

June 29, 2022

Township of Muskoka Lakes
1 Bailey Street
P.O. Box 129
Port Carling, ON POB 1J0

Dear Director Pink and Mr. MacDonald,

Re: Official Plan Draft #3 – Follow-Up Comments

The Muskoka Lakes Association and Friends of Muskoka offer the following comments regarding draft #3 of the Official Plan (the “OP”), which are in addition to the comments in our June 20th, 2022 letter and delegations to Planning Committee.

1. Recreational Carrying Capacity (“RCC”) (E9)

We support the suggestion made at the Special Planning Committee meeting on June 20, 2022 that smaller lakes having a Transport Canada restriction on motor boats be excluded from an RCC hard cap on the creation of new lots.

We also point out that Seguin Township’s draft Official Plan extends the RCC calculation to new lot creation on distinct bays on larger lakes. We recommend that the Township take the same approach. Seguin’s draft policy provides:

“Distinct bays having connections to a larger portion of a waterbody less than 60 metres wide shall be considered as a separate waterbody for the purposes of the capacity calculation.” (Appendix III 1(iii)).

At some point we may want a mechanism to limit the number of boats on our larger lakes, via limits on lot creation, docking or public boat launches. We recommend including RCC as a criterion on larger lakes rather than explicitly excluding it in our OP.

2. Site Plan Control By-law (E5 and E4.2.2 g))

We repeat our request that where the draft OP refers to updating the Site Alteration and Tree Preservation By-laws, the Site Control By-law also be referenced. We expect this is an oversight since the Site Control By-law will also need to be updated to reflect the new OP policies.

3. Location of lands relating to the Waterfront Area (E2 d))

The existing OP has guidelines to determine whether lands physically or functionally relate to the waterfront (B1.2 (a) to (g)). We recommend these guidelines be carried forward into the new OP, s E2 d)

4. Capitalize Defined Terms for Commercial Accommodation Policies

We note that a number of defined terms need to be capitalized wherever used. Examples include “Resort commercial accommodation units” and “Traveling & vacationing public”.

We also note that a definition of “Unit” is needed. We recommend: “Unit” means: any one of a Residential dwelling unit, a Resort commercial accommodation unit or a Resort-related residential dwelling unit.

5. Resort-Related Residential and Residential Dwelling Units in an Urban Centre (F3.4.4 b) iv)

The percentage of Resort commercial accommodation units was changed from 70% to 50% (with the balance permitted to be residential). We note that for Minett, the agreed percentage was 70%, and suggest that this is more appropriate.

6. Fish Habitat (D1.3.5 h)

Section D1.3.5 h) provides: “To support the protection of **fish habitat**, new development, excluding shoreline or minor accessory structures, shall be set back a minimum of 20 metres (65.6 feet) from warm water and cool water streams and a minimum of 15 metres (49.2 feet) from warm water streams.”

We believe there is a conflict in this policy, and it should be *20m from cold and cool water streams and 15m from warm water streams*. Further, there is no explicit requirement for a setback from shorelines of lakes or wetlands for fish habitat?

7. Land Securement and Stewardship (D1.7.3 f)

Section D1.7.3 f) provides: “The Township encourages landowners to maintain, enhance or, wherever feasible, restore natural features on their property through measures including conservation easements, buffers and wherever appropriate, fencing.” We note that conservation easements are provided by property owners to other organizations who want to use the property, and fencing does not fit with this section.

We recommend this section be replaced with: “The Township encourages landowners to maintain, enhance or, wherever feasible, restore natural features on their property.”

8. Stormwater (D2.5.2)

The title for this section says Stormwater Management Considerations. It is a title that we previously questioned as to its intent. The items under it would be better included in stormwater planning.

Further, as previously pointed out, **items d) and e) under D2.5.2** are not stormwater related and should be **moved into L1** as they are tied to water supply and waste water servicing.

9. Policies for Residential Lots (E4.3 d) iv))

We recommend the following changes in blue to clarify Section E4.3 d) iv): “The maximum cumulative width of shoreline structures shall be 25% of the lot frontage up to a maximum of 23 metres (~~247.6 square feet~~ 75 feet), with boathouses subject to further restrictions.”

10. General Policies (E4.2.2 c))

We recommend the following changes in blue to clarify section E4.2.2 c): “Outside of the shoreline buffer area, a significant proportion of the existing vegetation shall be retained to augment existing vegetation where needed.”

11. Changing Zone Standards in the Waterfront Area (E6 a))

We note that N4 should be changed to N3 in section E6 a): “Policies that have an impact on the consideration of changes to zone standards in the Waterfront Area and elsewhere in the Township is found in Section N3”.

12. Changing Zone Standards (N3 a))

We believe there is an oversight in N3 b) which refers to applications for minor variances. Applications for zoning by-law amendments should be included.

13. Lake Trout Lakes (E8 e))

Section E8 e) provides: “Lake Trout Lakes can accommodate additional development provided that ..”. However, Section E8 a) recognizes that the Provincial Ministry classifies some lakes as being ‘at capacity’, and these are listed in Appendix B to the District of Muskoka OP.

We believe E8 e) should be revised to clarify it does not refer to at-capacity lakes, by adding these words in blue: “Lake Trout Lakes not at capacity can accommodate additional development ...”

14. Dark Skies (L14 c))

L14 c) reads “In addition to the above, dark sky lighting policies apply to all development throughout the Township.”

We believe the word ‘or redevelopment’ should be added after ‘development’.

15. Objectives (E1 h))

We note the word **to** should be added after proximity.

16. Local Community Areas (H2.4)

Local Community Areas seem to be different from Community Areas but the distinction is now less clear with the change in label. There is no definition to reflect that they are two separate designations.

Thank you for considering our comments, which we hope are helpful.

Sincerely,



Deborah Martin-Downs
President
Muskoka Lakes Association



Laurie Thomson
President
Friends of Muskoka

cc. Councillor Barb Bridgeman, Chair of Planning Committee
Councillor Allen Edwards
Mayor Phil Harding
Councillor Donelda Hayes
Councillor Frank Jaglowitz
Councillor Peter Kelley
Councillor Susan Mazan
Councillor Ruth Nishikawa
Councillor Gord Roberts
Councillor Glenn Zavitz