

May 27, 2022

Seguin Township
5 Humphrey Dr.,
Seguin, ON
P2A 2W8

Attention: Taylor Elgie, Director of Planning

Dear Director Elgie,

Re: Shoreline Development Survey

The Muskoka Lakes Association offers the following responses (in red) to the Shoreline Development Survey:

1 Do you own a shoreline property?*

1. **Yes** The MLA has members who own property in Seguin Township.
2. No

2 Are you a contractor?*

1. Yes
2. **No** No

3 Do you agree with increasing the scope of shoreline by-laws from 20 metres to 91.4 metres of the high water mark?*

Yes. Given the scale of site alteration that is happening on shoreline properties, the by-laws should extend to 91.4 metres so that a Township approved site plan can be put in place to ensure responsible development and avoid excessive tree cutting and blasting. Since many properties are on slopes, there is often a significant impact on the environment and water quality (due to runoff), as well as the “view from the canoe”, when there is site alteration or tree cutting beyond 20 m.

4 Do you agree that shoreline alteration by-laws should be revised to include entire islands?*

1. **Yes** – Islands have become particularly vulnerable to excessive development that is destroying the environment and animal/bird habitat. In our September 20th, 2021 letter to Seguin’s Council we included a photo of Caniff Island on Lake Joseph which shows a vast amount of blasting and tree cutting in the centre of the island, apparently in accordance with Township of Muskoka Lakes by-laws.
2. No
3. Unsure

5 These revised by-laws would continue to allow for tree removal and site alteration within 3 metres of a permitted and legal building, structure, or sewage disposal system for safety purposes or when grading is required. In your opinion, is this reasonable?

1. **Yes** Yes, this amount is reasonable and should continue. An application can be made if the particular property requires a larger amount.
2. No
3. Unsure

6 These revised by-laws could allow for tree removal and site alteration to install a driveway and parking area (both of which must adhere to Township size and construction regulations). Should driveways and parking areas be regulated?

1. **Yes** Yes. Driveways and parking areas should be specifically regulated, to help ensure that they adhere to the Township's size and construction regulations, as well as the tree removal and site alteration by-laws.
2. No
3. Unsure

7 These revised by-laws would state that a maximum of 10% of shoreline vegetation can be removed to create features like pathways and patios. In your opinion, is this reasonable?

1. Yes it is fair
2. No it is too strict
3. **No, it is not strict enough** There should be a smaller percentage limit on the amount of vegetation that can be in the riparian zone along the shoreline (the "ribbon of life") to create features such as pathways, patios and amenity areas, given its essential role that is described so well in question 9 of this survey.
For example, 10% of the first 20m from shore on a property with 90m of frontage is 180sq m, or over 1900 sq ft. This is double the ground floor area of the average cottage and 3x the size of the average 2-car garage. A very large patio is 40 sq m (430 sq ft), which would leave 140 sq m (1,500 sq ft) for additional amenity areas such as patios and pathways. At a width of 1.25m, that would allow 110 m (360 ft) of path length within 20m of the lake.
4. Unsure

8 These revised by-laws propose that patio areas within 20 metres of the shoreline cannot exceed 18.6 square metres. In your opinion, is this reasonable?

1. Yes, it is fair
2. **No, it is too large** A patio of this size would require significant tree and vegetation removal along the shoreline, with negative impacts on water quality, habitat, and the 'view from the canoe'.
3. No, it is too small
4. Unsure

9 The riparian zone is an area between the upland zone and the shoreline. It forms a corridor between land and water, allowing animals to travel between different biomes. Lining the border of the water, the riparian zone provides distinct rich, moist soils in which diverse plant communities can grow. A healthy riparian zone contains diverse plant species, aquatic and terrestrial wildlife. It helps to maintain water levels, temperature and also prevents erosion. The revised by-laws would state that patios must have a minimum setback of 5 metres from the high water mark to protect this riparian zone. In your opinion, is this reasonable?

1. Yes, it is fair
2. **No, it is not far enough away from the water** We acknowledge that one patio/fire pit is currently allowed within the 20 metre setback, and agree that patios (as well as fire pits and other amenity areas) should be set back a minimum distance from the high water mark. In our view, 5 metres would be a minimum distance, and we encourage Council to consider a greater distance. These structures will damage the riparian zone which is so important to the natural environment, as explained in this question. Removing trees and vegetation for patios will also negatively impact the 'view from the canoe'. We also recommend the patios be made of a permeable material, and that no vegetation or trees be removed around their perimeter.
3. No, it is too strict
4. Unsure

10 Manmade beaches and shoreline hardening (artificial structures/ walls, borders of large stones or boulders, etc.), and patios built directly on the shoreline are known to severely deplete the health of local ecosystems. What features should be prohibited from being built on the shoreline?

1. Patios
2. Beaches
3. Shoreline hardening features
4. **All of the above** Yes. We must do what we can to protect the health of our environment and water quality, especially in light of climate change.
5. None of the above

11 The suggested bylaw would limit the width of pathways within 20 metres of the shoreline to 1.25 metres. Is this reasonable?

1. **Yes** Yes. We also recommend that pathways and patios within 20 metres of the shoreline be required to be dry laid to minimize run-off (ie. where individual stones are laid on a bed of sand or gravel or other similar material and the design is held together by tightly compacted material and does not include the use of concrete or mortar).
2. No, 1.25 metres is too narrow
3. No, 1.25 metres is too wide
4. Unsure

12 Do you have concerns about shoreline alteration and tree removal that have not been addressed in this survey? If so, please share your concerns here.

The MLA offers the following comments on other proposals from the Shoreline By-law Discussion - Quick Facts Chart:

- Flexibility: We agree that exceptions to the shoreline by-laws should require a permit to alter lands, unless there is Site Plan Approval or a Building Permit. A permit outlining details of the permitted site alteration will provide clarity to property owners and contractors, and assist with enforcement.
- Hazardous Trees: We are unclear what the intention is with the ‘recommendation’ that an arborist is consulted to verify that removal of a dead or hazardous tree was necessary. We recommend that property owners be required to take photos of a tree that they want to remove on the basis that it is dead or hazardous, and produce the photos to the Township when asked.
- Site Alteration and Blasting: We agree with extending the prohibition on blasting beyond 20 metres of the shoreline, to prevent the type of excessive blasting of a cliff property that is occurring at Wildcat Point on Lake Rosseau. We included a photo in our letter to Council on September 20, 2021. The proposed prohibition on blasting for new development within 30 metres of the shoreline is consistent with the proposed 30 metre building setback in the draft Official Plan, which we support. However, we note that the draft Official Plan prohibits blasting within 45 metres of the shoreline or any natural heritage feature. Our concern is that permitting blasting for building foundations or drainage 30 metres from the shoreline will result in more rock cliffs – our irreplaceable natural heritage features – being blasted, as happened at Wildcat Point.
- Consideration by Council for Relief from the By-law: We agree with the proposal that applications for relief/exemptions from the by-laws have clear requirements, including plans and reports, unless an exception is provided by Council. These plans and reports will improve the quality of information provided in order for Staff and Council to consider the relief requested. The information will also improve the detail provided in the permit granted, which will provide clarity to the property owner and contractors as to what is allowed, and assist with enforcement.
- Penalties: We agree with the proposal for the by-law to include the maximum permissible penalties under the Municipal Act, to help prevent illegal site alteration, blasting and tree removal. Regrettably, large trees cannot be replaced in our lifetimes, and rock cannot be replaced if removed illegally. We also agree with set fines/tickets for minor offences, to assist with enforcement.

The MLA submitted a letter to Council dated September 20, 2021 outlining additional concerns about shoreline alteration, tree removal and blasting, along with photos and our recommendations. We would be happy to provide another copy of our letter if it would be helpful.

We appreciate this opportunity to provide our input into the Township's review and update of its shoreline by-laws, and applaud the Township for its commitment "to protecting our ecosystems today and for generations to come".

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Eplett". The signature is fluid and cursive, with the first name being more prominent.

Susan Eplett
Vice-President and Chair, Government & Land Use Committee

cc: Mayor Ann MacDiarmid
Councillor Daryle Moffat
Councillor Art Coles
Councillor Rod Osborne
Councillor Terry Fellner
Councillor Ted Collins
Councillor Gail Finnsen

