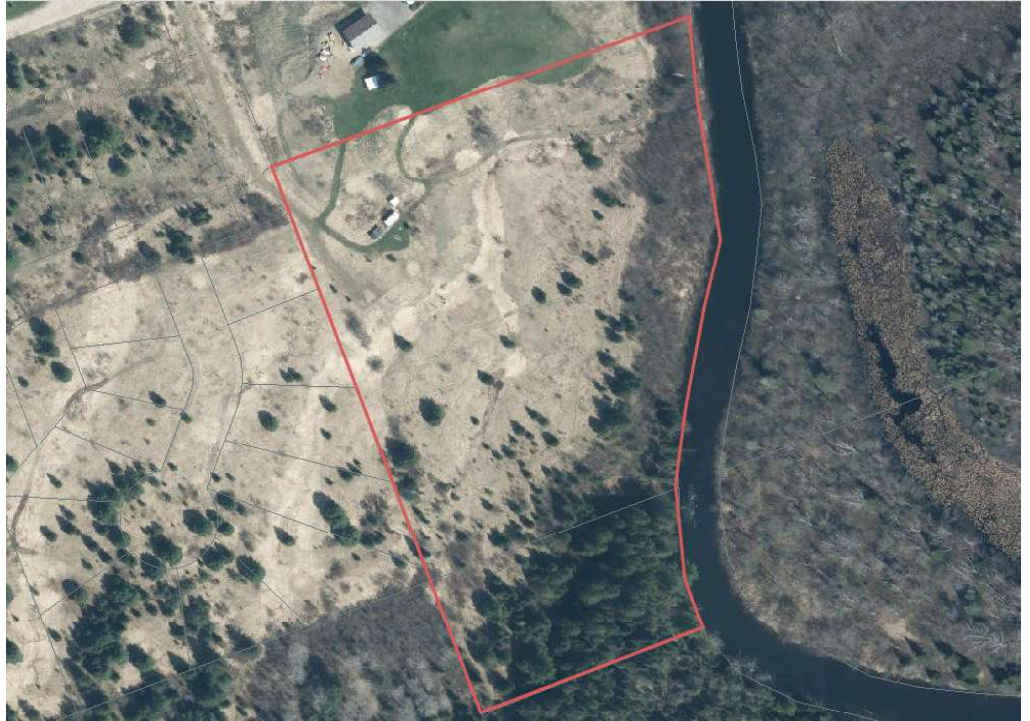


# PART LOT 7, CONCESSION 8, GEOGRAPHIC TOWNSHIP OF ARMOUR (JOHN STREET)



6/30/2026

PLANNING JUSTIFICATION REPORT

PREPARED BY:

**Plan Muskoka**  
[www.planmuskoka.com](http://www.planmuskoka.com)

## TABLE OF CONTENTS

|       |                                                           |    |
|-------|-----------------------------------------------------------|----|
| 1.0   | Introduction                                              | 1  |
| 2.0   | Site Characteristics                                      | 1  |
| 3.0   | Proposal                                                  | 3  |
| 4.0   | Planning Framework                                        | 4  |
| 4.1   | Provincial Plans                                          | 5  |
| 4.1.1 | Provincial Policy Statement (2020)                        | 5  |
| 4.1.2 | Growth Plan for Northern Ontario (2011)                   | 9  |
| 4.2   | Village of Burk's Falls Official Plan (2010)              | 10 |
| 4.3   | Village of Burk's Falls Adopted Official Plan (July 2025) | 11 |
| 4.4   | Village of Burk's Falls General Standards By-law 01-2012  | 15 |
| 4.5   | Village of Burk's Falls Draft Zoning By-law (April 2022)  | 16 |
| 5.0   | Summary and Conclusions                                   | 18 |

| VERSION | DESCRIPTION           | DD/MM/YYYY |
|---------|-----------------------|------------|
| 1       | Issued for Submission | 30/06/2026 |

## 1.0 INTRODUCTION

Plan Muskoka has been retained by Larry Ross, as his agent, to review a proposed Zoning By-law Amendment application for his property located adjacent to the Magnetawan River in the Village of Burk's Falls. The purpose of this report is to provide planning justification for staff and Council's consideration regarding the application.

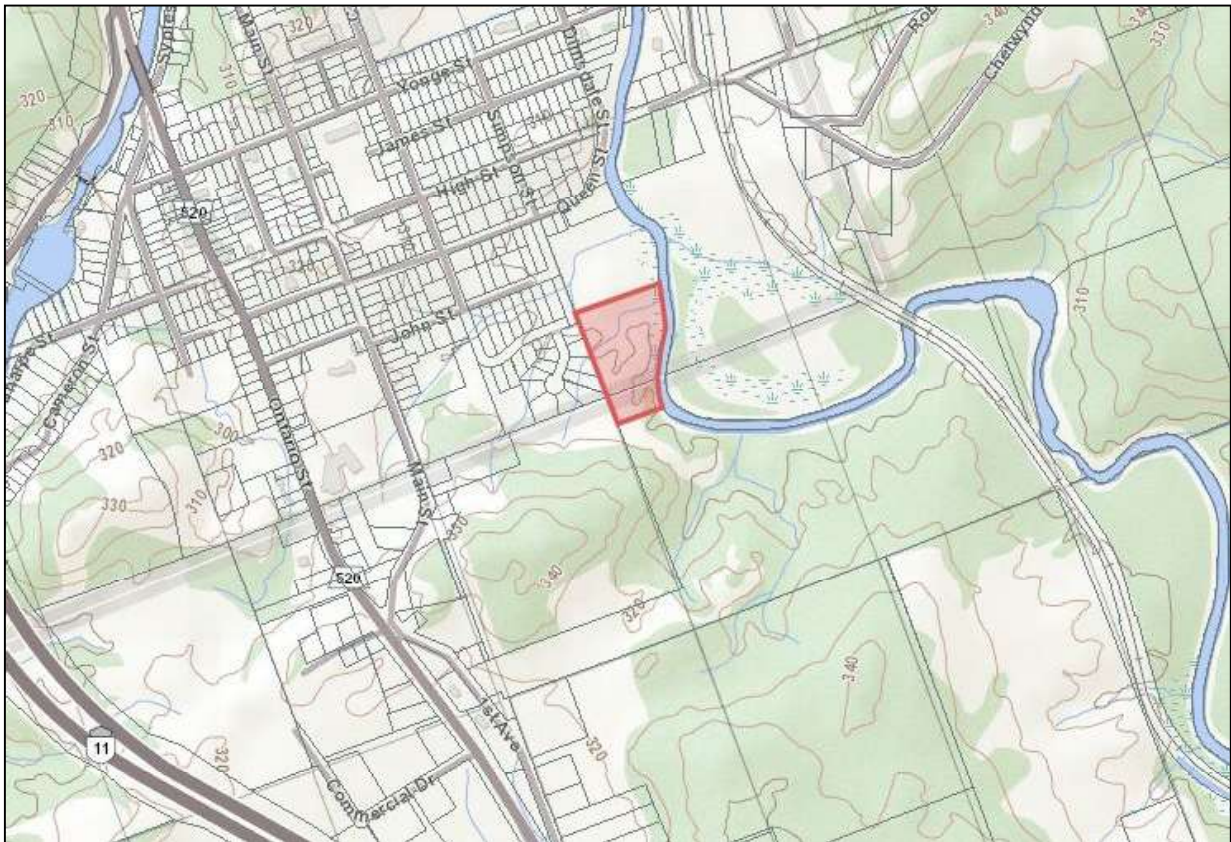


Figure 1: Key Map Showing Location of Subject Lands (Ministry of Natural Resources)

## 2.0 SITE CHARACTERISTICS

The subject lands have no assigned municipal address but are legally described as Part of Lot 7, Concession 8, Geographic Township of Armour, Village of Burk's Falls. The subject lands are approximately 3.29 hectares in lot area with 233 metres of shoreline frontage on the Magnetawan River. While the subject lands do not currently have road frontage, the future extension of John Street as part of the subdivision development to the west will provide road frontage at the corner of John Street. Although a portion of the subject lands extends outside of the village boundary into the Township of Armour,



the proposed development is focused entirely within the limits of the Village of Burk's Falls.

The subject lands presently contain several accessory buildings and a trailer and exhibit wetland areas along the shoreline and contain mature vegetation, particularly in the southern portion. Immediately surrounding the property are a low-density residential use to the north; the Magnetawan River to the east; vacant woodlands to the south; and an undeveloped registered plan of subdivision to the west.



**Figure 2: Aerial Map of Subject Lands (Ministry of Natural Resources)**

The subject lands are designated Residential Areas and Environmental Protection according to Schedule 'A' of the Village of Burk's Falls Adopted Official Plan (2025). While no specific zone has been applied to the subject lands, residential uses are permitted in accordance with the development standards of the Village of Burk's Falls General Standards By-law 01-2012.



### 3.0 PROPOSAL

The applicant proposes to construct four (4) four-storey purpose-built rental apartment buildings, as illustrated in Figure 3 below. Each building is proposed to contain 49 apartment dwelling units for a total of 196 rental units.

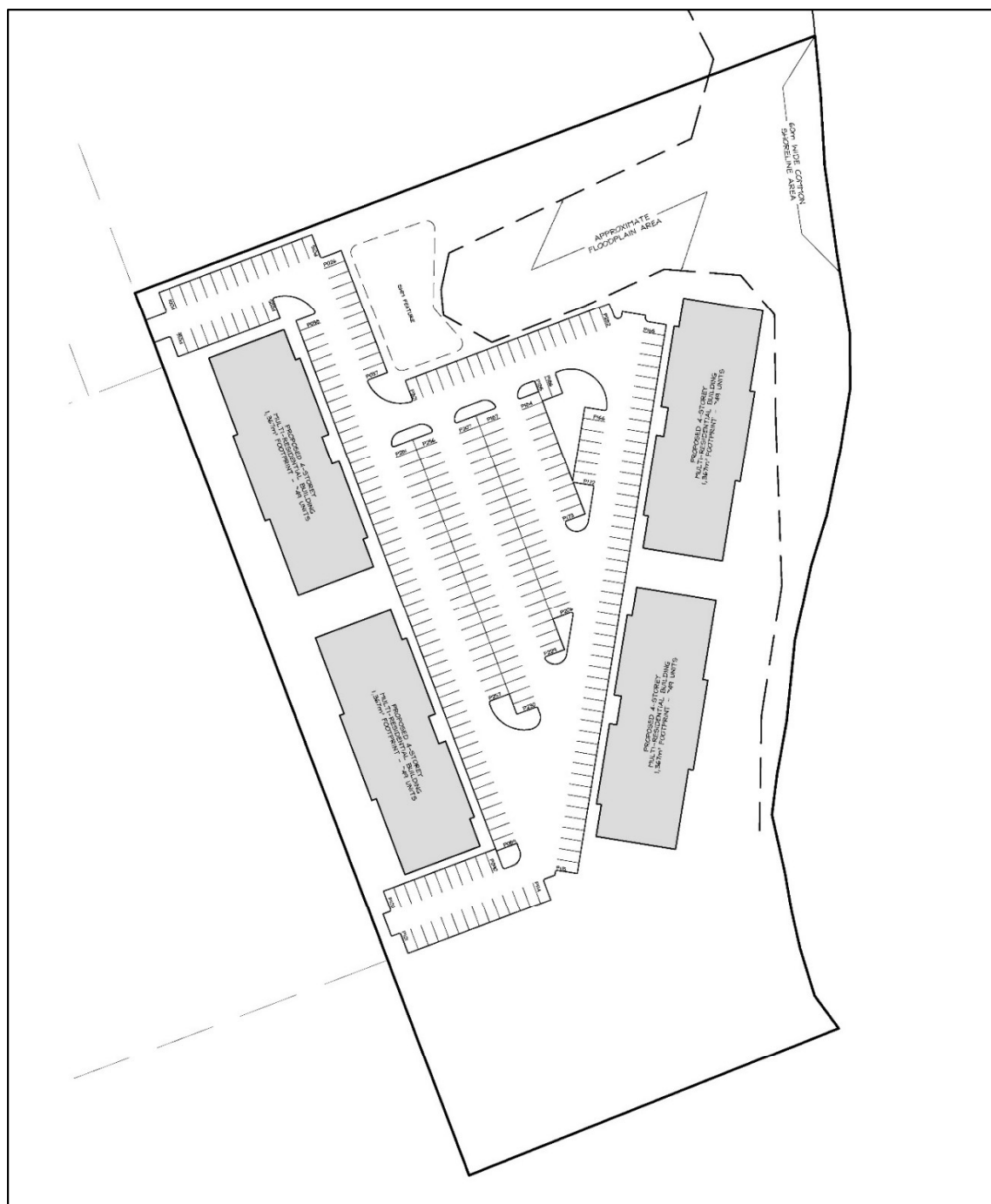


Figure 3: Conceptual Site Plan Illustrating Proposed Buildings (Plan Muskoka)

Application for approval of a draft plan of condominium will be submitted in the future to establish ownership of the buildings and maintenance of common elements including waterfront amenity space, internal roads, parking areas and other infrastructure. A site plan approval application will also be required to implement the detailed designs, prior to the issuance of building permits.

Through pre-consultation discussions between the applicant and the Village's planning consultants, it was determined that while the General Standards By-law includes regulations for apartment buildings, these regulations are only applicable where an apartment building use has been specifically permitted on the property. Further, relief is required to increase the maximum permitted height of the proposed buildings from the as-of-right permitted height of 10 metres in the By-law.

Therefore, to implement the proposal, a Zoning By-law Amendment application will be filed to establish a site-specific exception to:

- i. Add "Apartment Buildings" as a permitted use; and,
- ii. Permit a maximum building height of 15 metres.

Further, a Holding (H) provision should be applied to the subject lands to ensure that adequate infrastructure including water, sewer, stormwater systems, roads and transportation infrastructure is constructed or secured and that requisite development agreements have been entered into prior to development proceeding.

## **4.0 PLANNING FRAMEWORK**

To come to a professional opinion regarding the consistency and conformity of the proposed development and if the proposal represents good planning, a review of all relevant planning documents is required. These documents consist of the Provincial Planning Statement (2024), the Growth Plan for Northern Ontario (2011), the Village of Burk's Falls Official Plan, the Village of Burk's Falls General Standards Zoning By-law 01-2012, and the Village of Burk's Falls Draft Zoning By-law (2022). Therefore, this report will examine the proposal against those documents and provide a professional planning opinion on the matter.

## 4.1 PROVINCIAL PLANS

Section 3 (5) of the *Planning Act* states:

*"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,*

- a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and*
- b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be."*

As such, the determination must be made that the proposed development is consistent with the Provincial Planning Statement (2024) and the Growth Plan for Northern Ontario (2011) in order for the Village of Burk's Falls Council to approve the proposed Zoning By-law Amendment.

### 4.1.1 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement (the '**PPS**') seeks to create healthy, liveable and safe communities that are sustained by objectives such as promoting efficient land use patterns that are transit supportive, accommodating an appropriate range and mix of housing, including affordable housing, and promoting cost-effective development patterns to minimize land consumption and servicing costs.

The subject lands are located within the Village of Burk's Falls, which is an urban settlement area. Section 2.3.1.1 states that *"settlement areas shall be the focus of growth and development."* Section 2.3.1.2 states that *"land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; ...*



The proposal aims to facilitate additional housing on an underutilized parcel of property within a built-up area. By permitting apartment buildings, the permitted number of dwelling units will increase beyond the one dwelling currently permitted, thereby minimizing land consumption and optimizing the use of existing infrastructure while bringing additional residents to the area. Being located within the village boundaries, residents have access to parks and recreational amenities that support active lifestyles, as well as utilizing active transportation to nearby public and commercial services in the downtown core.

Section 2.3.1.3 states that *"planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities."* Further, Section 2.3.1.4 states that *"planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions."*

In addition to the above, Section 2.2.1 states that *"planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- b) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- c) permitting and facilitating:*
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
  - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3"*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*

- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The proposal to increase the maximum residential development density of the subject lands is consistent with the above policies. The proposed development will provide additional housing adjacent to the built-up area where existing infrastructure can be extended to accommodate additional development. The PPS is supportive of these opportunities as infrastructure efficiencies increase through additional users being added to the existing municipal systems.

Section 3.6.2 of the PPS states that *"municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services."* Further, Section 3.6.8 of the PPS addresses the requirements for planning for stormwater management.

The subject lands will be serviced by an extension of municipal water and sewage services and by proposing an intensification of the permitted residential land use, is consistent with Section 3.6.2. A Functional Servicing Report prepared by a qualified engineer will be required to address the serviceability of the lands in support of the future draft condominium plan and site plan applications to permit the connection to municipal water, sewer and stormwater infrastructure.

The policies of Section 4.1 of the PPS address the protection of natural heritage features and areas. Provincial mapping indicates the presence of unevaluated wetlands along the shoreline and a potential watercourse, illustrated in Figure 4 below. Section 4.1.6 of the PPS states that *"development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements."*

The intermittent watercourse does not appear on aerial mapping; however, it is our understanding that an Environmental Impact Study will be required to delineate any features present on the subject property and demonstrate there will be no negative impacts on fish habitat or other identified natural heritage features prior to development proceeding.



**Figure 4: Natural Heritage Features Mapping (Ministry of Natural Resources)**

Section 5.2.2 of the PPS states that "development shall generally be directed to areas outside of: ... b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards ..." Section 5.2.3 states that "development and site alteration shall not be permitted within: ... c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding." Section 5.2.5 states that "despite policy 5.2.3, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems: ... b) where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows."

The subject lands are adjacent to the Magnetawan River, with a portion of the lands identified as being within the floodplain. However, the regulatory flood elevation on the subject lands has been delineated by an Ontario Land Surveyor and the proposed buildings, access road, parking facilities and stormwater infrastructure are all located outside the floodplain. While the shoreline amenity area is proposed within the

floodplain lands, any shoreline development, such as the construction of a dock, is permitted within flooding hazard areas, as per Section 5.2.5. Therefore, the proposal is consistent with the flooding hazard policies of the PPS.

Based on the above analysis, it is my professional opinion that the proposed development is consistent with the Provincial Planning Statement (2024).

#### **4.1.2 GROWTH PLAN FOR NORTHERN ONTARIO (2011)**

The Growth Plan for Northern Ontario (2011) (the '**Growth Plan**') is described as, in part, an economic development plan, an infrastructure investment plan, a labour market plan and a land-use plan. Section 1.4 of the Growth Plan states several guiding principles for growth in northern Ontario, the most relevant being *"1. Creating a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents"* and *"5. Demonstrating leadership in sustainable growth and environmental management."* This application, which seeks to provide additional housing opportunities in the Village of Burk's Falls, conforms to the above-noted guiding principles.

Section 4.2.1 of the Growth Plan states that all municipalities should prepare long-term community strategies that are designed to achieve

- a. *economic, social and environmental sustainability*
- b. *accommodation of the diverse needs of all residents, now and in the future*
- c. *optimized use of existing infrastructure*
- d. *a high quality of place*
- e. *a vibrant, welcoming and inclusive community identity that builds on unique local features*
- f. *local implementation of regional economic plans, where such plans have been completed.*

The proposed development will provide a wider range of residential tenure choice and more affordable housing options within a built-up area while optimizing the use of existing municipal infrastructure.

Section 5.2.1 states that *"infrastructure planning, land-use planning, and infrastructure investments will be co-ordinated to implement this Plan. Infrastructure includes, but is not limited to: transportation systems, water and wastewater infrastructure, waste management*



systems, energy infrastructure, community infrastructure, and information and communications technology infrastructure." Further, Section 5.2.4 states that *"infrastructure planning and investments will contribute to a culture of conservation by, wherever feasible, utilizing approaches and technologies that reduce energy and water use, increase efficiencies, and promote intensification and brownfield site redevelopment."* The proposal would increase the number of dwelling units on the subject lands, where only one is permitted today, thereby increasing efficiencies and optimizing the use of existing infrastructure.

Considering the above analysis, it is my professional opinion that the proposed development conforms with the policies of the Growth Plan for Northern Ontario (2011).

## 4.2 VILLAGE OF BURK'S FALLS OFFICIAL PLAN (2010)

The subject lands are designated Urban and Environmental Protection according to Schedule A of the Village of Burk's Falls Official Plan (the **"Official Plan"**). The Environmental Protection designation reflects the identified floodplain extending into the property.

Section 5.1.2.1 indicates that permitted uses within the Urban designation include medium-density residential uses including low-rise apartments. The Official Plan further states *"in infilling and/redevelopment situations, Medium density residential developments may have a density up to 150 units per hectare (60 units per acre)"*.

Section 5.1.2.1.1 (d) of the Official Plan includes criteria for medium density residential development and requires that *"the proposed development to be compatible in scale and appearance with surrounding uses, municipal services (water, sanitary, schools, parks) must be adequate to support the development, the local street network must be capable of accommodating additional traffic, and off-street parking, landscaping, and buffering must be sufficient and in accordance with zoning standards"*. Medium density residential development is also encouraged to be located on *"lands adjacent to collector or arterial roads, public open space or commercial areas."* The Official Plan further states that *"development of new medium density residential uses through infilling and intensification of existing serviced areas with the built-up area shall be encouraged. Where possible, the development shall proceed by registered plan of subdivision. Any extensions of municipal water, sanitary sewer, storm, road and related infrastructure required to serve the new residential development shall be at the expense of the developer."*

The proposed development conforms to these policies, as will be reviewed in further detail below.

### 4.3 VILLAGE OF BURK'S FALLS ADOPTED OFFICIAL PLAN (JULY 2025)

In November 2025, the Council of the Village of Burk's Falls adopted a new Official Plan (the **"Adopted Official Plan"**), replacing the 2010 Official Plan. While the Adopted Official Plan is awaiting approval from the Ministry of Municipal Affairs and Housing (MMAH), this document represents the most current policy direction of the Village.

The subject lands are designated Residential Areas and Environmental Protection according to Schedule 'A' of the Adopted Official Plan.

The Adopted Official Plan outlines several Guiding Principles for Housing in the Village, including *"to encourage the provision of a mix and range for housing types in the municipality;" "to encourage a minimum 15-year supply of land through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;"* and *"to encourage housing forms and densities designed to be affordable to moderate and lower income households."* The proposal to increase the permitted density and introduce a new form and tenure of housing on lands that are designated for residential use is consistent with these principles.

Section 5.1 of the Adopted Official Plan states that *"lands designated as Residential Areas are intended primarily for low density and medium density residential uses including single detached and two-unit dwellings, and multiple-unit dwellings."* Section 5.1.1 further states that *"the predominant land uses in the Residential Areas designation shall be low and medium density residential uses, including single detached dwellings, duplex and semi-detached dwellings, triplexes, fourplexes, row or townhouses, converted dwellings, low rise apartment dwellings, and group homes. ... The permitted uses shall be generally limited to low to medium densities such as single detached dwellings, semi-detached or duplex dwellings, townhouses and low-rise apartments."* The proposed amendment would allow the development of multi-unit low-rise apartment dwellings, which is a permitted use in the Residential Areas designation.

Section 5.1.2 states that *"new detached, semi-detached, duplex dwellings and townhouses shall be located where their impact on existing commercial, industrial and residential use is minimized. Infilling and intensification of residential land uses is encouraged within those areas where full municipal servicing is available. The following policies shall apply when considering applications for all new residential development:*

- 1. the proposed design of the residential development is compatible in scale and appearance with the character of surrounding uses;*
- 2. the proposed development shall be undertaken on municipal sanitary sewer and water systems within the Residential designation.*
- 3. the availability of school and park facilities services are adequate to serve the proposed development;*
- 4. the local street network is adequate to accommodate any increased traffic that might result from such development;*
- 5. the off-street parking facilities and the proposed landscaping and buffering are adequate; those standards may be set out in an implementing Zoning By-law or Community Development Permit System."*

The applicant will be responsible for extending water and sewer infrastructure to the property and any necessary improvements to the road network; it is anticipated that these matters will be reviewed in more detail for the future draft plan of condominium and site plan applications. The conceptual site plan indicates that parking facilities can be accommodated in accordance with the provisions of the implementing Zoning By-law.

The subject property is an appropriate location for increased density, being within close proximity to commercial services, schools and other amenities necessary to support residential development, while also being located at the southeast boundary of the Village to minimize impacts on adjacent uses. The portion of the subject lands within Armour Township will remain undeveloped, providing a buffer on the southern portion of the property. The proposed buildings are also sufficiently setback from the Magnetawan River to minimize visual impacts on the waterbody and lands on the opposite shoreline.

Given the large lot area and setbacks proposed, the proposed apartment building will also be at a scale that is compatible with the adjacent low-density residential

development. While relief from the current By-law provision is required to increase the permitted height from 10 to 15 metres, the draft Zoning By-law indicates that 15 metres will be the new maximum height permitted for apartment dwellings, indicating that the proposal is aligned with the current policy direction of the Village.

Section 5.1.2.1 states that *"medium density residential development is generally considered to be between 30 and 60 units per hectare with a maximum height of 3 storeys. Notwithstanding, proposals that constitute infilling or redevelopment may have a density up to 150 units per hectare, subject to the policies of this section and the provisions of the implementing Zoning By-law. In any built-up area where medium density residential uses are to be introduced, consideration shall be given to matters related to land use compatibility and proximity effects."* This policy is also reiterated in Section 3.3.8.2 of the Adopted Official Plan.

The proposed development represents a density of approximately 59.5 units per hectare, in conformity with the targets identified above for medium density residential development. Although the maximum permitted height is "generally" 3 storeys, the wording of this policy suggests some flexibility, particularly in consideration of the language throughout the Plan that encourages increased density for infill development. Further, while the apartment buildings are to be 4 storeys in height, they will comply with the 15-metre height permission of the draft Zoning By-law, which implements the policies of the Adopted Official Plan.

Section 5.1.2.1 further states that *"new multi-unit residential housing, including higher density (medium density) housing may be permitted, subject to rezoning and it being demonstrated that adequate services are available for the development. Medium density residential uses are encouraged to locate in the following areas:*

- *adjacent to collector or arterial roads;*
- *adjacent to public open space; and*
- *in the vicinity of local commercial uses."*

While the subject property will ultimately have frontage on John Street, which is a local road, Schedules A and B of the Adopted Official Plan indicate that there is a limited supply of lands within the Residential Areas designation that front onto an arterial or collector roads. However, the subject property is in close proximity (less than 1 kilometre) to the commercial uses in the downtown core and other public services and amenities to support the daily needs of residents. The subject lands are also within walking

distance to municipal parks and recreational trails. Further, the applicant has proposed to create a shoreline amenity area along the Magnetawan River to provide open space for residents of the apartment buildings to access the water.

Section 5.1.5 states that *"adequate buffering shall be provided between proposed multi-unit residential uses and adjacent uses, especially adjacent detached residential uses. Such buffering may include the use of landscaping such as grass strips, screening and the planting of a berm or fence or separation distance."* The conceptual site plan illustrates that the apartment buildings have sufficient setbacks to provide landscaping or other buffers to mitigate the visual impacts and massing of the proposed buildings. At the site plan approval stage, the applicant will be required to provide detailed plans to demonstrate compliance with the buffering and landscaping provisions of the Zoning By-law.

Section 5.1.2.3 of the Adopted Official Plan states that *"development of new residential uses through infilling and intensification of existing serviced areas with the built-up area shall be encouraged shall take place in accordance with the policies of Section 3.3.8 of this Plan."* Section 3.3.8 explains that *"intensification and redevelopment within the Village can meet the needs of the population at different stages of their lives. Over the next twenty years, intensification, infilling, and redevelopment within the area presently serviced with municipal services will be the preferred development approach. ... Infilling specifically refers to the development of vacant or underutilised sites with some supporting infrastructure already in place."* Section 3.3.8.1 further states that *"development of new low and medium density residential uses through infilling and intensification of existing serviced areas with the built-up area shall be encouraged. Such intensification and/or redevelopment shall meet the requirements of the Ontario Building and Fire Codes and any municipal requirements regarding servicing and parking. Residential intensification can be achieved in the following ways: ... 4. Infill development of vacant land, with an emphasis on higher density residential units."* These policies promote infilling and intensification as the preferred means to accommodate the Village's growth and housing needs, which reflects the proposed development.

As has been made evident throughout the analysis of this report, the proposed development aligns with the direction provided for development on residential-designated lands within settlement areas, not only by the Official Plan and Adopted Official Plan, but by the PPS and Growth Plan as well.

With all the above analysis considered, it is my professional opinion that the proposed development conforms to the Village of Burk's Falls Adopted Official Plan (2025).



#### 4.4 VILLAGE OF BURK'S FALLS GENERAL STANDARDS BY-LAW 01-2012

The subject lands are regulated by the Village of Burk's Falls General Standards By-law (the '**General Standards By-law**'). The General Standards By-law includes general development standards to regulate development but does not establish specific zones for each property.

Section 4.8 of the General Standards By-law states that *"not more than one detached dwelling, or semi-detached dwelling, or duplex dwelling shall be erected on any lot."* While the General Standards By-law includes regulations for apartment buildings, it was determined through pre-consultation discussions that these regulations are only applicable where the apartment building use has been specifically permitted on the property. As such, the Zoning By-law Amendment is required to permit the apartment building use.

The table below indicates the relevant required provisions of the General Standards By-law and how the proposed development and/or subject lands measures against those provisions.

| BY-LAW REGULATION                             | PERMITTED/REQUIRED | PROVIDED      |
|-----------------------------------------------|--------------------|---------------|
| Minimum Lot Frontage<br>(Table 1)             | 20 metres          | 233 metres    |
| Minimum Lot Area<br>(Table 1)                 | 809 square metres  | 3.29 hectares |
| Minimum Front Yard<br>(Table 1)               | 6 metres           | 20 metres     |
| Minimum Interior Side Yard<br>(Table 1)       | 3.6 metres         | 22 metres     |
| Minimum Rear Yard (Table 1)                   | 10 metres          | 10.5 metres   |
| Minimum Watercourse Setback<br>(Section 4.13) | 10 metres          | 20 metres     |
| Maximum Lot Coverage<br>(Table 1)             | 30%                | 16.6%         |

|                                                                |                                               |                    |
|----------------------------------------------------------------|-----------------------------------------------|--------------------|
| Maximum Building Height<br>(Table 1)                           | 10 metres                                     | 15 metres          |
| Minimum Number of Parking<br>Spaces – Residential<br>(Table 1) | 1.5 per dwelling unit = 294<br>parking spaces | 301 parking spaces |

As is indicated in the table above, the subject property complies with nearly all performance standards but requires an exception to increase the permitted building height from 10 metres to 15 metres.

#### 4.5 VILLAGE OF BURK'S FALLS DRAFT ZONING BY-LAW (APRIL 2022)

A draft Zoning By-law has been prepared by the Council for the Village of Burk's Falls (the "**Draft Zoning By-law**"), which will implement the policies of the new Official Plan. While the Draft Zoning By-law is not yet in effect, this document was reviewed against the proposed development.

The subject lands are within the Residential One (R1) and Floodway (F) zones according to Schedule A of the Draft Zoning By-law.

The table below indicates the relevant required provisions of the Draft Zoning By-law and how the proposed development and/or subject lands measures against those provisions.

| BY-LAW REGULATION                                         | PERMITTED/REQUIRED         | PROVIDED                                                                     |
|-----------------------------------------------------------|----------------------------|------------------------------------------------------------------------------|
| Minimum Lot Area – Apartment Dwellings (Section 3.3.3)    | 133 square metres per unit | ±168 square meters per unit                                                  |
| Minimum Lot Frontage – Apartment Building (Section 3.3.3) | 30 metres                  | 20 metres (future extension of John Street)<br>233 metres (Magnetawan River) |
| Minimum Front Yard (Section 3.3.3)                        | 4.5 metres                 | 11.7 metres                                                                  |
| Minimum Interior Side Yard (Section 3.3.3)                | 3.0 metres                 | 22 metres                                                                    |
| Minimum Rear Yard (Section 3.3.3)                         | 7.5 metres                 | 20 metres                                                                    |

|                                                                               |                                                                               |                                           |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------|
| Maximum Lot Coverage<br>(Section 3.3.3)                                       | Not stated                                                                    | 16.6%                                     |
| Maximum Building Height<br>(Section 3.3.3)                                    | 15.0 metres                                                                   | 15 metres                                 |
| Minimum Landscaped Planting<br>Strip (Section 3.3.3.)                         | 1.5 metres along rear and<br>interior side lot line                           | 1.5 metres                                |
| Minimum Landscaped Open<br>Space – Apartment Dwellings<br>(Section 3.3.3)     | 20%                                                                           | ±45%                                      |
| Minimum Number of Parking<br>Spaces – Apartment Dwellings<br>(Section 2.18.2) | 1.5 per dwelling unit = 294<br>parking spaces                                 | 301 parking spaces                        |
| Minimum Number of Accessible<br>Parking Spaces (Section 2.18.3)               | As per Ontario Regulation<br>413/12 of the Ontarians with<br>Disabilities Act | TBD at detailed design<br>stage/Complying |
| Minimum Number of Bicycle<br>Parking Facilities (Section 2.18.4)              | 0.5 per dwelling unit<br>= 98 spaces                                          | TBD at detailed design<br>stage/Complying |

As is indicated in the table above, the subject property complies with the provisions of the Draft Zoning By-law. In particular, the as-of-right height for apartment buildings has been increased to 15.0 metres, which indicates that the height proposed by applicant is aligned with the new policy direction of the Village of Burk's Falls.

While the future road frontage on John Street will be 20 metres rather than 30 metres, Section 2.13 of the Draft Zoning By-law permits the development of existing conveyable lots with lesser frontage or area.

Section 3.3.1 of the Draft Zoning By-law indicates that the proposed use, which is defined as "Apartment Dwellings in an Apartment Building," is only permitted within the Residential Three (R3) zone. Given that the applicant is seeking an amendment to specifically permit this use, should the amendment to the General Standards By-law be approved by Council, it would also be appropriate to amend Schedule A to change the zoning on the subject lands to R3 prior to final passage of the Draft Zoning By-law.

Further, a Holding (H) provision should be applied to the subject lands to ensure that adequate infrastructure including water, sewer, stormwater systems, roads and transportation infrastructure is constructed or secured and that requisite development agreements have been entered into prior to development proceeding. This will allow

the proposed use to be permitted on the property, while also providing assurances to Council that the required supporting studies and analysis will be completed as part of the future draft plan of condominium application and/or site plan approval application.

## 5.0 SUMMARY AND CONCLUSIONS

The applicant proposes to construct four (4) four-storey purpose-built rental apartment buildings, as illustrated in Figure 3 below. Each building is proposed to contain 49 apartment dwelling units for a total of 196 rental units.

Through pre-consultation discussions between the applicant and the Village's planning consultants, it was determined that while the General Standards By-law includes regulations for apartment buildings, these regulations are only applicable where an apartment building use has been specifically permitted on the property. Further, relief is required to increase the maximum permitted height of the proposed buildings from the as-of-right permitted height of 10 metres in the By-law.

Therefore, to implement the proposal, a Zoning By-law Amendment application will be filed to establish a site-specific exception to:

- i. Add "Apartment Buildings" as a permitted use; and,
- ii. Permit a maximum building height of 15 metres.

A Holding (H) provision will also be applied to the subject lands to ensure that adequate infrastructure including water, sewer, stormwater systems, roads and transportation infrastructure is constructed or secured and that requisite development agreements have been entered into prior to development proceeding.

Based on the foregoing analysis, the proposed development is consistent with the Provincial Planning Statement (2024) and the Growth Plan for Northern Ontario (2011); conforms to the Village of Burk's Falls Official Plan (2010) and Adopted Official Plan (2025); and will be in compliance with the Village of Burk's Falls General Standards By-law 01-2012 and the Draft Zoning By-law (2022) should the proposed amendment be approved.

Furthermore, in my professional opinion, the proposal represents good planning.

PLAN MUSKOKA



Savas Varadas, MCIP, RPP  
Principal

# CURRICULUM VITAE OF SAVAS VARADAS

## ACADEMIC BACKGROUND

SEPTEMBER 1999 – MAY 2003

### UNIVERSITY OF WATERLOO

Bachelor of Environmental Studies

Honours Planning – Geography Minor

## PROFESSIONAL EXPERIENCE

SEPTEMBER 2015 – PRESENT  
(~10 YEARS)

### PLAN MUSKOKA

#### Planning and Development Consulting

Huntsville, Ontario

*Principal*

Planning Consulting for a wide range of Planning Act applications and Land Development related projects, such as Official Plan and Zoning By-law Amendments, Plans of Subdivision and Condominium, Minor Variances, Site Plan Approvals, Consents, and Development Permits. Also, consulting services have been provided for Project Management, FIT Application Zoning Certificates, Professional Evidence at the Ontario Land Tribunal (previously LPAT/OMB), and Zoning Analysis Reporting

APRIL 2004 – AUGUST 2015  
(11 YEARS, 5 MONTHS)

### WAYNE SIMPSON AND ASSOCIATES

#### Planning and Development Consultants

Huntsville, Ontario

*Planner – Senior Planner*

Planning Consulting for a wide range of Planning Act applications and Land Development related projects, such as Official Plan and Zoning By-law Amendments, Plans of Subdivision and Condominium, Minor Variances, Consents, Development Permits, Project Management, FIT Application Zoning Certificates, Professional Evidence at the Ontario Municipal Board, and Zoning Analysis Reporting

## PROFESSIONAL MEMBERSHIP

CANADIAN INSTITUTE OF  
PLANNERS

Full Member Since October 13, 2006

ONTARIO PROFESSIONAL  
PLANNERS INSTITUTE

Full Member Since October 20, 2006