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Councillor Gordon Roberts  
Chair, Official Plan Review Committee

Councillor Barb Bridgeman  
Chair, Planning Committee

Township of Muskoka Lakes (*via email*)

**Re: Muskoka Lakes Association comments on the Official Plan Policy Directions**

Dear Chair Roberts, Chair Bridgeman and members of the Planning and Official Plan Review Working Committees

Thank you for the opportunity for the Muskoka Lakes Association to provide comments on the policy directions of the Township of Muskoka Lakes new Official Plan. Attached is a completed workbook with specific comments on each of the policy directions. This letter outlines some of our larger issues to emphasize and inform your deliberations.

**Environment First**

The Muskoka Lakes Association has championed protection of our lakes since its formation in 1894. Many of our current councillors and Mayor ran on platforms recognizing the importance of putting the environment first in decision-making. We advocate an approach that considers “the view from the canoe” as we strive to preserve the character and quality of our lakes. As this council continues the important work of the Official Plan Review, the MLA reminds you of our vision statement endorsed by the MLA board and previously submitted to the Township for their consideration:

*The unique character of Muskoka Lakes’ natural and cultural environment is understood, valued, protected, and enhanced. It is at the core of a sustainable and thriving community and will be passed on to future generations.”*

What does it mean to have an environment first, or perhaps an environment ‘forward’ approach? It means that in the hierarchy of policy that the environmental ones will come first, signaling their priority, among others. It means that we make decisions that favour the environment over tax dollars or individual desires. It means that TML articulates its vision for what the environment should be in Muskoka, clean, green and connected, and all members of council work to achieve it. It means that the foundation of why we come to Muskoka to visit or reside, our waters and forests, are protected securing our future here. It means that we recognize our environment is changing and that we must have policies for climate change and other stressors that anticipate and proactively ensure that this OP provides for the conditions to protect shoreline and other residents.

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**The mission of the Muskoka Lakes Association is to promote the responsible use, enjoyment and conservation of the unique Muskoka environment.**

This may be by new building design standards, setbacks from flood plain, permitted uses in the floodplain, stormwater runoff controls, wildfire, drought, blue green algae, or invasive species controls. It needs collective efforts at all levels of government. In doing so we also address environment first.

It does not mean that no tree will come down or that no rock will be blasted, but that is not the default or first position. Each applicant will have done their best to work with the environmental conditions of a site before it is modified. Design with nature. There are many wonderful examples of designing with site constraints here and elsewhere in the world. Let us make it the normal way of doing business here.

In this new way of doing business, TML will need to tackle policy areas that are at the heart of the conflicts facing Muskoka. Waterfront density, recreational carrying capacity, resorts, and climate change. Some of these areas were identified as policy directions but two – resorts (also addressing shoreline density) and carrying capacity need policy attention.

### **Resort Policies**

The MLA has been commenting on resort policies since 2017 with the review of the District OP. Three years later we are no further ahead with the District still grappling with this topic. TML and indeed Muskoka cannot wait another OP cycle to address this policy deficit. Therefore, we recommend that TML lead the way in developing progressive resort policies that support TML's vision of shoreline redevelopment.

Much work has been done by the Minett Joint Policy Steering Committee including the Altus Group study – "Understanding the Waterfront Economy Study: An Economic Benefits Analysis". They found that seasonal cottages currently dominate the waterfront economy, accounting for half to two-thirds of total economic activity, while resorts contribute between one fifth to one third of the total with year-round residences and short-term rentals accounting for the balance. Altus found that Muskoka has ample current resort capacity and to meet future demand very little additional resort development will be required.

Nevertheless, municipalities are receiving applications for developments that proponents characterize as "resorts" despite the fact that they bear little, if any resemblance to traditional resorts. Municipalities are being asked to "adapt" their resort policies to accommodate such developments, or worse, respond in a policy vacuum.

The MLA believes that restrictions on such waterfront developments are required to protect the environment and the high quality of life in Muskoka. They have far different community and environmental impacts than traditional resorts and these impacts extend far beyond the degradation of Muskoka's visual landscape. Such projects put unexpected and unwanted demands on municipal services and the limited recreational carrying capacity of our lakes. It would be very poor planning to simply "adapt" existing policies designed to apply to traditional resorts to an entirely different and generally more intensive type of land use.

The MJPSC put forward definitions of commerciality to be met by resorts and defined a series of policy directions to apply to new resorts or redevelopment of resorts. "Conditions of Use" recommendations were developed working in concert with planning staff from the District and Township. They are consistent with conditions already established at the neighbouring Marriott property, and they serve to ensure the ongoing commercial use of the resort condominium units.

It is a foundation – let us use it to lead and define the kind of shoreline development we want.

## Carrying Capacity

The MLA strongly supports policies that enable establishment of zoning regulations where lakes are near or over capacity based on the RCC model as a guideline on small and medium-sized lakes. The example of lot development on Maryjane and Camel Lakes brought this to light recently. But this needs to be extended to rivers, bays and connecting channels on our larger lakes. They too are experiencing significant growth in boat traffic and with it, increased safety concerns and demands for docking infrastructure.

The work done by the Minett Joint Policy Steering Committee in commissioning the Boat Impact Assessment – Wallace Bay (Riverstone Environmental Solutions Inc 2019) has confirmed that boat traffic has increased significantly since 2007, as has the measured frequency of unsafe boating traffic levels. Rivers and bays on the big lakes can be over capacity but recognizing that they are not isolated from the larger lake system. A mechanism to address the big lakes must also be considered in the OP. We note in the workbook that if a road has exceeded safe operating capacity, we widen it. There is no such recourse on our lakes. We can no longer ignore this issue for it is changing the quality experience for our members. In a recent survey of MLA members, 58% said that their enjoyment of the lakes has changed for the worse over their time here. Further, members cited the following as impacting their enjoyment:

Noisy boats	63.47%
Too many waves	41.17%
Density of shoreline development	61.53%

For years we relied on lake health to limit lot creation. That limitation has been removed. So now what limits the shoreline development around the lakes. Some have called this recreational carrying capacity. We might call it character capacity – at what point in shoreline development do we change:

- the aesthetics of the shoreline,
- our ability to see loons or other wildlife,
- to fish,
- to enjoy the water without excessive noise, waves
- to boat safely, or
- our water quality by increased runoff.

Perhaps we can define those thresholds and measure by lot the contribution to protecting or degrading those conditions. TML could be a leader in defining a new way of shoreline preservation.

## Other areas of emphasis from the workbook

Several questions were raised in the discussion reports prepared by Meridian Planning, but we want to highlight the MLA's feedback on the following:

- The new OP should contain specific policies on lake system health and policies to protect water quality and the environment. These should enable even more stringent management practices for development in waterfront areas than those in the Muskoka District Official Plan. MLA strongly supports the inclusion of policies that enable the Township to establish a rigorous process that triggers the need for a causation study to prevent water quality deterioration. However, once a causation study is complete, mechanisms need to be put in place to facilitate action on recommendations.
- We support the flooding hazard policies in light of climate change. We also strongly recommend a policy direction to prohibit components of septic systems within the District's recently defined floodplain.
- While the OP should incorporate the natural heritage policies and mapping of the Muskoka Official Plan, the TML OP should also enable the Township to identify and protect locally important features as well as natural shoreline vegetation through the development review process.
- Site alteration, including but not limited to, driveways, pathways, stairways to shoreline, patios, decks, fireplaces, swimming pools, sports courts, helipads, and hot tubs need to be regulated under site plan control. The footprint of developed area is growing resulting in clearing and blasting.
- Finally, all the plans in the world are only as good as their implementation. TML is reminded to incorporate compliance mechanisms, as recently brought before council for their consideration, and ensure capacity in by-law enforcement within the Township.

Thank you for receiving our comments. As always, we will be happy to elaborate further. Members of our committee, Laurie Thomson and Liz Lundell have participated in this submission and can offer insights on our behalf. We look forward to participating in the next stages of the project.

Yours truly,



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c.c. Katie Edwards, General Manager, MLA