

June 22, 2022

District of Muskoka  
Community and Planning Services Committee  
70 Pine Street  
Bracebridge, ON P1L 1N3

Attention: Nancy Alcock, Chair

Dear Sirs/Madams:

**Re: District Official Plan Amendment No. 49 re Minett (“OPA 49”) and Township of Muskoka Lakes Official Plan Amendment No. 56 re Minett (“OPA 56”)**

We understand the Community and Planning Services committee will be reviewing OPA 49 and OPA 56 at its upcoming meeting on Thursday, June 23<sup>rd</sup>.

Some new provisions have been added to the OPAs which we believe warrant some comment and we have a couple of additional clarifying comments, as follows:

1. In OPA 56, we believe there is a typo in Section C1.4.5.1. We suggest the term “recreational capacity” should read “recreational carrying capacity”, as this is the term commonly used, including in Section C1.4.2.2 b).
2. In the Meridian Planning memorandum dated June 13, 2022 (the “Meridian Memo”) under OPA 56, Section 3, Meridian proposed to amend the Area of Use Limitation policies to link them to the policies in OPA 56 on wetlands to address one of our concerns. In Section C1.5.3.1a) a link was added to Section C1.5.3.7 dealing with floodplains. However, a link was not added to Section C1.5.2 dealing with wetlands. We suggest adding the following to the end of Section C1.5.3.1a) after the words “which are subject to Section C1.5.3.7”: “and wetlands which are subject to Section C1.5.2”
3. Section J5.4.6a) has been added to OPA 49 and Section C1.4.4.9 has been added to OPA 56 to permit modifying the location of two District Roads (Peninsula Road and Juddhaven Road). We have no issue with the intent of these new provisions. However, we request that the list of supporting studies required include not only an Integrated Transportation Plan and a Traffic Impact Study. We also assume that any adjustments to a public road would be subject to a Class Environmental Assessment, which should be included in the list of studies.

In addition, there is currently a publicly owned piece of land running from Juddhaven Road to Lake Rosseau which provides public access to the lake. Please include language to ensure that any realignment of Juddhaven Road will preserve this public access. We refer to Section C1.4.4.4 of OPA 56 which states that: "Public access to, from and along Lake Rosseau shall be preserved and encouraged to be enhanced." Originally there had been language requiring the main proponent to provide public access to the lake. However, this language was removed, as the main proponent was reluctant to guarantee public access over its privately owned lands (which is a fair comment).

4. In OPA 56, Sections C1.9A.e) and C1.9B.e), a Unit Owner of a Unit at a resort may exceed the 26 week (50%) maximum for owner usage where the unit has not been reserved seven days in advance. In discussions concerning the Township of Muskoka Lakes' proposed new Official Plan, we noted that this could have the unintended consequence of permitting a Unit Owner use of the Unit 100% of the time. As a result, Meridian has now included language in the Township's OP providing a cap on owner usage. Rather than settling upon a number of weeks or percentage now, we suggest that the number of weeks and percentage be set out in the implementing zoning by-law. We suggest adding to the end of the first sentence of Section C1.9A.e): " up to a maximum number of weeks per year (subject to subsection b)) as set out in the implementing zoning by-law", and to the end of the first sentence of Section C1.9B.e): "up to a maximum percentage of the weeks the resort is open (subject to subsection b)) as set out in the implementing zoning by-law".
5. We understand that a request has been made to exempt certain properties from the application of OPA 56 with respect to certain currently in place by-laws and agreements. We do not understand the need for this request and would have thought this would be addressed, to the extent necessary or appropriate, in the implementing zoning by-law.
6. In the Meridian Memo, under OPA 49, Section 6 and under OPA 56, Section 4, under the heading "Mapping applying to the Legacy Resort - formerly Lakeside Lodge", Meridian indicates that Schedule B2 to OPA 49 and the Appendix to OPA 56 are being amended at the request of Legacy so that "the full extent of the landholding be included within the Full Service Area". The lands proposed to be added include not only the resort (which we understand is 2046 Peninsula Road), but also a property off the lake recently purchased by the owners of Legacy (2026 Peninsula Road) which we understand is not zoned resort commercial, but rather residential (with one small home currently located on the site). We question the appropriateness of extending the Full

Service Area to this additional property at this time. We also note that it will create additional development rights beyond those that were reviewed by the Township and the Minett Joint Policy Review Steering Committee, and have not been subject to public input.

7. In Director Marden's memo to Committee dated June 23, 2022, under the heading "Background and Purpose", there is a statement in the second paragraph that the Minett Joint Policy Review Steering Committee (the "Steering Committee") was established in 2019. We believe the timeline of the creation of the Steering Committee is important. We ask that there be clarification that the District and Township Councils approved creating the Steering Committee and providing it with funding in June 2018, before the Cleveland's House property was purchased by Mr. Goldhar's company on January 18, 2019. The Steering Committee began meeting in November 2018.

We hope these comments are helpful.

Sincerely,



Ken Pearce  
Director & Secretary  
Friends of Muskoka



Susan Eplett  
Vice-President & Chair, Government & Land  
Use Committee  
Muskoka Lakes Association

cc: John Klinck, District Chair  
Allen Edwards, Vice-Chair and District Councillor  
Peter Cooper, District Councillor  
Paul Kelly, District Councillor  
Michael Peppard, District Councillor  
Don Smith, District Councillor  
Lisa Marden, Director of Planning  
Phil Harding, Mayor, Township of Muskoka Lakes (TML)  
Frank Jaglowitz, District Councillor  
Ruth Nishikawa, District Councillor  
Barb Bridgeman, Chair, Planning Committee and Councillor, TML  
Gordon Roberts, Councillor, TML  
Glenn Zavitz, Councillor, TML  
Susan Mazzan, Councillor, TML  
Donelda Hayes, Councillor, TML  
Peter Kelley, Councillor, TML  
David Pink, Director of Development Services & Environmental Sustainability, TML  
Nick McDonald, Meridian Planning Consultants