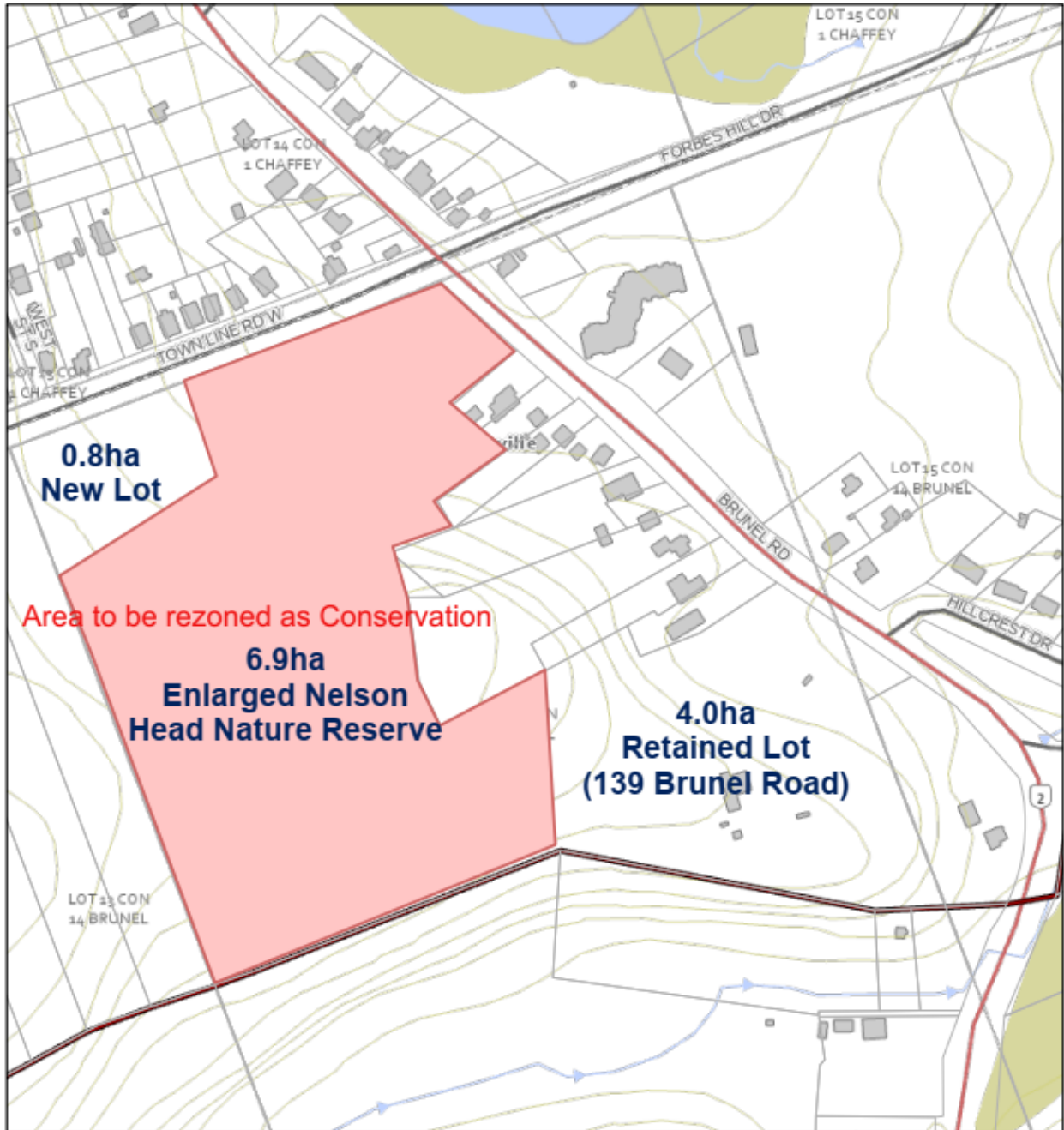
Attachment #1: Location Map



Attachment #2: Sketch



Attachment #3: Sketch of Enlarged/Rezoned Nelson Head Nature Reserve



Attachment #4: Draft By-law



THE CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2021-xx

**(Tilstra and Muskoka Conservancy)
Being a by-law to amend Zoning By-law 2008-66P
as amended, of the Corporation of the Town of Huntsville**

WHEREAS the council of the Corporation of the Town of Huntsville finds it expedient to amend Zoning By-law 2008-66P, as amended;

AND WHEREAS authority to pass this by-law is provided by Section 34 of the Planning Act, R.S.O. 1990. c. P. 13 and amendments thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

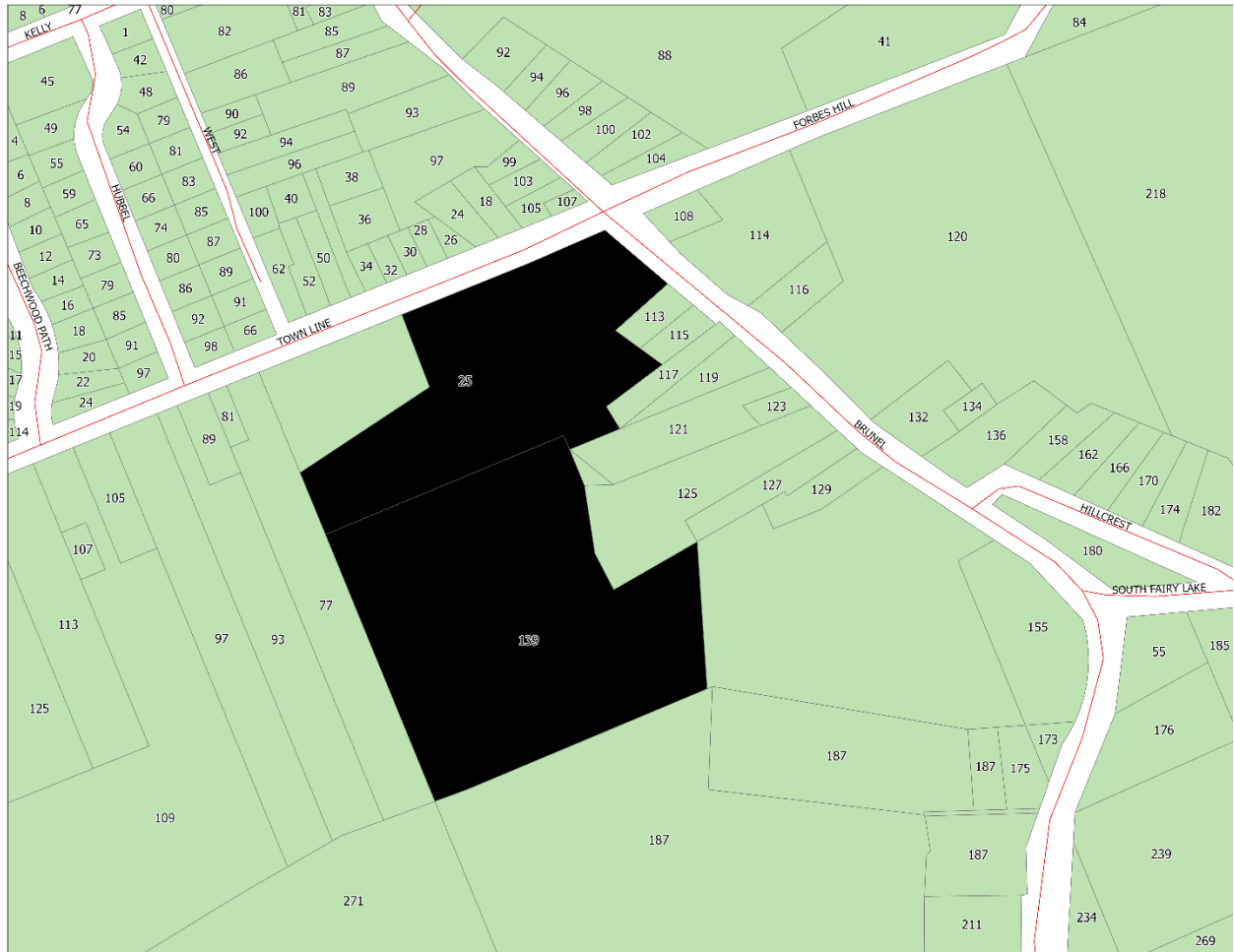
1. Map No. "G-8" of Zoning By-law 2008-66P, as amended, are hereby further amended by rezoning Part Lots 14, Concession 14, Geographic Township of Brunel, Town of Huntsville, from a **Rural One with exception "0400" (RU1-0400) Zone** and a **Residential Two (R2) Zone** to a **Conservation (C) Zone** as shown **blackened**, on Schedule "I" attached hereto.
2. Schedule "I" attached hereto, is hereby made part of this by-law.
3. This By-law shall come into force on the date of passage and take effect the day after the last date for filing of appeals where no appeals are received, or, where appeals are received, upon the approval of the Local Planning Appeal Tribunal.

READ a first, second and third time and finally passed this 28th day of June, 2021.

Mayor (Karin Terziano)

Clerk (Tanya Calleja)

Schedule "I" to By-law 2021-xx (Tilstra and Muskoka Conservancy)



Attachment #5: Site Photos

1. Looking west at the NHNR lands along Town Line Road West frontage



2. Looking south at the NHNR lands along Brunel Road frontage



3. Frontage for proposed severed lot



4. Invasive species along Town Line Road West



5. Proposed severed lot with Town Line Road West in background



6. Garbage and debris in areas of NHNR within proposed severed lot



7. Garbage and debris at rear of proposed severed lot



8. Garbage and debris at western boundary of severed lot



9. High groundwater table and seepage areas to be retained within NHNR



10. Springs and seepage fed headwater stream to be retained within NHNR



11. Lands to be retained within NHNR



12. Land to be added to NHNR





May 11, 2021

TO: Town of Huntsville
Development Services Department
37 Main St. East
Huntsville, Ontario
P1H 1A1

FROM: Muskoka Conservancy
Executive Director Scott Young
47 Quebec Street
Bracebridge, Ontario
P1L 1T8

RE: submission for concurrent consent and rezoning application for 139 Brunel Rd & 25 Town Line Rd W

To Whom it May Concern,

Muskoka Conservancy is pursuing a land exchange to gain 10-acres at 139 Brunel Road in return for 2-acres at 25 Town Line Road West, necessitating the above noted consents and rezoning applications.

There are several reasons why this land exchange makes sense for nature conservation. Most significantly, properties tend to have reduced natural values near their edges, particularly when those edges are hard up against urban development. Exchanging a small parcel adjacent to urban development for a larger backlot parcel not only increases the protected area, but it will also reduce or soften the so-called edge effects ensuring that more of the nature reserve has a chance to be natural. Of equal significance, a stream flowing through the nature reserve has its headwaters on the backlot we seek to acquire. The exchange will ensure this spring is protected. These combined enhancements mean the Nelson Head Nature Reserve will not only become larger, but it will become more resistant and resilient to pressures like drought and invasive species after the lands are exchanged. From a natural standpoint, both the quantity and quality will be improved.

While Muskoka Conservancy values natural lands and treats its nature reserves with great care, Nelson Head Nature Reserve is unique for its proximity to the urban area of Huntsville. The two-acre parcel proposed for exchange has been identified by Conservancy staff, reviewed by expert volunteers whose recommendation has been approved by the Conservancy's Board of Directors. The location and shape of the parcel were determined to ensure that species at risk and natural watercourses would not be harmed by our actions.

In summary, it is the opinion of Muskoka Conservancy that the proposed land exchange will result in an overwhelming net benefit to nature.

Finally, I can verify that there are no terms under which this land was donated to Muskoka Conservancy, nor are there any other encumbrances that would preclude this proposal.

Regards,



Scott Young

Executive Director

Attachment #7: Muskoka Conservancy Ecological Justification Letter

Muskoka Conservancy | 47 Quebec Street Bracebridge Ontario P1L 1T8 | 705-645-7393



To: Whom it may concern.
Town of Huntsville

From: Margaret McLaren
Director, Muskoka Conservancy
Regional Wildlife Specialist (retired), Ministry of
Natural Resources and Forestry

Re: Muskoka Conservancy – Tillstra Land Exchange

June 8, 2021

Muskoka Conservancy's mission is to protect natural areas in Muskoka. To that end, Muskoka Conservancy (MC) acquires ownership of natural lands either by donation or purchase. In 2010, Aldine Head donated approximately 9 acres of land bordering Townline Rd. and Brunel Rd. in the Town of Huntsville to MC. The land in question, named Nelson Head Nature Reserve in memory of Aldine Head's late husband, consists of moist to moderately dry woodland with a small stream that runs year-round through the eastern portion of the property. Marsh marigolds, a regionally uncommon species, grow along the stream.

In 2019, neighbouring property owners Jeremiah Tillstra and Margaret Stead proposed to exchange 2 acres of the Nelson Head NR bordering Townline Rd. for 10 acres of their adjoining backlot. The 2 acres along Townline Rd. is moist upland forest with no identified rare or unusual species present. Upon investigation, it was determined that the backlot, contained several groundwater seeps that are the source of the stream.

MC was willing to enter into an agreement for the proposed exchange for several reasons:

1. Many wildlife species require a minimal area to complete their life cycles. Enlarging the nature reserve by 8 acres (to a total of 17 acres) enhances its value to wildlife (cf. Significant Wildlife Habitat Technical Guide, Ontario Ministry of Environment and Energy).
2. The 10 acres that will be added to the nature reserve include ground water seepage areas the form the headwaters of the stream that runs through the property. Although the area of seeps is too small to be considered specifically as wetland, the Ontario Wetland Evaluation System Northern Manual (Ontario Ministry of Environment and Energy) identifies seepage areas as frequently supporting a rich assemblage of plant and animal species. Ground water seeps are assigned values that can reach 2% of the hydrological score in a wetland evaluation.
3. The 2 acres that MC would be giving up have much lower ecological value than overall value of enhancing the size and complexity of the nature reserve.

Yours sincerely,

A handwritten signature in cursive script that reads "Margaret McLaren".

Margaret McLaren
Director, Muskoka Conservancy
Regional Wildlife Specialist (retired), Ministry of Natural Resources and Forestry



Attachment #8: District Comments

NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING – ZONING AMENDMENT AND NOTICE OF CONSENT

LANDS AFFECTED: 25 Town Line Road West and 139 Brunel Road, also known as Part of Lot 14, Concession 14, Designated as Part 1 on Plan 35R-12032, and Part of Lot 14, Concession 14, Designated as Part 1 on Plan RD-914

TAKE NOTICE that the Planning Committee of the Town of Huntsville will hold a virtual public meeting concerning an amendment to Zoning By-law 2008-66P, as amended.

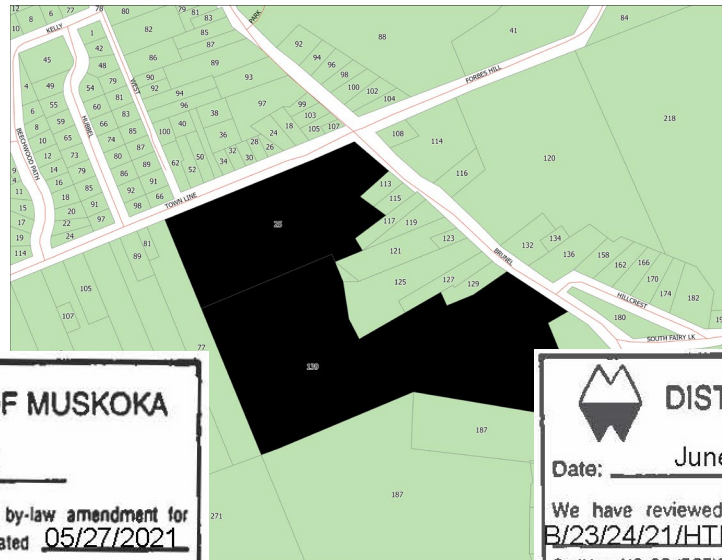
MEETING DATE: Wednesday, June 16, 2021


APPLICATION NO.: Z/09/2021/HTE (Tilstra & Muskoka Conservancy)

TIME: 1:00 P.M.

LOCATION: This public meeting will be held as a virtual meeting using a ZOOM Webinar format. A link to the virtual public meeting and participation instructions are posted at www.huntsville.ca/PC.

PURPOSE AND EFFECT: The applicant is proposing to rezone 25 Town Line Road West from a Residential Two (R2) Zone and Rural One Exception "0400" (RU1-0400) Zone to a Conservation (C) Zone to permit the lot addition.



 **DISTRICT OF MUSKOKA**
 Date: June 3, 2021

We have reviewed the proposed by-law amendment for Application No Z/09/21/HV dated 05/27/2021. Muskoka Staff has **NO OBJECTION** in principle to the zoning by-law amendment as currently proposed. Notice of Committee's decision respecting this application is requested.

Curtis Syvret
 Planning and Economic Development Dept.

 **DISTRICT OF MUSKOKA**
 Date: June 3, 2021

We have reviewed Consent Application File No(s) B/23/24/21/HTE dated 05/27/2021. Muskoka Staff has **NO OBJECTION** in principle to the proposed consent as currently proposed. Notice of Committee's decision respecting this application is requested.

Curtis Syvret
 Planning and Economic Development Dept.

Comments are strongly encouraged. Please email planning@huntsville.ca, or call the Planning Committee. The Planning Committee may do so during the public meeting or by using the contact information provided. If necessary.

IF YOU WISH TO BE NOTIFIED of the decision of Council on the proposed zoning by-law amendment, you must make a written request to the Town of Huntsville (see address below).

IF A PERSON OR PUBLIC BODY would otherwise have an ability to appeal the decision of Council to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Planning Committee or 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 Planning Committee or Council 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

NOTICE OF CONSENT APPLICATION B/23-24/2021/HTE

In addition to Zoning Amendment Application Z/09/2021/HTE, the applicant also submitted B/23-24/2021/HTE, which applies to the same lands as the proposed rezoning.

The purpose and effect of the consent application for the creation of one new residential lot and a lot addition. The severed lot would have an area of approximately 0.8ha and 105m of frontage on Town Line Road West. The retained lands at 25 Town Line Road West would have an area of approximately 2.8ha and 165m of frontage on Town Line Road West. The lot addition would remove 4ha from adjacent lands at 139 Brunel Road and add these to the retained portion of 25 Town Line West. As a result of the lot addition, the retained lands at 139 Brunel Road would have an approximate area of 4ha and 160m of frontage on Brunel Road and the benefiting lands at 25 Town Line Road West would have an approximate area of 6.8ha and 165m of frontage on Town Line Road West. Zoning By-law Amendment application (Z/09/2021/HTE) proposes to rezone the benefiting lands at 25 Town Line to a Conservation (C) Zone to support the lot addition.

Although no public meeting is being held in regards to the consent, any person or public body may make written submissions to the Town of Huntsville concerning the proposed consent application. ***Please note that any objections must include your name, contact information and reasons for your objection.***

A decision on the consent application will be made **NO EARLIER THAN Wednesday, June 16, 2021**. Any submissions regarding this application must be made in writing before this date.

IF YOU WISH TO BE NOTIFIED of the decision of the approval authority on the proposed consent, you must make a written request to the Town of Huntsville (see below).

IF A PERSON OR PUBLIC BODY that files an appeal of a decision of the approval authority in respect of the proposed consent does not make written submissions to the approval authority before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

ALL COMMENTS AND SUBMISSIONS RECEIVED will become part of the public record. Comments received as part of the public participation process for this proposal will be considered by Committee and Council.

FOR MORE INFORMATION about this matter, contact the Town of Huntsville Planning Department:
37 Main St. E, Huntsville, ON. P1H 1A1

TELEPHONE: (705) 789-1751 (Ext. 2232).

EMAIL: planning@huntsville.ca

WEBSITE: www.huntsville.ca

Date of Notice: May 27, 2021

Attachment #9: Objection Letters

Sam Love

From: Planning
Sent: June 9, 2021 12:39 PM
To: Sam Love
Subject: Fwd: {59220}: June 16/21 - 25 Town Line Rd @ 139 Brunel Rd File

--reply above this line--

----- Forwarded message -----

From: [REDACTED]
Date: 6/9/2021 9:24:18 AM
Subject: June 16/21 - 25 Town Line Rd @ 139 Brunel Rd File

In relation to the proposed zoning change at 25 Town Line Rd @ 139 Brunel Rd, File Z/09/2021, I am strongly opposed to this.

As a family friend of many years of Mrs. Head and the late Mr. Head, I feel that this is extremely disrespectful to them. Mrs. Head graciously donated this piece of property that was her family's homestead to the Town of Huntsville, and asked that it remained a green space for residents of this town to be able to enjoy. A plaque was supposed to be erected stating that it was the Nelson Head nature reserve, but that was never done. Oh how short memories the Town has been given something.

To approve this request for zoning change, would then divide the original property and change the way it originally was. Mrs. Head is still alive and if you do not think that this would be extremely disrespectful, then you better stop and have a search for your morals as you've obviously lost them.

Mr. Tilstra won't be doing this just out of the kindness of his heart as Mrs. Head did, he is doing this as it benefits him financially, plain and simple.

I have lived in this town my entire life and have watched it grow and develop, some things I agree with, others I don't. The beauty of our small town is disappearing at a rapid pace with the influx of minimal sized building lots and city like subdivisions. All Mrs. Head wanted and continues to want is that her family's homestead remain the way it was. If you approve this request, I personally don't know why anyone would make a donation to this town of any degree when once it is given it will be done with as the recipient pleases, not the wishes of the giver.

Respectfully,
Mike MacDonald

Origin: <https://www.huntsville.ca/en/home-property-and-planning/building-and-planning.aspx>

This email was sent to you by Michael MacDonald <[REDACTED]> through <https://www.huntsville.ca>.

June 9/21

Madam Mayor and Council,

Re: Z/09/2021 and B23-24/2021/HTE

The Muskoka Conservancy is negligent in not re-zoning The Nelson Head Nature Reserve from residential to conservation nine years ago when the property was donated for the citizens of Huntsville. This should be the first order of business. Have it correctly zoned as per Aldine Head's wishes. Failing that, The Muskoka Conservancy should apply for a severance of two acres of land. Should that be approved they would then apply for zoning change.

The property on Brunel Rd should also apply for a severance of 10 acres. Should that be approved the zoning would be changed. At this point both parties would be in a position to negotiate a land 'swap'. As an adjacent property owner at **187 Brunel Rd**. I have not had notice of such application nor have I read it in the paper which I read weekly.

It is wrong to have both parties apply on the same application for land severance. Separate owners. Separate properties. It is also wrong to apply for a joint zoning change prior to severance. My concern is the legal ramifications to the Town (taxpayers) should they grant severance and transfer of donated land from a charitable conservation organization to a private individual. You probably want to check that out.

So as not to waste your valuable time this application should be removed from the June 16th planning committee meeting until proper individual applications are presented.

I adamantly oppose and reject both applications regarding donated conservation land. I am also terribly disappointed at the underhanded method of advertising this application to the public.

What a challenge people. I trust your good judgment and integrity will prevail and you will either remove or vote against this land swap/re-zoning application as it stands.

I have been having difficulty trying to voice my concerns through the planning department website. For some reason I get bounced over to Google which wants a URL (whatever that is! LOL). So here I am, appealing to you all. Vote against!

Respectfully,

Michelle Ferguson

mell@bell.net 705-789-4651

June 3, 2021

Madam Mayor and Council,

The Sept. 5 2012 Huntsville Forester had an article regarding Aldine Head donating 9.18 acres of land, in memory of her late husband Bill, and as a legacy to her father-in-law Nelson Head, to the Heritage Trust (Muskoka Conservancy) for the citizens of Huntsville to have undisturbed land in town for people to walk through. Her wish was to have no trails or motorized vehicles or parking and for the property to remain as it was when her family had lived there (see – Huntsville Forester Archives Sept. 5/2012 – Heritage Trust gets Huntsville land donation). It is a beautiful piece of land that many citizens admire while walking or driving down Town Line Rd. Perhaps some even take a stroll through the forest.

The Muskoka Conservancy mission statement states their intention to ‘protect land for nature conservation, forever’.

It surprises me that the Huntsville planning department would accept an application to transfer a portion of the Nelson Head Nature Reserve to one private land owner which is against Aldine Head’s instruction and wishes.

The land in question to be ‘swapped’ will always be protected by the owner of the land as it is land locked and unsuitable for development. The two acres of the Nature Reserve fronting on Town Line Rd. has a potential value of \$800,000.00 plus which would benefit only one property owner. The swap would change nothing for the property owner on Brunel Rd. other than a tax reduction. The land would still be in property owners back yard of home to be used as desired. This is unfair.

With the incredible amount of development currently taking place in our beautiful town (soon to be a city) it is in the best interest for the citizens of Huntsville to leave the Nelson Head Nature Reserve as it is for future generations to look at and to enjoy. Please consider this very carefully when making a decision at the planning level. We do not want another citizen uproar like the Forbes Hill Clear Cut or the Veterans Land donation/McCaffery/University site fiasco.

Thank you for your consideration to this matter and also thank you very much for taking on the impossible responsibility of giving your time to be a part of Huntsville council. It is difficult to be in the position of having half the people for you and half against. You are appreciated.

Respectfully,

Michelle Ferguson



Julie Wolfe

From: Kirstin Maxwell
Sent: June 10, 2021 9:42 PM
To: Richard Clark
Subject: Fw: Land swap

Follow Up Flag: Follow up
Flag Status: Flagged

Kirstin Maxwell | Director of Development Services
 [\(705\) 789-1751 ext 2351](tel:(705)789-1751)
www.huntsville.ca

From: [REDACTED]
Sent: June 10, 2021 8:38 p.m.
To: Kirstin.Maxwell@huntsville.ca
Subject: Land swap

I wish to express my concern over the proposed land swap on the corner of Brunel and town line rd. I am not in favour of this plan at all. It should remain as it was intended to be.

Origin: <https://www.huntsville.ca/Modules/contact/search.aspx?s=fp8cBTjOJaCUAUEUxjc3JQeQuAleQuAl>

This email was sent to you by Lois swan [REDACTED] through <https://www.huntsville.ca>.

Julie Wolfe

From: Kirstin Maxwell
Sent: June 10, 2021 9:42 PM
To: Richard Clark
Subject: Fw: Land swap. Donated By Mrs Head

Follow Up Flag: Follow up
Flag Status: Flagged

Kirstin Maxwell | Director of Development Services
 [\(705\) 789-1751 ext 2351](tel:(705)789-1751)
www.huntsville.ca

From: [REDACTED]
Sent: June 10, 2021 9:27 p.m.
To: Kirstin.Maxwell@huntsville.ca
Subject: Land swap. Donated By Mrs Head

Please mark my name down with the other many citizens of Huntsville opposed to the proposal of a land swap deal concerning the property donated by Mrs Head. Town Line and Brunel

Origin: <https://www.huntsville.ca/Modules/contact/search.aspx?s=fp8cBTJOJaCUAUEUxjc3JQeQuAleQuAl>

This email was sent to you by Cheryl Atkinson [REDACTED] > through <https://www.huntsville.ca>.

Julie Wolfe

From: Kirstin Maxwell
Sent: June 11, 2021 9:47 AM
To: Richard Clark
Subject: FW: Aldine Head property

Kirstin Maxwell | Director of Development Services
(705) 789-1751 ext 2351
www.huntsville.ca

-----Original Message-----

From: noreply@huntsville.ca [mailto:noreply@huntsville.ca] On Behalf Of Robert MacDonald
Sent: June 11, 2021 9:11 AM
To: Kirstin Maxwell
Subject: Aldine Head property

Talking to Mrs. Head personally, I know this proposal is not what she gave the property for and to see Mr. Tilstra be a major benefactor of this deal is wrong, also there is a Town Hall connection as well, Does not look right.

Origin: <https://www.huntsville.ca/Modules/contact/search.aspx?s=fp8cBTjOJaCUAUEUxjc3JQeQuAleQuAl>

This email was sent to you by Robert MacDonald [REDACTED] through <https://www.huntsville.ca>.

Julie Wolfe

From: Planning
Sent: June 9, 2021 12:52 PM
To: Richard Clark
Subject: Fwd: {59161}: Brunel RD. land swap proposal.

--reply above this line--

----- Forwarded message -----

From: [REDACTED]
Date: 6/8/2021 11:14:09 AM
Subject: Brunel RD. land swap proposal.

I do not know your thinking in regard to this matter but it sure is not in the best interests of the people concerned, If the town is that hard up for permit fees maybe they should look to savings from their over paid staff, and other miss-manged ventures.

Origin: <https://www.huntsville.ca/en/home-property-and-planning/building-and-planning.aspx>

This email was sent to you by Bob &Bev MacDonald [REDACTED] through <https://www.huntsville.ca>.

Julie Wolfe

From: Kirstin Maxwell
Sent: June 11, 2021 1:22 PM
To: Richard Clark
Subject: FW: Land trade

Kirstin Maxwell | Director of Development Services
(705) 789-1751 ext 2351
www.huntsville.ca

-----Original Message-----

From: noreply@huntsville.ca [mailto:noreply@huntsville.ca] On Behalf Of Wendy J Brown
Sent: June 11, 2021 1:19 PM
To: Kirstin Maxwell
Subject: Land trade

I disagree with the so called land trade on the toweling, the town seems to always make bad trades and lose money. It's a really bad idea and dosnt honor the woman's donation.

Origin: <https://www.huntsville.ca/Modules/contact/search.aspx?s=fp8cBTjOJaCUAUEUxjc3JQeQuAleQuAl>

This email was sent to you by Wendy J Brown<[REDACTED]> through <https://www.huntsville.ca>.