



Box 298, Port Carling, Ontario, Canada
POB 1J0
Phone (705) 765-5723 Fax (705) 765-3203
E-mail info@mla.on.ca Website
www.mla.on.ca

August 24, 2018

Sent via e-mail

Attention: Scott Lucas - Director of Development Services, Town of Gravenhurst
Mayor Donaldson and Members of Council

Re: Moody Bay Developments Inc. - Application No. ZA 20-2018

The Muskoka Lakes Association (MLA) actively participated in the development of the most recent Gravenhurst Official Plan to ensure that our values for Muskoka, the environment and especially the shoreline are built into policy. The plan as adopted (2016) incorporated our values for setbacks, considerations for landscape and for water quality. The MLA represents more than 2000 families within Muskoka, extending from Seguin Township in the north to Gravenhurst in the south, as well as Bracebridge and the Township of Muskoka Lakes. Our association includes residents on the three big lakes and the numerous small lakes within Muskoka.

Given the recent nature of the OP within this term of council, the MLA was very disappointed to learn that the Moody Bay Developments Inc. - Application No. ZA 20-2018 is being considered without meeting the minimum policy requirements of the new Official Plan.

As we understand the application, Moody Bay Developments Inc. has applied to build 30-townhouses on a previously undeveloped, forest covered 3.3 acre lot fronting on Gull Lake. The lot is nestled into a low density single family shoreline residential neighbourhood, and zoned Urban Residential Area within the Gravenhurst Urban Centre designation in the Official Plan (2016). The proposal acknowledges significant blasting and tree removal to accommodate the number of units. Further, the development has not respected the buffers and setbacks from the shoreline, nor has it addressed the potential for shoreline structures.

The MLA continues to reiterate the importance of protecting the features that make Muskoka unique - including steep rock faces, wetlands, forests and streams. Even in the Town setting, these features make Gravenhurst unique. Good design works with the topography to create interesting streetscapes. We should strive for something better and not immediately concede defeat of the landscape challenges. Muskoka is unique. We should embrace it, not try to tame it. The placement of the units should work with the landscape and constraints which ultimately may result in the reduction in the number of units. Section C5.7 of the Gravenhurst Official plan provides just such direction.

“Development shall be designed to reflect an urban scale, while respecting and incorporating, where feasible, the physical and environmental qualities that define the character of the Town. ...” Where feasible provides an out, but first one has to demonstrate why it is not feasible to maintain the physical characteristics of the site. No such rationale has been provided in the staff report.

Accordingly, on behalf of the Muskoka Lakes Association, we wish to file comments and an objection to the Moody Bay Developments Inc. proposed development on Gull Lake based on the following:

1. **The Application does not meet building setbacks.** The applicant is requesting a reduction of the setback (the distance from building to water) from **30 metres to 15 metres – a 50% reduction**. The 2016 Gravenhurst Official Plan requires a **minimum** setback of 30 metres as per policy C5.9:

*“New waterfront development shall be subject to the provisions of Section D11, Preservation of Vegetation and Provision of Shoreline Setbacks, and Section D12, Character of the Shoreline Development, with necessary modifications to reflect the urban scale and nature of the development **provided a net improvement over the existing situation is achieved** where a reduced shoreline setback is proposed.”*

Removal of virtually all the forest cover on the site and with reduced buffers is not preserving the environment nor is it providing a *net improvement over the existing condition* and reflecting the character of shoreline development that exists on this shoreline of Gull Lake. The development does not meet this test.

2. **The Application does not meet the shore buffer.** The applicant is requesting a reduction of the shoreline buffer from **20 metres to 12.2 metres – a 40% reduction**. The Gravenhurst Official Plan (Section D11) requires a **minimum** shoreline buffer of 20 metres, applicable even in the Gravenhurst Urban Centre. The setback and shoreline Official Plan policies are specifically designed to protect the environment and water quality. **These are vital environmental safeguards and must be upheld.**

In their report, Staff have referenced policy I6.21.1 that requires the minimum building setback from a lake to be 30.0 metres, and that it does provide for exceptions, *“Where this setback cannot be provided due to physical conditions or existing buildings, a lesser setback may be used provided that **maximum vegetative buffers** between the development area and high water mark are enhanced and maintained by the landowner through Site Plan Control.”* As stated in the EIS and Planning Justification Report, the shoreline buffer **would be retained** and enhanced, where possible.....

In this proposal, the maximum vegetative buffer of 20 m is not being adhered to so the staff report is in error. The Planning Council Notice specifically notes the application being for **reduced buffers**:

The proposed amending By-law would rezone the properties from Commercial Special Purpose (C-4) to Residential Multiple Two (RM-2) with a Special Provision to reduce the setback from the lake from 30.0 metres to 15.0 metres and to reduce the depth of the shoreline buffer from 20.0 metres to 12.2 metres, as shown on the attached sketch dated August 7th, 2018

3. **Has the application applied source conveyance and end of pipe measures?** Section 16.22.4 of the official plan identifies that *“Management of stormwater on site is an important component leading to shoreline protection. As a condition of approval, including the issuance of building permits, appropriate stormwater controls, conveyance and end of pipe measures shall be implemented; to ensure that increased runoff does not reach the lake”*. A storm pond is depicted in the notice but a **comprehensive source, conveyance and where required end of pipe solution** must be designed and implemented.

The MLA was clear in our response to the OP Review that enhanced storm water controls must form the next wave of water quality improvements and as provisions were included in the OP, we expect them to be designed and incorporated into all new and redeveloping sites as provided for in the OP. A storm pond will not replace a forest in managing runoff into Gull Lake. A reduced buffer will not be sufficient to protect the lake under a construction and completed development scenarios.

4. **The application is not compatible with the low density neighbourhood.** The construction of 30 townhouses on 3.3 acres is not compatible with the historic nature of the single-family homes and cottages on Gull Lake. Indeed, it is contrary to Section C6.6.1 of the Official Plan: *“**The character of lands that have historically been developed as low-density waterfront residential areas on private services will be preserved. Despite the availability of full municipal services within this designation, new development will maintain the basic lot pattern that existed as of the date of approval of this Plan.**”*
5. **The application does not respect the physical characteristics of the Site.** The developer has acknowledged that blasting and significant tree cutting will be necessary to build the townhouses. Gravenhurst’s Tree Preservation By-Law (2014-26) and Site Alteration By-Law (2014-27) specifically controls blasting and tree removal on *“**all lands within 60 metres (approximately 197 feet) of the Optimal Summer Water Level (OSWL) of a lake or river bed.**”* The developer has offered no information on how he will adhere to these two important environmental By-Laws. This approach to development flies in the face of Section D12 of the OP which states that Buildings in the Waterfront Area (applicable to the Gravenhurst Urban Centre) will be **designed and constructed to blend in to the natural environment** and preserve the historic architectural characteristics of the area.

The staff report refers to section 16.9.1 of the OP:

The following development criteria shall apply to development proposed on Steep Slopes, as identified on Schedule B, or as identified by municipal staff during a site visit or through the development review process.

a) Development will be limited on Steep Slopes. Development of these areas can be hazardous to structures as well as the visual integrity of the landscape.

The Staff report notes that during their site inspection staff confirmed steep slopes at the north end of the property adjacent to Gull Lake. Staff also noted that it was a small area. There is no reason why development cannot be limited on this portion of the property.

6. **The application is silent on Shoreline Structures.** The plan does not depict any location or quantity of shoreline structures. The site plan must show all aspects of the development such that appropriate comment can be provided and impacts on neighbouring properties assessed.

In summary, development must be done differently in Gravenhurst – to protect the small town feel and the environment on which the economy of Gravenhurst depends. This development cannot be allowed to proceed as currently designed. If approved, we feel this application will set a dangerous precedent that will allow high-density residential development on low-density lakes across the municipality. If you defer this application, we expect that it will be with clear direction to staff to work with the developer to modify this application to meet the Official Plan policies. Please uphold the Policies that the MLA supported.

We wish to be notified of the decision of the Town of Gravenhurst in respect of the proposed By-law. We also we request a recorded vote on this issue. Please send all notices to Deborah Martin-Downs, martin_downs@sympatico.ca.

Sincerely



Deborah Martin-Downs, Chair PLUC, Vice President MLA

c.c Lawton Osler, President, MLA
 Jim Davis, Gull and Silver Lakes Association