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October 12, 2016

**Chair Edwards and Members of the Committee of the Whole
Township of Muskoka Lakes
1 Bailey Street, PO Box 129
Port Carling, Ontario
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Dear Mr. Edwards and Committee Members:

**Re: District of Muskoka
Lake System Health Official Plan Amendment #45**

Muskoka Lakes Association (MLA) notes that there is a report on your committee meeting agenda of October 13th regarding the District of Muskoka's proposed lake system health official plan amendment. We have a number of concerns with the District's proposal. The MLA intends to address this item at the District of Muskoka's Official Plan statutory Public Meeting next week.

However, in view of the report on your agenda today and the impact of the proposed policy on the local municipality, we would like to share with you some of our concerns.

The MLA's overall concerns with the proposed amendment is: the impact of the district's abandonment of the lake classification system, and the downloading of responsibility for implementation of "best practices to protect water quality" to the local municipalities.

Abandonment of the Lake Classifications

In Muskoka Lakes, the lake classification system applies to development criteria beyond lake sensitivity. Criteria such as lot density, coverage, provision for docks, provision for one story, two story or no boathouses are all based on the individual lake's classification. If the classification is abandoned, Muskoka Lakes will need to undertake an examination of its Official Plan policies and zoning by-law restrictions to determine which policy and restrictions are still relevant and on what basis. This will be a time consuming task, perhaps useful, but lengthy and what criteria will prevail in the interim if the lake classification system is abolished. Muskoka Lakes needs to consider this question especially if the District's Official Plan amendment is approved this year.

Downloading of Implementation to the Local Municipality

Secondly, the MLA is aware of a number of water quality impact assessment studies undertaken to assess whether a lot could be severed and/or developed. While none of the submitted studies found that the property could not be developed, each provided a number of criteria beyond that normally applied in the zoning by-law as to building and septic system setback, shoreline buffering, maintenance of existing tree cover etc. In our opinion this provided a reasonable set of parameters upon which to judge that a property could be developed. It also established on an individual lot basis the development criteria and restrictions. Without these parameters, the fallback position would be the minimal development standards in the zoning by-law. That is not good enough.

The District is proposing that implementation of the lake health system be based on “best practices” namely requiring site plan control approval for ALL properties within the township. This raises two issues.

First what is the criteria upon which a site plan control application would be judged. Given the lack of any additional criteria or studies as provided under the water quality impact assessment, that criteria would be simply compliance with the zoning by-law. The MLA believes that there needs to be developed and adopted a set of site plan guidelines that goes beyond the zoning restrictions to include such items that contribute to the protection of water quality in our lakes, such as shoreline buffering, maintenance of tree cover, water runoff and stormwater management techniques. Although discussed at the district level with general agreement that such adopted guidelines would be useful and provide transparency to the local population and contractors, this has not yet been accomplished.

Secondly as stated in the planning staff report, the imposition of site plan control on all properties would double or possibly triple the staff’s workload. This has huge budgetary implications. In addition, site plan control approval is meaningless if the site plan agreement cannot be enforced. The township’s ability to both inspect the resultant development in a timely fashion and enforce site plan agreements has been abysmal in the past. Muskoka Lakes needs time to consider how it will manage the responsibilities downloaded to them by the District.

Further Consultation Needed

Both myself as chair of the MLA Land Use and Political Committee and Chris Cragg as chair of the MLA Water Quality and Environment Committee, have had two excellent meetings with district staff and your planning director David Pink. We are planning to have at least one more meeting.

We are also aware that there are lake associations representing Three Mile Lake, Brandy Lake, Leonard Lake, Camel Lake and several lake associations in Gravenhurst that have concerns that need to be addressed before this policy is approved. We share and support them in their concerns.

For these reasons, we will be requesting that the District NOT adopt the proposed Official Plan amendment next week, but rather continue to have consultation meetings to fine tune the proposed policy. It is also important that the District obtains “buy in” from the local municipalities and an understanding on the part of the local municipalities of their obligations as a result of the Districts proposed downloading.

We believe that the water quality of Muskoka’s lakes is generally good. But it is also important and in everyone’s interest that it remains so.

Yours respectfully,

Anne McCauley MCIP, RPP
MLA

c District of Muskoka